

MINUTES
CAYUGA COUNTY LEGISLATURE
May 25, 2010, 1:00 PM
SENIOR CITIZEN DAY (Emerson Park)

WELCOME:

CALL TO ORDER: Hon. Peter Tortorici, Chairman, At 1:00PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present except Palermo excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

NATIONAL ANTHEM: sang by Dr. Daniel Larson, President Cayuga Community College

PROCLAMATIONS: May 2010 – Cayuga County Senior Citizen Month, Chairman Peter Tortorici, presenting to Nancy Siefka, Director Cayuga County Office for the Aging.

National Nursing Home Week, May 9th through May 15th, 2010

Auburn/Cayuga County NAACP 43rd Annual Freedom Fund Banquet May 7th, 2010

Small Business Week, May 23, 2010 through May 29, 2010.

ANNOUNCEMENT OF AWARDS:

Senior Citizens of the Year 2010, By Nancy Siefka, Director Office for the Aging

Nancy Webster, 14345 Victory Street, Sterling, NY
Certificate presented by Legislator Christopher Palermo

Matthew Osterhauadt, PO Box 21, Fair Haven, NY
Certificate presented by Legislator Christopher Palermo

Jeanne Lampman Baker, 8990 Jackson Street, Weedsport, NY
Certificate presented by Legislator Ann Petrus

Thomas Manuel, J 118 Standart Woods, Auburn, NY
Certificate presented by Legislator Stephen Barski

Joseph Wasileski, 5043 Gleason Drive, Auburn, NY
Certificate presented by Legislator Roger Mills

20 Minute Break following the Presentation – Refreshments will be served immediately following the Ceremony

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.
none

MINUTES: For Approval: 3-23-10, **Motion by Lattimore to approve minutes, 2nd by Mahunik, all in favor.**

For Reading: 4-27-10 and Spec. Committee of the Whole 5-6-10

CCC REPORT: Dr. Daniel Larson: Remembrance: Vincent M. Klein who served for three decades on our Board of Trustees. 2010 Commencement was held on Sunday honoring 535 graduates. Enrollment Update: full-time enrollment for 2009-10 is 3,454, for fall 2010 1,843 students are registered. Fulton and Oswego Rotary Visits, I visited the Rotary Clubs and gave them a presentation about the past, present and future of our Fulton campus. Community Education and Workforce Development: a credit-free course brochure for Spring and Summer 2010 was handed out.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: None

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, A thank you to Mary & Sheila, Legislature Department for setting up and to Bob and Lisa in the IT Department for their work with the sound system. The Resolution to outsource cleaning service, I believe it's the right thing to do, it was not an easy decision, I recommend that we adopt this resolution. We will have a Resolution next month, contract with Motorola and RFP to move forward with the Microwave System. County Clerks revenue is up 2%, and we are holding our own with sales tax.

CHAIRMAN'S REPORT: Peter Tortorici, Congratulated Mary Jones, Clerk of the Legislature for being appointed as Secretary to the New York State Association of Clerks and for having the New York State Association of Clerks conference to be held in Auburn next year.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga-Cortland Workforce Investment Board

Mark Carr, 21 Henry Drive, Auburn, NY – term: 7/1/10 – 6/30/13

Maxwell H. Haines, 616 Fraher Rd., Port Byron, NY – term: 7/1/10-6/30/13

Edward (Ted) Herrling, 6529 Beech Tree Rd., Auburn, NY – term: 7/1/10-6/30/13

Dr. Daniel Larson, 2802 White Birch Lane, Auburn, NY – term: 7/1/10 – 6/30/13

Theresa Walsh, 74 Mary St., Auburn, NY – term: 7/1/10 – 6/30/13

George Farenthold, 396 Main St., Aurora, NY – term: 7/1/10 – 6/30/13

Cayuga County Fire Advisory Board:

Larry Dygert, 10484 Jordan Rd., PO Box 279, Jordan, NY 13080, term 5-1-10 to 4-30-2011

Tom Begley, PO Box 123 Cato, 161 Fire Lane 12 Jordan Rd., Jordan, NY 13080, term 5-1-10 to 4-30-2011

William Pelc, Cayuga St., Auburn, NY 13021, term 5-1-10 to 4-30-2011

David James, PO Box 749, Weedsport, NY 13166, term 5-1-10 to 4-30-2011

Jim Perkins, 2762 Center Rd., Scipio, NY 13147, term 5-1-10 to 4-30-2011

Ray Dyer III, PO Box #83, Locke, NY 13092, term 5-1-10 to 4-30-2011

Patsy DiNonno, Four Frances St., Auburn, NY 13021, term 5-1-10 to 4-30-2011

Lt. Mike Wellauer, 51 Mattie St., Auburn, NY 13021, term 5-1-10 to 4-30-2011

Dr. Mary DiRubbo, PO Box 775, Skaneateles, NY 13152, term 5-1-10 to 4-30-2011

Augustus (Gus) Maffetore, 3498 Wyckoff Rd., Moravia, NY 13118, term 5-1-10 to 4-30-2011

David Dixon, 85 Rochester St., Port Byron, NY 13140, term 5-1-10 to 4-30-2011

Kevin Foster, 741 Clark St. Rd., Cayuga, NY 13034, term 5-1-10 to 4-30-2011

Craig Foster, 5759 Benham Rd., Cayuga, NY 13034, term 5-1-10 to 4-30-2011

Patrick Merical, 1642 Rte 38A, Auburn, NY 13021, term 5-1-10 to 4-30-2011

C. Michael Hammon, 80 Elizabeth St., Auburn, NY 13021, term 5-1-10 to 4-30-2011

Motion to approve all appointments by Lattimore, 2nd by Pinckney, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Brian Kolb State Assembly Minority Leader, acknowledging receipt of Resolution No. 222-10, re: Leandra's Law.

2. Received a letter from Stephen Acquario, Executive Director New York State Association of Counties, re: Leandra's Law and the costs associated with it for counties.

3. Received a letter from Brian Kolb Assembly Minority Leader, to David Patterson, Governor, re: the legal battle between the People of Seneca and Cayuga Counties and the Cayuga Indian Nation and the costs incurred.

4. Receive acknowledgement's from Gary Finch, Member of Assembly, Brian Kolb, State Assembly Minority Leader and David Patterson, Governor, for Resolution No. 203-10, a Resolution in support of Assembly Bill A09919 which authorizes county clerks to retain a portion of fees collected for motor vehicle related services.

5. Received copies of 2 Resolutions passed by the County of Fulton.re: Opposition to the Leandra's Law.

6. Received a letter from Christine Crowley, Fiscal Advisors & Marketing , Inc., re: Cayuga County's Bond rating, recalibrated from "A3" to "A1".

7. Received a letter form Member of Assembly Gary Finch, re: acknowledgement of Resolution No. 222-10, (Leandra's Law)

Motion by Aikman to waive reading of announcements, except for number 6, which was read in its entirety by Chairman Tortorici.

RESOLUTIONS

RESOLUTION NO. 223-10
05-25-10 AuditMay 2010.doc
AUTHORIZING THE COUNTY TREASURER TO PAY
APRIL 2010 AUDIT OF CLAIMS

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on May 25, 2010 audit claims against the County of Cayuga in the aggregate sum of \$2,776,216.15, therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 17, 2009.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 224-10
05.25.10

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

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

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

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

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

April 2010

| | |
|------------|--------------|
| Electric | \$ 7,370.00 |
| Telephone: | \$ 11,187.07 |
| Total: | \$ 18,557.07 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 225-10
3-23-10 OFAseniornutrition
REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER
FOR OPERATION OF THE SENIOR NUTRITION PROGRAM
IN THE OFFICE FOR THE AGING.

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and
 Mr. Christopher Palermo, Chair of Ways and Means Committee.

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer

for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$5,438.00 covering the period through 4/30/10 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, and Mills, all in favor.

RESOLUTION NO. 226-10
05.25.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

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

April 2010

| | |
|---------------|-------------|
| First Niagara | \$ 0 |
| AmExpress | \$ 2,779.16 |
| Sunoco | \$ 112.19 |
| Walmart | \$ 0 |
| Exxon | \$ 80.91 |
| Total: | \$ 2,972.26 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 227-10
05.25.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Christopher Palermo, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

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

April 2010

| | |
|--------------------------------|--------------|
| Copier Leases and Maintenance: | \$ 10,127.53 |
| Postage Leases: | \$ 478.00 |
| Total: | \$ 10,605.53 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 228-10**(5/25/10) COA-CAPH5PAY-REV.****AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST
VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims

and charge the same to the appropriate Capital "H" Projects:

Project #07-5 (Tyler Software): Amount

Inn at the Fingerlakes -Inv. No. 4379 140.00

Tyler Technologies – Invoice 26035 2,815.40

Tyler Technologies – Invoice 163896 13,200.00

Subtotal 16,155.40**Project #08-1 (North Street Mental Health Renovations):**

Lowes – Inv. 56341 313.17

Green Plumbing Inc – Application 4 11,012.00

Syracusa Mechanical Inc – Application 3 47,500.00

East Coast Electric - Application 3 56,339.75

Fah's Construction Group – Application 5 185,350.95

Gray Management Systems – Bill #9 20,387.50

C & S Companies Invoice # 0842710 55,474.92

Subtotal 376,378.29**Project #10-01 (Meridan Environmental Restoration Project)**

C & S Engineering – Invoice 0119032 423.00

C & S Engineering – Invoice 0120297 1,189.00

Subtotal 1,612.00**GRAND TOTAL 394,145.69**

And be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 229-10**(5/25/2010) rpsmortgagetaxpymtapr****TO AUTHORIZE THE COUNTY TREASURER TO PAY MORTGAGE TAX**

BY: Christopher Palermo, Chairman, 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 \$448,472.44, the same being the net amount collected from the taxation of mortgages for the period Oct 1, 2009, to March 31, 2010; and

WHEREAS there is in the County Treasurer's Account No. T-58, the amount of \$448,472.44 which should be distributed among the City of Auburn and the Towns and Villages of the County; therefore be it

RESOLVED that the County Treasurer be directed and required to pay the sum of \$448,472.44 to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

| | | | |
|-----------------------|------------|-------------------|------------|
| City of Auburn | 139,008.13 | Montezuma | 5,472.48 |
| Aurelius | 11,808.79 | Moravia | 8,370.32 |
| Vlg Cayuga | 944.70 | Vlg Moravia | 4,047.75 |
| Brutus | 21,682.56 | Niles | 10,781.86 |
| Vlg Weedsport | 11,123.58 | Owasco | 27,845.41 |
| Cato | 9,088.60 | Scipio | 15,211.05 |
| Vlg Cato | 367.14 | Sempronius | 3,406.59 |
| Vlg Meridian | 400.84 | Sennett | 31,349.26 |
| Conquest | 6,326.12 | Springport | 19,250.32 |
| Fleming | 20,196.25 | Vlg Union Springs | 6,709.91 |
| Genoa | 9,696.25 | Sterling | 9,069.21 |
| Ira | 14,052.01 | Vlg Fair Haven | 6,443.21 |
| Vlg Cato | 775.84 | Summerhill | 4,412.02 |
| Ledyard | 8,686.95 | Throop | 9,352.23 |
| Vlg Aurora | 1,872.17 | Venice | 5,262.14 |
| Locke | 7,524.17 | Victory | 9,114.78 |
| Mentz | 5,300.17 | | |
| Vlg Port Byron | 3,519.63 | Grand Total | 448,472.44 |

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 230-10

5/25/10 COL Payempmealunch

AUTHORIZING THE COUNTY TREASURER TO PAY BALLOONS RESTAURANT AND CATERING FOR EMPLOYEE RECOGNITION LUNCH EXPENSE.

BY: Hon. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the eighth annual Cayuga County Employee Recognition Luncheon will be held on June 10, 2010 at the Emerson Park Pavilion; and

WHEREAS, the event will honor county employees with 10, 15, 20, 25, 30, 35 and 45 years of devoted service to the taxpayers of the county; and

WHEREAS, funding for the event is provided by appropriated funds in account A-10414-54074 (page 3 of 2010 budget) with the CSEA providing funding for postage, invitations, etc.;and

WHEREAS, the Balloons Restaurant will cater this luncheon event; now therefore be

RESOLVED, that the Cayuga County Treasurer be authorized and directed to issue payment to Balloons Restaurant and Catering upon submission of an itemized bill and certification from the Clerk of the Legislature that the amount is just and accurate and said amount shall be charged to account A-10414-54074; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries, as prescribed by the Comptroller of the State of New York, to accomplish same.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 231-10
5-25-10 COLHANDICAPPARK

**AUTHORIZES THE CAYUGA COUNTY TREASURER TO WRITE A CHECK
OUT OF THE T-17064 TRUST ACCOUNT (HANDICAPPED PARKING
AWARENESS PROGRAM PARKING FEES) TO OPTIONS FOR
INDEPENDENCE FOR THE AMOUNT OF \$2,500.00.**

BY: MR. CHRISTOPHER PALMERO, Chairperson, and Ways and Means Committee
WHEREAS, the Legislature of the State of New York established a handicapped parking education program under Chapter 497 of the Laws of 1999; and

WHEREAS, the Cayuga County Legislature established a handicapped parking education program in 2000 to expend monies collected locally from citizens who parked their vehicles in handicapped parking places who were not handicapped; and

WHEREAS, to date there is a balance of \$4,589.60 in said trust account; and

WHEREAS, the Clerk of the Legislature has met with the Director of Options for Independence who has agreed to assist in coordinating the education program for 2010; and

WHEREAS, the sum of \$2,500.00 has been agreed on for the expense of marketing said program; it is hereby

RESOLVED, that a check be made payable to Options for Independence for the sum of \$2,500.00 from the T-17064 Trust Account; and it is further

RESOLVED, that the Director of Options for Independence will use these funds to pay for advertising, radio announcements and other means of promoting Handicap Awareness; and it is further

RESOLVED, that the Director of Options for Independence will keep a journal of paid receipts/expenses for the promotion of the program and provide a complete copy to the Clerk of the Legislature; and it is further

RESOLVED that any remaining funds will be sent to the Clerk of the Legislature by the Director of Options for Independence and deposited into the T-17064 Trust account, if any.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 232-10
(05/25/10) TREASamendCapH

**AUTHORIZATION TO AMEND CAPITAL H PROJECT # 07-05 (TYLER
SOFTWARE) FOR THE PURCHASE, INSTALLATION, TRAINING AND
OTHER ASSOCIATED COSTS FOR TYLER TECHNOLOGIES, INC.**

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, Resolution number 708-07 established Capital H Project #07-05 for the purchase, installation, training and other associated costs for Munis software from Tyler Technologies, Inc., and

WHEREAS, we are in the process of implementing the "Payroll" module of the Munis software, with which the County's payroll will be processed in-house, eliminating the need for the outside vendor presently processing the County payroll, and

WHEREAS, due to the complicated process of conversion and set-up of the new system, additional training days will be needed from Tyler Technologies in order to insure a smooth and orderly transition into the new payroll system, now therefore be it

RESOLVED, that County Legislature hereby authorizes that Capital H Project #07-05 be amended by the addition of \$9,100 and that the County Treasurer's Office transfer \$9,100 from the County's Contingency Fund A10164-54000 to Capital H Project 07-05. Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 233-10

Action Date 5/25/10 HRAbolishPosCont2010

AUTHORIZATION TO ABOLISH VACANT POSITIONS WITHIN HUMAN RESOURCES AND CIVIL SERVICE POSITION CONTROL FILES FOR COUNTY DEPARTMENTS.

BY: Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Department of Human Resources and Civil Service Commission after reviewing the vacant position control files for the various county departments prepared a report for each department with their vacant positions listed; and

WHEREAS, upon examination by the department heads it was determined that the attached listing of vacant positions could be abolished; NOW, therefore be it

RESOLVED, that the attached listing of vacant positions be hereby abolished; and be it further

RESOLVED, that the Department of Human Resources and Civil Service Commission be authorized to abolish the positions from the position control files for the various departments.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

Positions to Abolish in the Position Control File from November 2009 Report
5/11/2010

KEY DEFINITION (Column 1)

Unfunded = Unfunded in 2009 or prior year - see date vacated on right
 Seasonal = Seasonal
 x = Funded in 2009
 SUB = Substitute job (out of title work, etc.)

11/25/2009
 Dept Head
 Responses
 x

| 2009 Budget | jobno | title | dept | tme | jobtype | DATE | | Check to |
|-------------|------------|---|-----------------------|-----|---------|------------|---------|----------|
| | | | | | | VACATED | Abolish | |
| Unfunded | 001820-SYS | TAX MAP TECHNICIAN | ASSESSMENTS | F | P | 9/20/2007 | x | |
| Unfunded | 006123-SYS | CLEANER PT | BUILDINGS AND GROUNDS | P | P | 6/14/2008 | x | |
| Unfunded | 006124-SYS | CLEANER PT | BUILDINGS AND GROUNDS | P | P | . | x | |
| Unfunded | 006421-SYS | CLEANER PT | BUILDINGS AND GROUNDS | P | P | 2/25/2008 | x | |
| SUB | 005888-SYS | BUILDING INSPECTOR & CODE ENFORCEMENT OFF PT (SUB) | CLK OF LEGISLATURE | P | U | 6/26/2008 | x | |
| Unfunded | 001812-SYS | CONFIDENTIAL SECRETARY TO IDA PT | COUNTY TREASURER | P | P | 1/16/2006 | x | |
| Unfunded | 002469-SYS | AUTOMOTIVE MECHANIC DIESEL | HIGHWAY | F | P | 8/2/2003 | x | |
| SUB | 006609-SYS | AUTOMOTIVE MECHANIC DIESEL SUB | HIGHWAY | F | U | 5/10/2009 | x | |
| SUB | 004966-SYS | AUTOMOTIVE MECHANIC HELPER SUB | HIGHWAY | F | U | 6/9/2002 | x | |
| SUB | 005105-SYS | AUTOMOTIVE MECHANIC HELPER SUB | HIGHWAY | F | U | 4/29/2002 | x | |
| SUB | 003353-SYS | AUTOMOTIVE MECHANIC SUB | HIGHWAY | F | U | 6/21/2004 | x | |
| SUB | 005632-SYS | AUTOMOTIVE MECHANIC SUB | HIGHWAY | F | U | 10/24/2004 | x | |
| Unfunded | 004867-SYS | CIVIL ENGINEER | HIGHWAY | F | P | 5/10/2002 | x | |
| Unfunded | 005280-SYS | DEPUTY DIRECTOR OF PUBLIC WORKS | HIGHWAY | F | T | 2/25/2002 | x | |

| | | | | | | | |
|----------|------------|-------------------------------------|-------------------|---|---|------------|---|
| Unfunded | 002377-SYS | HEAVY MOTOR EQUIPMENT OPERATOR | HIGHWAY | F | P | 10/4/2003 | x |
| Unfunded | 002442-SYS | HEAVY MOTOR EQUIPMENT OPERATOR | HIGHWAY | F | P | 5/28/2003 | x |
| SUB | 004036-SYS | HEAVY MOTOR EQUIPMENT OPERATOR SUB | HIGHWAY | F | U | 8/13/2007 | x |
| SUB | 005474-SYS | HEAVY MOTOR EQUIPMENT OPERATOR SUB | HIGHWAY | F | U | 10/30/2004 | x |
| Unfunded | 002427-SYS | MOTOR EQUIPMENT OPERATOR LIGHT | HIGHWAY | F | P | 8/1/2003 | x |
| Unfunded | 002433-SYS | MOTOR EQUIPMENT OPERATOR LIGHT | HIGHWAY | F | P | 3/16/2004 | x |
| Unfunded | 002459-SYS | MOTOR EQUIPMENT OPERATOR LIGHT | HIGHWAY | F | P | 5/13/2003 | x |
| Unfunded | 002472-SYS | MOTOR EQUIPMENT OPERATOR LIGHT | HIGHWAY | F | P | 6/20/2004 | x |
| SUB | 003292-SYS | MOTOR EQUIPMENT OPERATOR LIGHT SUB | HIGHWAY | F | U | 4/1/2002 | x |
| SUB | 003334-SYS | MOTOR EQUIPMENT OPERATOR LIGHT SUB | HIGHWAY | F | U | 10/16/2000 | x |
| SUB | 003346-SYS | MOTOR EQUIPMENT OPERATOR LIGHT SUB | HIGHWAY | F | U | 11/29/1999 | x |
| SUB | 006589-SYS | MOTOR EQUIPMENT OPERATOR MEDIUM SUB | HIGHWAY | F | U | 6/28/2009 | x |
| Unfunded | 002477-SYS | SENIOR ENGINEERING TECHNICIAN | HIGHWAY | F | U | 8/29/2004 | x |
| SUB | 005007-SYS | SIGN MAINTENANCE PERSON II SUB | HIGHWAY | F | U | 9/19/2004 | x |
| SUB | 005896-SYS | WELDER SUB | HIGHWAY | F | U | 6/15/2006 | x |
| Unfunded | 001982-SYS | COOK JAIL | JAIL | F | P | 1/27/2006 | x |
| unfunded | 003323-SYS | CORRECTIONS OFFICER PT SUB | JAIL | P | U | 10/10/2003 | x |
| unfunded | 003325-SYS | CORRECTIONS OFFICER PT SUB | JAIL | P | U | 10/26/2003 | x |
| | 001629-SYS | COMMITTEE CO-CHAIRPERSON | LEGISLATIVE BOARD | F | P | 6/7/1999 | x |
| | 001634-SYS | COMMITTEE CO-CHAIRPERSON | LEGISLATIVE BOARD | F | P | 9/24/2002 | x |
| | 001643-SYS | COMMITTEE CO-CHAIRPERSON | LEGISLATIVE BOARD | F | P | 9/24/2002 | x |
| | 005265-SYS | COMMITTEE CO-CHAIRPERSON | LEGISLATIVE BOARD | P | P | 1/25/2005 | x |
| Unfunded | 004115-SYS | DEPUTY SEXUAL HARASSMENT OFFICER PT | LEGISLATIVE BOARD | P | P | 12/31/2001 | x |
| Unfunded | 004132-SYS | SEXUAL HARASSMENT OFFICER PT | LEGISLATIVE BOARD | P | P | 1/1/2002 | x |
| Unfunded | 002128-SYS | ADMINISTRATIVE ASSISTANT | MENTAL HEALTH | F | P | 1/1/2008 | x |
| Unfunded | 004969-SYS | BEHAVIORAL HEALTH CARE NURSE | MENTAL HEALTH | F | P | 7/31/2002 | x |
| Unfunded | 003135-SYS | COMMUNITY MENTAL HEALTH AIDE | MENTAL HEALTH | F | P | 12/31/2003 | x |

| | | | | | | | | | |
|----------|------------|-------------------------------|--|--|-----------------|---|---|------------|---|
| x | 006611-SYS | LPN PT | | | MENTAL HEALTH | P | P | 6/12/2009 | x |
| x | 002105-SYS | MENTAL HEALTH THERAPY AIDE PT | | | MENTAL HEALTH | P | P | 8/7/2009 | x |
| x | 002118-SYS | MENTAL HEALTH THERAPY AIDE PT | | | MENTAL HEALTH | P | P | 10/29/2009 | x |
| x | 002115-SYS | SUPERVISING SOCIAL WORKER | | | MENTAL HEALTH | F | P | 5/31/2009 | x |
| Unfunded | 006190-SYS | AGING SERVICES SPECIALIST PT | | | OFFICE OF AGING | P | P | 3/31/2009 | x |
| Unfunded | 000222-SYS | CLERK SEASONAL | | | PARKS & TRAILS | F | S | 9/13/2004 | x |
| Unfunded | 004883-SYS | EVENTS COORDINATOR | | | PARKS & TRAILS | F | P | 12/31/2002 | x |
| x | 005175-SYS | LABORER PT | | | PARKS & TRAILS | P | P | 1/2/2003 | x |
| x | 005176-SYS | LABORER PT | | | PARKS & TRAILS | P | P | 1/21/2004 | x |
| Unfunded | 003392-SYS | LABORER REFRESHMENT STAND | | | PARKS & TRAILS | F | S | 8/23/2000 | x |
| Seasonal | 002340-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/26/2004 | x |
| Seasonal | 002341-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/24/2004 | x |
| Seasonal | 003382-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/24/2004 | x |
| Seasonal | 003476-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/21/2001 | x |
| Seasonal | 003483-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/9/2002 | x |
| Seasonal | 003486-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/26/2001 | x |
| Seasonal | 004385-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/13/2001 | x |
| Seasonal | 004386-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 9/13/2004 | x |
| Seasonal | 004387-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 9/1/2001 | x |
| Seasonal | 004391-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/12/2002 | x |
| Seasonal | 004392-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 9/2/2001 | x |
| Seasonal | 004393-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/21/2001 | x |
| Seasonal | 004784-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/17/2001 | x |
| Seasonal | 004785-SYS | LABORER SEASONAL | | | PARKS & TRAILS | P | S | 12/31/2000 | x |
| Seasonal | 005043-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/21/2001 | x |
| Seasonal | 005044-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/21/2001 | x |
| Seasonal | 005045-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 8/21/2001 | x |
| Seasonal | 005046-SYS | LABORER SEASONAL | | | PARKS & TRAILS | F | S | 5/30/2005 | x |

| | | | | | | | |
|----------|------------|---------------------------------------|-----------------|---|---|------------|---|
| Seasonal | 005047-SYS | LABORER SEASONAL | PARKS & TRAILS | F | S | 8/21/2001 | x |
| Seasonal | 005048-SYS | LABORER SEASONAL | PARKS & TRAILS | F | S | 8/21/2001 | x |
| Seasonal | 005049-SYS | LABORER SEASONAL | PARKS & TRAILS | F | S | 7/4/2006 | x |
| Seasonal | 005141-SYS | LABORER SEASONAL | PARKS & TRAILS | F | S | 8/31/2001 | x |
| Seasonal | 002330-SYS | LIFEGUARD SEASONAL | PARKS & TRAILS | F | S | 8/24/2007 | x |
| Seasonal | 002337-SYS | LIFEGUARD SEASONAL | PARKS & TRAILS | F | S | 6/4/2008 | x |
| Seasonal | 004526-SYS | LIFEGUARD SEASONAL | PARKS & TRAILS | F | S | 8/23/2002 | x |
| Seasonal | 003406-SYS | MAINTENANCE CREW LEADER SEASONAL | PARKS & TRAILS | F | S | 8/30/2005 | x |
| Seasonal | 002324-SYS | PARK SAFETY SUPERVISOR SNL | PARKS & TRAILS | F | S | 7/15/2002 | x |
| x | 005188-SYS | PARK SECURITY GUARD PT | PARKS & TRAILS | P | P | 1/21/2004 | x |
| Seasonal | 003482-SYS | PARK SECURITY GUARD SEASONAL | PARKS & TRAILS | F | S | 10/6/2008 | x |
| Unfunded | 002334-SYS | REFRESHMENT STAND SUPERVISOR SEASONAL | PARKS & TRAILS | F | S | 8/24/2000 | x |
| x | 003408-SYS | TYPIST | PROBATION | P | P | 8/12/2009 | x |
| Unfunded | 002079-SYS | ACCOUNT CLERK | PUBLIC HEALTH | F | P | 3/28/2007 | x |
| Unfunded | 004041-SYS | DENTAL HYGIENIST PT | PUBLIC HEALTH | P | P | 11/9/2005 | x |
| x | 002014-SYS | HOME HEALTH AIDE | PUBLIC HEALTH | F | P | 3/9/2009 | x |
| x | 002047-SYS | HOME HEALTH AIDE | PUBLIC HEALTH | F | P | 8/3/2009 | x |
| Unfunded | 002016-SYS | PUBLIC HEALTH NURSE | PUBLIC HEALTH | F | P | 3/28/2006 | x |
| Unfunded | 004735-SYS | RPN | PUBLIC HEALTH | F | P | 2/24/2005 | x |
| Unfunded | 002067-SYS | SENIOR TYPIST | PUBLIC HEALTH | F | P | 12/31/2008 | x |
| Unfunded | 004112-SYS | SENIOR TYPIST | PUBLIC HEALTH | F | P | 12/5/2003 | x |
| Unfunded | 004193-SYS | SENIOR TYPIST | PUBLIC HEALTH | F | P | 3/4/2001 | x |
| Unfunded | 002007-SYS | SUPERVISING PUBLIC HEALTH NURSE | PUBLIC HEALTH | F | P | 10/7/2007 | x |
| Unfunded | 002174-SYS | SENIOR SOCIAL WELFARE EXAMINER | SOCIAL SERVICES | F | P | 12/27/2003 | x |
| Unfunded | 004356-SYS | CLERK PT | VETERANS | P | P | 8/7/2000 | x |

RESOLUTION NO. 234-10
05/25/10 COLtransferfunds
AUTHORIZATION TO TRANSFER FUNDS TO THE
LEGISLATIVE ACCOUNT.

BY: Hon. Christopher M. Palermo, Chairman, Ways & Means Committee

WHEREAS, there has been numerous meetings, hearings and conferences in 2010 which were not taken into consideration at the time the budget was adopted; and

WHEREAS, there was insufficient funds set aside in the 2010 budget account number A10104-54067 to accommodate the cost of travel and expenses; and

WHEREAS, in order to attend the scheduled meetings, hearings and conferences the amount of \$5,500.00 is necessary; now therefore be it

RESOLVED, that the sum of \$5,500.00 be transferred from (Contingency Account) No. A10164 54000 to Legislative Account No. A10104-54067 (conference fees), to be used to pay for travel and expenses for the Legislative members who need to travel to out-of-town meetings, hearings and conferences; and be it further

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

Motion by Mills to bring to the floor, 2nd by Pinckney, all in favor.

Discussion:

Tom Squires County Administrator, this is to help process Real Property System, track inventory for fixed assets, looking at what other county's use, gathering information, looking at a October deadline, see what else is available.

Lattimore, software, look to towns and villages.

Tom, yes, that is part of it we will reach out to towns and villages.

Lattimore, cut down on expenses.

Mahunik, see what towns and villages are doing first.

Tom, cost would be up to the Legislative body, cost balance with needs.

Mahunik, financial package better?

Tom, we will look at towns and villages are doing and at other systems, one that will do what we want.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 235-10
(05/25/10) TREASrpfixed assets

AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO
SOLICIT REQUESTS FOR PROPOSALS FOR THE PURPOSE OF
ACQUIRING FIXED ASSET/INVENTORY SOFTWARE

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, the current software used for the tracking and reporting of fixed assets for Cayuga County is presently being handled in a system that is inadequate and is being phased out, and

WHEREAS, the mechanism used to get the necessary information used for the Annual Report is time consuming and not cost effective, and

WHEREAS, it is critical that we purchase software with the functionality needed to maintain a proper inventory of County Equipment and fixed assets, now, therefore be it

RESOLVED, that the Cayuga County Legislature does authorize the Clerk of the Cayuga County Legislature to hereby solicit Requests for Proposals for the acquisition of fixed asset/inventory software.

Signed by Palermo, Axton, Cuddeback and Mills, all in favor.

RESOLUTION NO. 236-10

5/25/10 Hwy-FMLeaveBank

**AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A
CAYUGA COUNTY HIGHWAY EMPLOYEE**

BY: Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, an employee of the Cayuga County Highway Department, has an immediate family member with an illness requiring treatment that will necessitate extended leave; and

WHEREAS, this employee has worked for the Cayuga County Highway Department, for approximately six years and will exhaust accruals due to this situation; and

WHEREAS, discussion has occurred over this issue with representatives of the County and the CSEA and both parties have agreed to allow the creation of a temporary leave bank at the request of fellow employees to address the immediate loss of income for the employee; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby approves this temporary leave bank, subject also has approval of the CSEA officials; and be it further

RESOLVED, that the Cayuga County Legislature authorizes and directs all those steps that may be required to undertake this temporary leave bank in accordance with the following conditions:

All other leave shall have been exhausted by the employee. All County employees may be permitted to donate personal, vacation or compensation time in no less than full day increments, at any amount up to a grand total of ninety-five work days, all leave donations shall be in writing on a standardized leave bank form, leave time shall be used by the employee in accordance with the CSEA contract, using one full day from each donation before additional days are utilized from donors making multiple day donations; and be it further

RESOLVED, that the Cayuga County Legislature wishes the employee's family member a speedy recovery and looks forward to their return to work with the County.

Motion by Mills to bring to the floor, 2nd by Cuddeback, all in favor.

Signed by Palermo, Axton, Cuddeback, and Mills, all in favor.

RESOLUTION NO. 237-10

(May 25, 2010) HS Rescind Res. # 134-10 & Create/Fill RPN

**RESCIND RESOLUTION #134-10 (TEMPORARY FILL OF A CASEWORKER
POSITION IN LTCAO); CREATE AND FILL AN RPN POSITION IN LTCAO;
AND ABOLISH THE VACATED CASEWORKER POSITION (BOTH
POSITIONS ARE 100% FUNDED)**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, on March 31, 2010 a caseworker retired from the Long Term Care Access Office and the Department, per Resolution #134-10 (3/23/10), asked to temporarily fill the vacated caseworker position until such time that the CHHA transitions to Lifetime, and at that time convert the caseworker position to an RPN; and

WHEREAS, the caseworker position was not filled and the timing of the RPN transitions at CHHA is on schedule to take place on May 3, 2010, it makes sense to proceed with converting the vacated caseworker position to an RPN; and

WHEREAS, since the reimbursement of either the caseworker or the RPN in Long Term Care is reimbursed at 100%, there is no negative impact on the 2010 budget; NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature rescind Resolution #134-10, and create one RPN position in the Long Term Care Access Office; and be it further RESOLVED, that the vacated caseworker position in Long Term Care (Control #002227) be abolished; and be it also

RESOLVED, that the Director of Health and Human Services be authorized to fill the newly created RPN position in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.
Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 238-10

**(May 25, 2010) HS Fill HS Examiner FSMA Contingent/Perm
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES
TO FILL A HUMAN SERVICES EXAMINER POSITION ON A
CONTINGENT/PERMANENT BASIS (75% FUNDED) IN THE
FSMA UNIT OF HUMAN SERVICES**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, a Human Services Examiner in the FSMA (Food Stamp/Medicaid) Unit of Human Services has been granted a Leave of Absence effective May 17, 2010 through approximately February 17, 2011; and

WHEREAS, this position is necessary for the management of a Food Stamp and Medicaid caseload, and there has been continued expansion and caseload growth in the program areas; and

WHEREAS, this position is 75% funded through Food Stamps and Medicaid; and

WHEREAS, sufficient funding exists in the 2010 Human Services' Budget Request to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services is authorized to fill the Human Services Examiner vacancy (Control #005947) in the FSMA Unit and any fill behind that may occur, in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 239-10

(May 25, 2010) HS Integrative Counseling Serv 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH INTEGRATIVE COUNSELING SERVICES, INC.
FOR THE PROVISION OF PLAY THERAPY**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services desires to contract with Integrative Counseling Services to provide Play Therapy Services to a child in foster care in need of these services; and

WHEREAS, Integrative Counseling Services has a staff certified in Play Therapy; and

WHEREAS, Play Therapy is counseling intervention that allows the client additional means of expression and is primarily used with children ages 2-11; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Integrative Counseling Services for the contract period May 1, 2010 through April 30, 2011 at \$60 for the initial visit and \$45 for each visit thereafter; and be it further

RESOLVED, that these services be paid from Account #A60704 54184 of the Human Services Department's 2010 Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 240-10

(5/25/10) HD, MH, NH Compliance Plan

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO
ENTER INTO AN AGREEMENT TO DEVELOP A COMPLIANCE
PLAN FOR THE COUNTY OF CAYUGA.**

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

WHEREAS, Cayuga County is required to examine all programs for compliance with regulations with the necessary protections for using taxpayer monies in the most efficient and ethical manner; and

WHEREAS, several firms have been contacted regarding their expertise in providing the analysis of current practice, establishing appropriate policies and training for employees; and,

WHEREAS, four firms responded with proposals: Damon Morey, Attorneys with primary place of business in Buffalo, New York; The Bonadio Group with primary place of business in Rochester, New York; Garfunkel Wild, PC with primary place of business in Great Neck, New York; and Hiscock and Barclay with primary place of business in Albany, New York; and

WHEREAS, a due diligence of staff was completed to examine the content of the proposals and references for their services; and

WHEREAS, Damon Morey delivered a complete proposal with an estimated cost of \$18,000; The Bonadio Group delivered a complete proposal with an estimated cost of \$52,000; Garfunkel Wild proposed in incomplete proposal for \$32,500; and Hiscock and Barclay delivered a proposal for \$21,225; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature sign an agreement with Damon Morey for the development of a countywide compliance program; and be it further

RESOLVED, that payment for these services be made from the following accounts:

| | |
|--|---------|
| Health Department: Account #A40104 54059 | \$6,000 |
| Mental Health: Account #A43104 54059 | \$6,000 |
| Nursing Home: Account #E45154 54059 | \$6,000 |

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 241-10

(May 25, 2010) HS Funeral Directors' Contracts

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER INTO CONTRACTS WITH FUNERAL DIRECTORS TO PROVIDE BURIAL SERVICES FOR CAYUGA COUNTY'S INDIGENT POPULATION

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

Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Human Services Department is required by law to provide burial services for individuals who die indigent; and

WHEREAS, the Cayuga County Human Services Department wishes to contract with several Funeral Directors to purchase professional funeral services for Cayuga County's indigent population; and

WHEREAS, we are proposing to enter into a 3 yr. contract (June 1, 2010 through Dec. 31, 2012) with the newly proposed rates as follows:

| | Rates 2010 | Rates 2011 | Rates 2012 |
|---|---------------|---------------|---------------|
| Burial Services | 2010 | 2011 | 2012 |
| Adult Burial (over 3 years of age) | \$2,074 | \$2,115 | \$2,157 |
| Direct Cremation or Burial | \$1,481 | \$1,511 | \$1,541 |
| Infant Burial (newborn up to 3 years of age) | \$ 815 | \$ 831 | \$ 848 |
| Stillborn Burial | \$ 518 | \$ 529 | \$ 539 |
| Donation of Body to Medical Research (all inclusive) | \$1,452 | \$1,452 | \$1,452 |
| Spring Burial Transfer | \$ 130 | \$ 130 | \$ 130 |
| Casket | * See Below | See Below | See Below |
| Vault | * See Below | See Below | See Below |
| Equipment (up to but not to exceed) With Receipt | *\$ 125 | \$ 125 | \$ 125 |
| Mileage (rate per mile) | * \$ 1.50 | \$ 1.50 | \$ 1.50 |

* These items are carved out of the base rate.

New casket and vault rates will be determined annually based on documentation provided to us showing the new wholesale rates for the year. No retroactive adjustments will apply.

Additional charges that will be reimbursed by the County per new contract:

- 1) Winter vault charges reimbursed for actual costs based on submitted receipt.
- 2) Opening and closing of gravesite, if charged to funeral home based on submitted receipt.
- 3) Oversized Casket: Will reimburse for the amount over standard casket if verified with receipt.
- 4) Oversized Vault: Will reimburse for the amount over standard vault if verified with receipt.

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts with several Funeral Directors for burial services for Cayuga County's indigent population; and be it further

RESOLVED, that these fees be paid out of account #61404 54000 of the Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 242-10

(May 25, 2010) HS Abolish Sr. SWE & Fund & Fill HSErev

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ABOLISH A SR. SOCIAL
WELFARE EXAMINER POSITION AND FUND AND FILL A HUMAN
SERVICES EXAMINER POSITION**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, resolution #182-10 was adopted at the April 27, 2010 Legislature Meeting giving permission to fill a Principal Social Welfare Examiner position in the TANF Unit of the Human Services Department, due to a retirement; and

WHEREAS, part of the resolution to fill the Principal Social Welfare Examiner position included permission for any fill behinds; and

WHEREAS, after further evaluation of the job duties in the unit, it has been determined that the Department fill behind with a Human Services Examiner, not a Sr. Social Welfare Examiner, would be appropriate; and

WHEREAS, the Human Services Examiner is a grade 10 and a Sr. Examiner is a grade 17, this will represent a cost savings for the County; and

WHEREAS, the Department currently has an unfunded Human Services Examiner position available (Control #004914), it is our desire to fund this Human Services Examiner position by transferring the funding from the vacant Sr. Social Welfare Examiner position to the Human Services Examiner position (Control #004146); NOW, THEREFORE, BE IT

RESOLVED, that the Human Services Examiner position (Control #004146) be funded by transferring the funding from the vacated Sr. Social Welfare Examiner position (Control #004914); that the newly funded Human Services Examiner fill behind the vacated Sr. Social Welfare Examiner position; and that upon the successful completion of the Principal Social Welfare Examiner's probationary period, the Sr. Social Welfare Examiner position be abolished; and be it further

RESOLVED, that any savings realized from this be transferred to the Provision for Salary Adjustment Account

Signed by Petrus, Axton, Mahunik, Palermo, Cuddeback, Fearon and Mills, all in favor.

RESOLUTION NO. 243-10

**(May 25, 2010) HD HRI Additional Funding Breast Health 2009-10
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO AMEND THE 2009-2010
HRI CONTRACT TO ACCEPT ADDITIONAL FUNDING FOR THE BREAST &
CERVICAL CANCER EARLY DETECTION PROGRAM.**

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

WHEREAS, the Health Department's Healthy Women's Partnership (Breast & Cervical Cancer Early Detection Program) is partially funded by federal funds through Health Research, Inc.; and

WHEREAS, we have been offered additional funding for this program through Health Research, Inc. in the amount of \$4,206 bringing the total amount of the contract to \$32,249 for the period June 30, 2009 – June 29, 2010; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to amend the contract with Health Research, Inc. and to accept additional funding for the Breast & Cervical Cancer Early Detection Program in the amount of \$4,206 for the period of June 30, 2009 through June 29, 2010 making the total contract amount \$32,249; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the appropriate adjustments to the Health Department's budget in the following manner:

| | |
|---|---------|
| Increase Appropriation Account #40234 54000 | \$4,206 |
| Increase Revenue Account #40230 43423 | \$4,206 |

Signed by Petrus, Axton, Barski, Mahunik, Mills, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 244-10

(May 25, 2010) HD HMWP 2010-2011

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THE NYS DEPARTMENT OF HEALTH TO PARTICIPATE
IN THE HEALTHY MEN & WOMEN'S PARTNERSHIP AND TO ACCEPT
FUNDING FOR THESE PROGRAMS**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has made funds available to counties to participate in the Healthy Men and Women's Partnership for 10+ years; and

WHEREAS, funds have once again been awarded to the Health Department to participate in this program; and

WHEREAS, by accepting this funding, the Cayuga County Health Department would screen eligible women for breast and cervical cancer, eligible women and men for colorectal cancer, and provide education regarding both colorectal and prostate cancer to all eligible individuals screened; and

WHEREAS, the "infrastructure" portion of this contract runs from April 1, 2010 through March 31, 2011 in the amount \$123,202, and the "patient services" portion for the same period is in the amount of \$54,167; and

WHEREAS, NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with the NYS Department of Health to accept 100% State funding in the amount of \$177,365 for the period April 1, 2010 - March 31, 2011 to continue participation in the Healthy Men & Women's Partnership and that the Health Department be allowed to contract for services necessary to implement this grant without further action from the Legislature; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following adjustments to the Health Department's 2010 Budget in the following manner:

| | |
|--|-----------|
| Increase Revenue Account #3414 | \$177,369 |
| Increase Appropriation Account #4010.412 | \$177,369 |

and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Health Department's 2010 budget to accomplish the same.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 245-10

(May 25, 2010) HD Immunization Grant (IAP) 2010

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH NYS DEPARTMENT OF HEALTH TO ACCEPT FUNDING FOR CONTINUED PARTICIPATION IN THE IMMUNIZATION ACTION PLAN (IAP)

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has awarded a grant in the amount of \$40,718 to the Cayuga County Health Department for our continued participation in the Immunization Action Plan for the year April 1, 2010 through March 31, 2011; and

WHEREAS, the County Treasurer will have to amend the Health Department's 2010 Budget to accept this funding; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with the NYS Department of Health to continue participation in the Immunization Action Plan for the period April 1, 2010 through March 31, 2011, accept funding in the amount of \$40,718, accept any additional COLA funds relative to this program, and enter into any subcontracts as necessary to implement the grant; 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 2010 budget in the following manner:

| | |
|---|----------|
| Increase Revenue Account #A40150 43415 | \$40,718 |
| Increase Expenditure Account #40154 54059 | \$40,718 |

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 246-10**Date of Meeting: 5/25/10 nhgreenagmnt****TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH SUSAN GREENE RN FOR WOUND CARE SERVICES AT CAYUGA COUNTY NURSING HOME.**

BY: Christopher Palermo, Chairman, Ways and Means Committee
 Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home maintains quality services by offering programs to meet all of the needs of the residents, and

WHEREAS, It is necessary to contract with a certified wound care nurse from outside the facility to provide this service, and

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

WHEREAS, the compensation for the services of Susan Green, RN shall be at a rate of \$100.00 (One Hundred Dollars) per visit after submission of a voucher for services anticipating there would be 2 visits per month; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Susan Green, RN for a period of 1 year, from June 1, 2010 to May 31, 2011.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 247-10**Action: 5.25.10 MHCayHomeAdjustFunds5.10****AMENDING THE MENTAL HEALTH BUDGET TO INCREASE FUNDING FOR CAYUGA HOME FOR CHILDREN, INC.**

BY: Ms. Ann R. Petrus, Chairperson, Health and Human Services Committee
 Mr. Christopher M. Palermo, Chairperson, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center receives 100 percent Federal and State Aid funding for programs to serve adults, children, and families with disabilities who reside in Cayuga County; and

WHEREAS, additional 2010 funds have been allocated to Cayuga Home for Children, Inc., and

WHEREAS, these 100% state funds were included elsewhere in the 2010 budget, it is now necessary to shift those dollars to allow the County to make payment to Cayuga Home for Children, Inc.; now, therefore, be it

RESOLVED, that 2010 budget be modified as follows:

| | |
|--|--------------|
| Increase line A43470-43503, Cayuga Home Revenue by | \$ 28,584.50 |
| Increase line A43474-54000, Cayuga Home Expense by | \$ 28,584.50 |

| | |
|---|--------------|
| Decrease line A43100-43500, Mental HealthRevenue by | \$ 28,584.50 |
| Decrease line A43101-51001, MH Sal FT Expense by | \$ 24,073.00 |
| Decrease line A43101-58001, MH Soc Sec Expense by | \$ 1,841.00 |
| Decrease line A54101-58002, MH RetirementExpense by | \$ 1,926.00 |
| Decrease line A43101-58005, MH Wks CompExpense by | \$ 744.50 |

and be it further

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 248-10

05/25/10) EMS / COURSE SPONSORSHIP

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE, THE DIRECTOR OF EMERGENCY SERVICES AND THE EMS MEDICAL DIRECTOR TO RENEW THE NEW YORK STATE DEPT. OF HEALTH, EMERGENCY MEDICAL SERVICES' COURSE SPONSORSHIP CERTIFICATION.

BY: Ms. Ann Petrus, Chairperson of Health & Human Services Committee
Mr. Christopher Palermo, Chairperson of Ways & Means Committee

WHEREAS, Cayuga County Emergency Medical Services conducts training for the County's volunteer Emergency Medical Technicians through New York State Dept. of Health, Bureau of EMS, EMT Course Sponsorship; and

WHEREAS, this EMT Course Sponsorship requires renewal application every 2 years to continue the training program; and

WHEREAS, the Cayuga County EMT Course Sponsorship is due for renewal June 2010; and

WHEREAS, the certification application requires the signature of the Cayuga County Chairman, the Director of Emergency Services and the EMS Medical Director for compliance with the New York State Dept. of Health, Bureau of EMS, procedures. Now, therefore, be it

RESOLVED, that the Cayuga County Chairman of the Legislature, Peter Tortorici, the Director of Emergency Services, Brian Dahl, and the EMS Medical Director, Dr. Mary DiRubbo, be authorized to sign the NYS Dept. of Health, Bureau of EMS, EMT Course Sponsor Certification for the renewal period of June 2010 - 2012.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 249-10

5/25/10 MHBudAdjContractors5.10

AMMENDING THE 2010 MENTAL HEALTH DEPARTMENT BUDGET FOR PAYMENT TO CONTRACTORS

BY: Ann R. Petrus, Chair, Health and Human Services Committee, and
Christopher M. Palermo Chair, Ways and Means Committee

WHEREAS, Resolution number 193-10 was adopted in April 2010 converting the remaining clinical contractors to employees in the mental health department; and

WHEREAS, this conversion process is taking longer than anticipated; and

WHEREAS, we must, therefore, continue to pay these clinicians as contractors for an additional month; now, therefore be it

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries transferring budgeted funds in the 2010 Cayuga County Budget as follows:

| | |
|-------------------------------------|--------|
| Decrease A43101-51002 Salaries – PT | 14,500 |
| Increase A43104-54330 Medicaid Elig | 14,500 |

Signed by Petrus, Axton, Mahunik, Mills, Palermo, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 250-10

May 25, 2010 NH-agreedentalsrv

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE ADMINISTRATOR OF THE NURSING HOME TO ENTER INTO AN AGREEMENT FOR DENTAL SERVICES AT THE CAYUGA COUNTY NURSING HOME.

BY: Ann Petrus , Health and Human Service

Christopher Palermo, Ways and Means

WHEREAS, the Cayuga County Nursing Home is required to offer dental services at the Nursing Home, and

WHEREAS, proposals have been received from McClure Dental Services and American Mobile Dental; and

WHEREAS, both proposals meet the requirements as set forth by the Centers for Medicare and Medicaid Services; and

WHEREAS, the proposal from McClure Dental Services proposes an inclusive rate of \$ 1, 150 per month and the proposal from American Mobile Dental proposes a fee schedule that is estimated at \$1,101 per month; and

WHEREAS, the proposal from McClure Dental provides the service at less financial risk; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to enter into an agreement with McClure Dental Services for 1 year at \$1,150.00 per month; and be it further

RESOLVED, that funds be transferred from E45004 54193 (Temporary Employment) for \$4,000 and E45104 54177 (Trash) for \$2,000 to E45034 54187 Dental Services.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 251-10

5.25.10 coabrfpbldcdercv

AUTHORIZING THE CLERK OF CAYUGA COUNTY LEGISLATURE TO ADVERTISE AND RECEIVE REQUEST FOR PROPOSALS FOR THE PROVISION OF BUILDING AND FIRE CODE INSPECTIONS FOR LOCAL MUNICIPALITIES THAT OPTS OUT OF CODE ENFORCEMENT IN THE COUNTY.

BY: Hon. George Fearon, Government Operations Committee

WHEREAS, the Government Operations Committee recommends that requests for proposals be let for the provision of building and fire code inspections for local municipalities that opt out of code enforcement in the County; now there for let it be

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to advertise and receive request for proposals for the provision of building and fire code inspections for local municipalities that who opt out of code enforcement in the County seeking service providers who would perform the required services for the fees received.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell and Palermo, all in favor.

RESOLUTION NO. 252-10
(05-25-10) CC ACS contract
AUTHORIZES CAYUGA COUNTY CLERK TO EXTEND A
COMPUTER SERVICE CONTRACT BETWEEN ACS AND
CAYUGA COUNTY FOR TWO YEARS

BY: MR. GEORE FEARON, Chairperson, Government Operations Committee
MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee
WHEREAS, The County Clerk presently has a contract with ACS, a computer service company which provides the County Clerk Fee/Recording System; and
WHEREAS, The County Clerk has a one year extension with ACS which will expire in May, 2010. This contract includes (4) one year extensions; and
WHEREAS, the County Clerk would like to take advantage of (2) one year extensions for no additional increase in fees; now be it

RESOLVED, that the Cayuga County Legislature, approve an extension to the contract, with no increases to the monthly fee of \$5458.00 (contract to expire May 1, 2012 with (2) one year extensions remaining) and authorize the Treasurer to make payment from (Account # A-10-13-1410-4-54073 - Contracts).

Signed by Fearon, Chapman, Mitchell, Palermo, Aikman, Lattimore, Barski, Mahunik, Axton, Mills, Petrus, and Cuddeback, all in favor.

RESOLUTION NO. 253-10
(5/25/10) GovOps&W&M-ReorgofCoAdmOffice-rev3
AUTHORIZING THE REORGANIZATION OF THE COUNTY
ADMINISTRATOR'S OFFICE, COUNTY AUDITORS OFFICE AND
CLERK TO THE LEGISLATURE'S OFFICE

BY: Mr. Fearon, Chairman, Government Operations Committee.
Mr. Palermo, Chairman, Ways & Means Committee.
WHEREAS, Local Law No. 1 for the year 2010 established the office of County Administrator changing the title from County Manager to County Administrator and realigning duties thereof; and

WHEREAS, the new County Administrator reviewed the typical work activities of the various positions of the County Administrator's Office, County Auditor's Office and Clerk of the Legislature's Office and proposes a reorganization of duties in the various offices that report directly to the Legislature at no additional cost to the taxpayers of Cayuga County; and

WHEREAS, due to the retirement of the current Administrative Assistant to the County Manager on 5/31/10 there will be a vacancy in the department of the County Administrator and a need to reallocate funding for the position and change the title; and

WHEREAS, the Deputy Clerk to the Legislature is performing work that falls under the responsibility of the County Administrator's Office; and

WHEREAS, funding was placed in the Administrator's budget to increase the current Budget Director's salary to offset additional duties that are assigned to the position because of this transition; and

WHEREAS, Local Law Number 2 for year 2009 created the position of County Auditor and there is a need to advertise, interview, hire and set the salary for the County Auditor position; now, therefore, be it

RESOLVED, that the title of Administrative Assistant to the County Manager be hereby changed to Administrative Assistant to the County Administrator effective 5/31/10; and be it further

RESOLVED, that the salary for the position of Administrative Assistant to the County Administrator be hereby set and added to the County Administrator's Office within Part II of Cayuga County Compensation Plan, at a Grade 19 effective 5/31/10; and be it further

RESOLVED, that the County Administrator be hereby authorized to fill the position of Administrative Assistant to the County Administrator effective 5/31/10; and be it further

RESOLVED, that the position of Deputy Clerk to the Legislature shall become unfunded effective 5/31/10 upon the incumbent being appointed to the position of Administrative Assistant to the County Administrator; and be it further

RESOLVED, that the Budget Director's salary be hereby revised to an annual rate of \$81,060 retro-active from 1/1/10 with \$27,020 of the total being charged to the County Administrator's budget (A12301) and \$27,020 being charged to both A40101 PHD and A60101 DSS, which shall be paid in equal installments in accordance with the rules of the County governing salary payments to other non-bargaining unit employees; and be it further

RESOLVED, that the Legislature authorize the recruitment of the position of County Auditor and authorize the County Administrator to hereby advertise, interview and recommend appointment of same; and be it further

RESOLVED, that the salary be hereby set for County Auditor at an annual rate of \$55,000 and placed in the Cayuga County Compensation Plan, Part III, for fixed-term officials; and be it further

RESOLVED, that authorization be hereby approved to hire a County Auditor effective 8/1/10 or as soon thereafter as recruitment efforts permit; and be it further

RESOLVED, that funding for recruitment be hereby transferred to the Human Resources and Civil Service Commission Office not to exceed \$2,000; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make the attached accounting and journal entries to accomplish the intent of this resolution; and be it further

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

Signed by Fearon, Chapman, Mitchell, Palermo, Aikman, Lattimore, Barski, Mahunik, Axton, Mills, Petrus, and Cuddeback.

Discussion:

Lattimore, are we saving money on this?

Tom Squires County Administrator, yes, it was amended at Ways & Means salary was reduced by 5,000 and moved to provision for salary adjustment, establishes salary for auditor.

Cuddeback, I'm opposed to County Auditor position, put money back into general fund, we have an auditor in the building, I don't support.

Mahunik, is it in the 2010 budget?

Tom, yes.

Mahunik, does it increase the liability to tax payers?

Tom, \$55,000 to auditor position savings of \$5,000, 2010 budget not increased.

Mitchell, auditing responsibility falls on the Legislative body, when you're ready to do that we won't need an auditor. I did most of it myself; an auditor will find a lot more than I did. You can do it yourselves or hire someone to do it for you.

Lattimore, I agree, we need to share in the responsibility and do our share.

Tom, we need a full time person.

Barski, there are professional people out there.

Tom, we need to take time to see where we are at risk, day in and day out. We need to look at the policy's, I'm sure about outsourcing, I think one person is better.

Fearon, list of people we paid twice, some vendors charge more if you pay late.

Mitchell, work flow needs to be done all month, more than one pay out a month.

Mills, auditor is necessary part of the process, balance and checks. Francis did a good job of checking the bills who is going to step up and do this, has the time, expertise and knowledge, not someone of the street.

Petrus, 1 million plus in expenditures, Francis found \$31,000 in savings, it isn't going to get better, can't ask people to do other people's job's, we have a responsibility.

Cuddeback, does the \$55,000 for the auditor include fringes and benefits?

Tom, no.

Cuddeback, not reflected in the resolution.

Tom, correct.

Tortorici, the local law for auditor shows responsibility.

Fred Westphal County Attorney, it's a 4 year appointment, doesn't change Legislator's responsibility.

Cuddeback, call the question.

Approved by roll call vote – all voting in favor, except voting no, Axton, Cuddeback and Sincebaugh and excused Palermo. Vote – 641/183/58

RESOLUTION NO. 254-10

May 25, 2010 ITatcommaint0510rev

**AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO
RENEW A MAINTENANCE AGREEMENT WITH @COMM FOR PHONE
ACCOUNTING SOFTWARE.**

**BY: George Fearon, Chairman, Government Operations Committee
Christopher Palermo, Chairman Ways and Means Committee**

WHEREAS, the County has a software program to facilitate the billing of phone charges to Departments; and

WHEREAS, the annual maintenance agreement allows for technical support for reconfiguring the billing parameters for any phone line changes or additions; and

WHEREAS, without this software the labor to accurately assign all monthly charges to each line and department would be extensive; and,

WHEREAS, the total cost for the maintenance being \$2,673.00, which is not presently budgeted; now therefore, be it

RESOLVED, that the Information Technology Department is authorized to purchase the maintenance agreement through @comm for a cost not to exceed \$2,673.00; and be it further

RESOLVED, that the sum of \$2,673.00 be transferred from Contingent Account No. A10164-54000 to Account No. A16104-54121; 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 Fearon, Chapman, Mitchell, Palermo, Aikman, Lattimore, Barski, Mahunik, Axton, Mills, Petrus, and Cuddeback, all in favor.

RESOLUTION NO. 255-10

**(5/25/10) GovOps&W&M-Cayuga County Policy Manual -05-10
AUTHORIZATION TO UPDATE AND ADOPT THE POLICIES
OF THE COUNTY OF CAYUGA.**

BY: Mr. Fearon, Chairman, Government Operations Committee.

MR. Palermo, Chairman, Ways & Means Committee.

WHEREAS, the County of Cayuga has adopted numerous policies and procedures for conducting county business and other policies were developed as mandated by statute; and

WHEREAS, these current policies have been reviewed, revised as needed and presented to the Legislature individually; and

WHEREAS; all current documents have been reviewed, revised as needed and formatted into one manual; now, therefore, be it

RESOLVED, that the County Legislature does hereby adopt the attached list of policies and procedures; and be it further

RESOLVED, that the policies be formatted in accordance to the direction of the Legislature and County Administrator, printed, and placed in manuals; and be it further

RESOLVED, that any future adoption of revisions to the above stated policies and procedures or newly adopted policies or procedures be updated in the Cayuga County Policy Manual; and be it further

RESOLVED, that this resolution take effect immediately upon adoption.

Signed by Fearon, Chapman, Mitchell, Palermo, Aikman, Lattimore, Barski, Mahunik, Axton, Mills, Petrus, and Cuddeback, all in favor.

RESOLUTION NO. 256-10

5.25.10 COLfillDpClkLegrev

**AUTHORIZATION TO FILL THE DEPUTY CLERK TO THE LEGISLATURE
POSITION IN THE CLERK TO THE LEGISLATURE'S OFFICE.**

BY: Hon. George Fearon, Chair, Government Operations Committee

WHEREAS, the workflow within the Clerk to the Legislature's Office constitutes the need for a Deputy Clerk to the Legislature to act on behalf of the Clerk in her absence and to support the mission of the department; and

WHEREAS, the current competitive class Legislative Assistant is willing to act as Deputy Clerk to the Legislature as needed or directed; and

WHEREAS, the Legislative Assistant receives a stipend for work performed as part of the Legislative Assistant duties; and

WHEREAS, there will be no additional funds paid to the Legislative Assistant either by stipend or as a job 2; now therefore be it

RESOLVED, that the Clerk to the Legislature be hereby authorized and directed to fill the Deputy Clerk to the Legislature, June 1, 2010 in accordance to Civil Service Rules and Regulations and the Policies of the County of Cayuga.

Signed by Fearon, Aikman, Chapman, Mitchell, Lattimore, Barski and Palermo, all in favor, except Cuddeback voting no.

RESOLUTION NO. 257-10

5.25.10 COA-countycoronerSalary2011-2014rev

ESTABLISHING THE SALARY FOR THE CAYUGA COUNTY CORONER.

BY: MR. George Fearon, Chairman, Government Operations Committee.

MR. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, it is the duty and obligation of the Cayuga County Legislature to establish compensation for officers, pursuant to Section 201 of the County Law; and

WHEREAS, it is necessary to establish the salary for the Cayuga County Coroner, commencing January 1, 2011; now, therefore be it

RESOLVED, that compensation in the form of an annual salary for the Cayuga County Coroner is hereby established as follows:

January 1, 2011–December 31, 2011 - \$15,300.00

January 1, 2012–December 31, 2012 - \$15,606.00

January 1, 2013–December 31, 2013 - \$15,918.00

January 1, 2014–December 31, 2014 - \$16,236.00

And be it further

RESOLVED, that the Cayuga County Treasurer is hereby directed to make the necessary accounting and journal entries to carry out the same.

Motion by Fearon to bring on the floor, 2nd by Cuddeback, all in favor

Signed by Fearon, Chapman, Mitchell, Palermo, Aikman, Lattimore, Barski, Mahunik, Axton, Mills, Petrus, and Cuddeback, all in favor.

RESOLUTION NO. 258-10

May 25, 2010 e&trdcwjfredvkmntREV

AUTHORIZING CAYUGA CORTLAND WORKFORCE INVESTMENT BOARD TO REDUCE BOARD MEMBERSHIP FROM 35 MEMBERS TO 27 MEMBERS

BY: Roger Mills, Chairperson, Planning and Economic Development Committee

WHEREAS, the Cayuga Cortland Workforce Investment Board was originally created to be a 35 member board, and

WHEREAS, it has become apparent that this board would be better served by streamlining operations, and

WHEREAS, the Cayuga Cortland Workforce Investment Board has recommended, subject to the approval of the legislative bodies in Cayuga and Cortland Counties, to have 27 members on the Workforce Investment Board, and

WHEREAS, there will be 5 Regional members, 12 Cayuga County members and 10 Cortland County members for a total of 27 members; Now therefore it be

RESOLVED, that the Cayuga County Legislature endorses the Cayuga Cortland Workforce Investment Board's decision to have 27 members sit on the Cayuga Cortland Workforce Investment Board.

Signed by Mills, Aikman, Fearon, Mahunik, Lattimore, Pinckney and Sincebaugh, all in favor.

PULLED PULLED PULLED

RESOLUTION NO. 259-10

Date: May 25, 2010 HWYPUBWORKSFTWRrev

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO UTILIZE
JEFFERSON COUNTY'S PUBLIC WORKS SOFTWARE BID**

BY: David Axton Chairman, Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Highway department has a need to track various types of public works information including sign maintenance, fleet tracking, equipment, materials, and job costing; and

WHEREAS, Jefferson County awarded a bid for public works software in December 2009; and

WHEREAS, PubWorks by BMSI was the lowest cost program that meets the comprehensive needs of a public works department; and

WHEREAS, upon reviewing the costs and features of various public works systems, BMSI's price of \$27,244 is considerably lower than the \$68,000 originally intended for the purchase of MUNIS software; and

WHEREAS, it is agreeable by both Jefferson County and BMSI to utilize this bid and honor the pricing to Cayuga County; and

WHEREAS, under General Municipal law sections 103 and 104 this can be done; therefore now be it

RESOLVED, that the Superintendent of Highways may purchase public works software from BMSI by piggy-backing off the Jefferson County Highway Department agreed pricing for software; and be it further

RESOLVED, that the County Chairman and the County Highway Superintendent be and is hereby authorized to sign an agreement, purchase from successful bidders and to pay from appropriated funds.

Motion by Axton to pull resolution.

RESOLUTION NO. 260-10

(5/25/10) P&TLeadPaintRespiratorPolicies 5 10

**ADOPTING THE LEAD PAINT POLICY AND THE
RESPIRATORY PROTECTION PLAN**

BY: David R. Axton, Chairperson, Public Works

Chris Palermo, Chairperson, Ways & Means Committee

WHEREAS, the county risk management committee has been working with the county compliance officer to develop a Lead Paint Policy and a Respiratory Protection Plan for Cayuga County, and

WHEREAS, the compliance officer has submitted final drafts of these policies to the county for consideration and adoption, and

WHEREAS, the Lead Paint Policy is needed to insure that county employees are properly trained and protected from the hazard of lead paint that covers many Cayuga County owned buildings, and

WHEREAS, the Respiratory Protection Plan is required to protect Cayuga County employees from the hazards of lead paint and other airborne contaminants; now, therefore, be it

RESOLVED, that the Cayuga County legislature does hereby adopt the Lead Paint Policy and the Respiratory Protection Plan submitted by the compliance officer.

Signed by Axton, Barski, Chapman, Lattimore, Mitchell, Pinckney, Palermo, Cuddeback, Fearon, Mahunik, Mill and Petrus, all in favor.

RESOLUTION NO. 261-10

(5/25/10) P&T Pavilion Seasonal Help 5 10

AUTHORIZING THE HIRING OF SEASONAL STAFF TO REPAIR, CAULK AND PAINT THE EMERSON PARK PAVILION

BY: David R. Axton, Chairperson, Public Works

Chris Palermo, Chairperson, Ways & Means Committee

WHEREAS, Resolution 103-10 authorized the hiring of seasonal staff for 2010 Parks and Trails Season, and

WHEREAS, Resolutions 289-08, 661-08, 122-09 and 106-10 authorized the establishment and funding of Capital H 08-2 for repairs and maintenance of the Emerson Park Pavilion, and

WHEREAS, there is currently a balance of \$140,169 in Capital H 08-2, and

WHEREAS, the Parks Department and the Parks Commission would like to get the entire exterior of the building repaired, caulked and painted this year, and

WHEREAS, it is anticipated that in order to accomplish this extra work up to four (4) full-time equivalent seasonal positions will be needed, which will include two (2) Building Maintenance Mechanics and two (2) laborers; now, therefore, be it

RESOLVED, that the Park Maintenance Supervisor is hereby authorized to hire up to four (4) full time equivalent seasonal positions as stated above, to be paid as follows:

| | |
|--------------------------------|-----------------------|
| Laborers | \$7.25/hr. (min wage) |
| Building Maintenance Mechanics | \$11.50/hr. |

and be it further

RESOLVED, that the funding for the above-stated positions shall be paid from the Pavilion Capital H #08-2; and be it further

RESOLVED, that the total cost is not to exceed \$19,500; and be it further

RESOLVED, that the Pavilion Capital H is only to be charged when the employees are actually working on the Emerson Park Pavilion.

Signed by Axton, Barski, Chapman, Lattimore, Mitchell, Pinckney, Palermo, Cuddeback, Fearon, Mahunik, Mill and Petrus, all in favor.

RESOLUTION NO. 262-10
5/25/2010 Bldgs Amend NYSEG electricity agreementrev
AMEND RESOLUTION 165-10 AGREEMENT WITH NEW YORK
STATE ELECTRIC AND GAS SOLUTIONS (NYSEG SOLUTIONS)
FOR ELECTRICITY

BY: Hon. David R. Axton, Chairman, Public Works Committee
 Hon. Christopher H. Palermo, Chairman, Ways & Means Committee
 WHEREAS, Resolution 165-10 authorized the Chairperson to enter into an agreement for the County with New York Electric and Gas Solutions (NYSEG Solutions) for electricity; and

WHEREAS, the cost of electricity changed by the time the contracts were received and the Chairperson could sign them; and

WHEREAS, the cost of electricity went down from \$0.05938 kwh to \$0.05781 kwh resulting in additional savings of \$16,000.00 over the two year agreement; and

RESOLVED, that Resolution 165-10 be amended with the price of \$0.05781 per kwh over the two year agreement; and be it further

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

Signed by Axton, Barski, Chapman, Lattimore, Mitchell, Pinckney, Palermo, Cuddeback, Fearon, Mahunik, Mill and Petrus, all in favor.

RESOLUTION NO. 263-10
Date: 5-25-10 hwysnowcontract2010rev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND HIGHWAY
SUPERINTENDENT TO ENTER INTO A THREE YEAR AGREEMENT FOR
SNOW AND ICE REMOVAL

BY: David Axton Chairman, Public Works Committee
 Christopher Palermo, Chairman Ways and Means Committee
 WHEREAS, the towns within Cayuga County provide snow and ice removal for the county; and

WHEREAS, the current agreement was for one year and expires on June 30, 2010; and

WHEREAS, the county and towns desire to continue this operating procedure; and

WHEREAS, town and county officials met and discussed the contract, and agreed upon a 3% increase plus fuel adjustment for 2010, and to negotiate annually the remaining two seasons; now therefore be it

RESOLVED, to authorize the Chairman of the Legislature and the Highway Superintendent to enter into agreement with municipalities within the county to provide snow and ice removal for Cayuga County; be it further

RESOLVED, the County Attorney is to review agreement before signing; and be it further

RESOLVED, a 3% raise plus fuel adjustment for the 2010-2011 season is to be provided to the towns.

Signed by Axton, Chapman, Pinckney, Palermo, Cuddeback, Fearon, Mahunik, Mill and Petrus, all in favor.

RESOLUTION NO. 264-10

5/25/2010 Bldgs Cleaning agreement NYSIDrev 7

AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO A CLEANING SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED (ROCHESTER REHABILITATION), A PREFERRED PROVIDER IN NEW YORK STATE, FOR CAYUGA COUNTY BUILDINGS.

BY: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Christopher H. Palermo, Chairman, Ways & Means Committee

WHEREAS, Resolution 711-9 Authorized the Superintendent of Buildings and Grounds to obtain pricing from New York State Industries for the Disabled (NYSID), a preferred source in New York State, for the cleaning of County owned buildings in Auburn NY; and

WHEREAS, the Superintendent of Buildings and Grounds did obtain a proposal and pricing from NYSID; and

WHEREAS, the Cayuga County Legislature did review the proposal and heard presentations from representatives from NYSID; and

WHEREAS, NYSID will provide all cleaning, cleaning materials and rest room supplies to maintain and clean the following buildings; Cayuga County Office Building 160 Genesee St, Historic Post Office 157 Genesee St, Cayuga County Courthouse 158 Genesee St, The Hardenburg Building 95 Genesee St and 8 Dill St, Cayuga County Board of Election and Records Retention 10 Court St. and the Cayuga County Center for Behavioral Health Services 146 North St. All in Auburn N.Y.; and

WHEREAS, NYSID ,as part of their proposal, has committed to offer employment to any employee who would be displaced by this agreement; and

WHEREAS, The cost of NYSID proposal is \$382,157.00 annually, and renewable for a three year period; Now therefore be it

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to sign any and all documents with New York State Industries for the Disabled for the cleaning of County owned buildings; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds will be responsible for: the implementation of the agreement; review all proposed staff; review all weekly and monthly reports; review all monthly invoices for payment and all necessary issues to implement the intent of the proposal; and be it further

RESOLVED, that this agreement will be for a one (1) year period commencing upon the execution of all required agreements, but in no event shall the agreement commence prior to September 4, 2010; and be it further

RESOLVED, that at the end of the initial one (1) year period, this agreement may be extended by the Cayuga County Legislature for successive one (1) year periods for a maximum of three (3) years; and be it further

RESOLVED, that 7 Cleaner positions and 2 Janitor positions will be abolished in the Buildings and Grounds Department on September 4, 2010 or the date in the agreement after the September 4, 2010 date; and be it further

RESOLVED, that the abolishment of the positions effected by this agreement to implement the intent of the resolution will be pursuant to Cayuga County Civil Service Rules and Regulations and CSEA Bargaining Agreement; and be it further

RESOLVED, that account numbers A16204 54116, A16214 54116, A16224 54116, and A16234 54116 (Cleaning Services) be set up in the Buildings and Grounds Accounts; and be it further

RESOLVED, if the agreement takes effect on September 5th 2010 that

| | |
|-------------|--|
| \$ 31494.81 | from A16201 51001 (salaries) |
| | Transferred to A16204 54116 (cleaning services) |
| \$ 2409.63 | from A16201 58001 (FICA) |
| | Transferred to A16204 54116 (cleaning services) |
| \$ 3464.43 | from A16201 58002 (retirement) |
| | Transferred to A16204 54116 (cleaning services) |
| \$ 7,593.32 | from A16201 58003 (Heath In) |
| | Transferred to A16204 54116 (cleaning services) |
| \$ 514.56 | from A16201 58004 (Dental) |
| | Transferred to A16204 54116 (cleaning services) |
| \$ 760.33 | from A16201 58005 (wk. comp) |
| | Transferred to A16204 54116 (cleaning services) |
| \$ 1,000.00 | from A16204 54108 (rroom supplies) |
| | Transferred to A16204 54116 (cleaning services) |

;And be it further

RESOLVED, that

| | |
|-------------|--|
| \$17,069.89 | from A16201 51001 (salaries) |
| | Transferred to A16214 54116 (cleaning services) |
| \$ 1,305.84 | from A16201 58001 (FICA) |
| | Transferred to A16214 54116 (cleaning services) |
| \$ 1,877.69 | from A16201 58002 (retirement) |
| | Transferred to A16214 54116 (cleaning services) |
| \$ 3,796.66 | from A16201 58003 (Heath In) |
| | Transferred to A16214 54116 (cleaning services) |
| \$ 257.28 | from A16201 58004 (Dental) |
| | Transferred to A16214 54116 (cleaning services) |
| \$ 524.68 | from A16201 58005 (wk. comp) |
| | Transferred to A16214 54116 (cleaning services) |
| \$ 500.00 | from A16214 54108 (rroom supplies) |
| | Transferred to A16204 54116 (cleaning services) |

; And be it further

RESOLVED, that

| | |
|-------------|--|
| \$ 8,846.87 | from A16201 51001 (salaries) |
| | Transferred to A16224 54116 (cleaning services) |
| \$ 676.78 | from A16201 58001 (FICA) |
| | Transferred to A16224 54116 (cleaning services) |
| \$ 973.16 | from A16201 58002 (retirement) |
| | Transferred to A16224 54116 (cleaning services) |
| \$ 1,898.33 | from A16201 58003 (Heath In) |
| | Transferred to A16224 54116 (cleaning services) |
| \$ 128.64 | from A16201 58004 (Dental) |
| | Transferred to A16224 54116 (cleaning services) |
| \$ 274.52 | from A16201 58005 (wk. comp) |
| | Transferred to A16224 54116 (cleaning services) |

\$ 500.00 from A16224 54108 (rroom supplies)
Transferred to A16204 54116 (cleaning services)

; And be it further

RESOLVED, that

\$ 15,954.84 from A16201 51001 (salaries)
Transferred to A16234 54116 (cleaning services)

\$ 1,220.55 from A16201 58001 (FICA)
Transferred to A16234 54116 (cleaning services)

\$ 1,755.04 from A16201 58002 (retirement)
Transferred to A16234 54116 (cleaning services)

\$ 3,796.66 from A16201 58003 (Heath In)
Transferred to A16234 54116 (cleaning services)

\$ 257.28 from A16201 58004 (Dental)
Transferred to A16234 54116 (cleaning services)

\$ 495.09 from A16201 58005 (wk. comp)
Transferred to A16234 54116 (cleaning services)

\$ 500.00 from A16234 54108 (room supplies)
Transferred to A16204 54116 (cleaning services)

; And be it further

RESOLVED, to cover possible unused and accrued vacation time for 2010 that \$24,000.00 be taken from contingency account A10164 54000 and transferred to Cleaning services account A16204 54116 to supplement the money not transferred to pay unused and accrued vacation time; and be it further

RESOLVED, that if the agreement does not take effect on the September 5th 2010 date, that the moneys taken from the listed accounts, will be prorated to implement the intent of this resolution; and be it further

RESOLVED, that \$50,000.00 be taken from contingency account A10164 54000 and transferred to unemployment account A16201 58007 to cover possible unemployment for 2010; and be it further

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

Signed by Axton, Cuddeback, Mitchell, Pinckney, Chapman, Lattimore, Barski, Palermo, Fearon, Mills, and Mahunik.

Discussion:

Lattimore, what is the savings?

Tom Squires County Administrator, \$77,000 a year.

Approved by roll call vote, all voting yes, except Barski and Sincebaugh voting no and Palermo, excused. Vote – 783/99/58.

Motion by Sincebaugh for all Legislator’s to cut their salaries in half.

Fred Westphal County Attorney, you would all have to agree, public officers law prohibits a governing body from voting to reduce officers’ pay, but anyone can volunteer to take a pay cut

Axton, those that would like to volunteer can see the Treasurer in the morning. Cuddeback, should be a written motion according to our rules.

Fred, yes should be in writing, rule #10, under rules of order, and must have a 2nd and submit in writing.

Sincebaugh, I rescind the motion.

RESOLUTION NO. 265-10**5.25.10 911VillageWeedsportAgreerev****AUTHORIZING THE CAYUGA COUNTY SHERIFF'S OFFICE AND THE CAYUGA COUNTY E-911 CENTER TO SELL TO THE VILLAGE OF WEEDSPORT POLICE DEPARTMENT TWO MOBILE LICENSES AND ONE RECORDS MANAGEMENT LICENSE.**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, both the Cayuga County Sheriff's Office and Cayuga County E-911 Center utilizes New World Systems for Computer Aided Dispatch, Records Management, Mapping, and Automatic Vehicle Locator (AVL) services, and

WHEREAS, the Village of Weedsport is going to purchase and to begin using these systems to enhance communications with the Cayuga County E-911 Center; and

WHEREAS, the Cayuga County Sheriff's Office will provide them two (2) mobile licenses at a cost of \$1250.00 each; and the Cayuga County E-911 Center will provide them with one (1) LERMS, or Records Management, license at a cost of \$1000.00; and

WHEREAS, the Cayuga County IT Department will work with New World Systems to connect the Village of Weedsport to the County server; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office and the Cayuga County E-911 Administrator be allowed to sell to the Village of Weedsport Police Department two mobile licenses and one records management license; and be it further

RESOLVED, that the Cayuga County IT Department will install the systems for the Village of Weedsport Police Department and provide future upgrades to the systems as they become available to the County; and be it further

RESOLVED, that the 2010 Sheriff's Law Enforcement Budget Line – Services to Other Governments A31100 41513 be increased by \$2500.00 and the 2010 E-911 Budget Line A30200 42705 be increased by \$1000.00; and be it further

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

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 266-10**5/25/10 SHR-SLETPP grant****AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2010 SHERIFF'S BUDGET TO ACCEPT THE 2009 SLETPP (STATE LAW ENFORCEMENT PREVENTION PROGRAM) GRANT FROM THE OFFICE OF HOMELAND SECURITY.**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was granted \$62,000.00 from the Office of Homeland Security designated towards the purchase of a Mobile Command Post and to provide approved training as well as reimburse for backfill overtime necessary to provide this training; and

WHEREAS, all above mentioned expenditures under this Grant have been approved and are 100% funded by the Department of Homeland Security; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the 2009 SLETPP Grant; and be it further

RESOLVED, that the 2010 Cayuga County Sheriff's Law Enforcement Operating budget be amended to allow the following changes: an increase in the Revenue Line A31100 4325 Sheriff/HSDPP (SLETPP, STONEGARDEN) by \$62,000.00, an increase in the Grant Expenditure Account A31104 54244 of \$62,000.00; and be it further

RESOLVED, that the Sheriff's Office be allowed to purchase the Grant approved equipment and training expenses and to enter into any contracts necessary to effect this Grant; and be it further

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

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 267-10

May 25, 2010 psapseqrarev3

RESOLUTION DECLARING THE LEGISLATURE OF THE COUNTY OF CAYUGA'S INTENT TO BE LEAD AGENCY FOR ENVIRONMENTAL REVIEW PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR THE PROPOSED CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT.

BY: Hon. Steven Cuddeback, chair Judicial and Public Safety Committee

Hon. Christopher Palermo, chair, Ways and Means Committee

WHEREAS, the county's current radio communications system is in poor condition and after performing thorough needs assessment reviews it was proven that the system needs extreme upgrades; and

WHEREAS, the results showed that most of the current radio system infrastructure is over 30 years old and is approaching the end of its useful life; and

WHEREAS, 2013 FCC narrow banding mandates are quickly approaching as well as the City of Auburn is facing immediate re-banding mandates that require them to both change frequencies and upgrade the emergency radio system; and

WHEREAS, both systems will integrate to a P-25 compliant, interoperable system with enhanced capabilities at the same time; and

WHEREAS, the proposed project would appear to be a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, improving the radio system would provide communications to all public safety agencies in the county and would therefore be in the public interest; and

WHEREAS, the Legislature of the County of Cayuga is an involved agency for the review of this project as the legislature will have to appropriate funding for same and approve and let contracts for construction and purchase of the new system; and

WHEREAS, it is estimated that, should the county proceed with this project, the costs of the project may be in the vicinity of \$ 16.0 million and may require the issuance of bonds to finance same; and

WHEREAS, the new system, if approved, will also require the construction of additional radio towers within the county; now therefore be it ,

RESOLVED, that the Legislature of the County of Cayuga hereby declares its intent to be SEQRA Lead Agency for the review of this project and directs the County Attorney to take the necessary procedural steps to start a thirty (30) day comment period by providing notice to all municipalities within the County of Cayuga, the NYSDEC, NYS

Office of Parks, Recreation & Historic Preservation, the NYS Canal Corporation, the NYS DOT, the NY State Police and the FAA, FCC, U.S. Army Corps of Engineers, U.S. Coast Guard and U.S. Customs & Border Protection, and any other involved or interested agencies to establish the County Legislature as Lead Agency for the purposes of this project; and, it is further

RESOLVED, that the Chairman of the Legislature be and is hereby authorized to sign any and all necessary documents, notices or papers as may be necessary to initiate the comment period.

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 268-10

(05-25-2010) EMO-AcceptHazMatHomelandSecurityGrant

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ACCEPT A NEW YORK STATE HOMELAND SECURITY HAZARDOUS MATERIALS GRANT TO PURCHASE THE AHURA SCIENTIFIC TRU-DEFENDER FT CHEMICAL DETECTOR AND RECEIVE MANUFACTURERS TRAINING IN THE USE OF THE AHURA SCIENTIFIC TRU- DEFENDER FT. ALSO, AUTHORIZING CAYUGA COUNTY TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE NON-SUBMITTING MEMBERS OF THE CENTRAL NEW YORK REGIONAL HAZARDOUS MATERIALS RESPONSE TEAM CONSORTIUM.

BY: Mr. Steven Cuddeback, Chairman, Judicial & Public Safety Committee, and Mr. Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Hazardous Materials Team applied for and Cayuga County was granted a \$99,500.00 State Homeland Security Hazardous Materials Grant to purchase the Ahura Scientific Tru-Defender FT Chemical Detector, appropriate warranty and service contract, and to receive manufacturer recommended training in the use of the detector for Hazardous Materials Identification in response to Chemical, Biological, Radiological, Nuclear, and Weapon of Mass Destruction Events (CBRNE/WMD); and,

WHEREAS, the Grant funds are specified by the New York State Office of Homeland Security to procure the Ahura Scientific Tru-Defender Chemical detector device and appropriate warranty, service contract and manufacturers training for first responders to respond to CBRNE / WMD; and

WHEREAS, to receive the funds from this Grant the New York State Office of Homeland Security requires Cayuga County to enter into a Memorandum of Agreement (MOA) with the non-submitting partners of the Central New York Regional Hazardous Materials Response Team Consortium; therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services are hereby authorized to accept said Grant and to sign any and all documents necessary for acceptance of the Grant; and be it further

RESOLVED, that the Director of Emergency Services enter into a Memorandum of Agreement (MOA) with the non-submitting members of the Central New York Regional Hazardous Materials Response Team Consortium from, Schuyler County, Seneca County, and Tompkins County; and be it further

RESOLVED, that the Director of Emergency Services be authorized to enter into contracts with vendors in order to accomplish the goals of this grant without further legislative action; and be it further

RESOLVED, that the Cayuga County Treasurer's Office is hereby authorized and directed to amend the Emergency Management Department's 2010 Budget by creating a revenue line Munis Account No. A36470-44312 and creating expenditure line Munis Account No. A36474-54516; and be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to implement the intent of this Resolution.

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 269-10

5/25/10 SHR-OPER STGDN grant

AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2010 SHERIFF'S BUDGET TO ACCEPT THE 2009 OPERATION STONEGARDEN GRANT FROM THE OFFICE OF HOMELAND SECURITY.

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was granted \$108,820.00 from the Office of Homeland Security towards the purchase of a Mobile Command Post and to reimburse the County for overtime and the fringe benefits on overtime expended on operational details with the United States Border Patrol; and

WHEREAS, all above mentioned expenditures under this Grant have been approved and are 100% funded by the Department of Homeland Security; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the 2009 Operation Stonegarden Grant; and be it

RESOLVED, that the 2010 Cayuga County Sheriff's Law Enforcement Operating Budget be amended to increase the Revenue Line A31100 44325 Sheriff/HSDPP (SLETPP, STONEGARDEN) by \$108,820.00, and increases in the following expenditure lines: Grant Expenditure Account A31104 54244 of \$100,000.00, Sheriff's Overtime Account A31101 51003 of \$7026.00, Sheriff's Social Security Account A31101 58001 of \$537.00, Sheriff's Retirement Account A31101 58002 of \$1043.00 and Sheriff's Worker's Compensation A31101 58005 of \$214.00; and be it further

RESOLVED, that the Sheriff's Office be allowed to purchase the Grant approved equipment and training expenses and to enter into any contracts necessary to effect this Grant; and be it further

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

Motion by Cuddeback to bring onto the floor, 2nd by Axton, all in favor.

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Fearon and Mahunik, all in favor.

RESOLUTION NO. 270-10
5/25/10 COA-ENFSLSTAX-REV

RESOLUTION CALLING ON THE GOVERNOR OF THE STATE OF NEW YORK TO ENFORCE THE COLLECTION OF SALES TAXES ON TOBACCO SOLD ON INDIAN LANDS AND TO INSURE COLLECTION OF ALL SALES AND EXCISE TAXES ON TRIBAL AND INDIAN SALES OF ALL GOODS AND SERVICES TO NON-TRIBAL MEMBERS WITHOUT DELAY

BY: Hon. Peter A. Tortorici, Chairman

WHEREAS, the Cayuga County commends the Governor for his efforts in directing the New York State Department of Taxation and Finance to rescind its forbearance letter which allows tobacco sales by Native Americans to non-members to go untaxed; and

WHEREAS, local governments are highly dependent on sales tax revenues to deliver and fund a wide range of critical programs and services necessary for the health, welfare and safety of their citizens; and

WHEREAS, sales and excise tax collections provide a significant revenue source enabling the State of New York to fund programs for the benefit of new York's citizens, governments, schools and businesses; and

WHEREAS, local governments across upstate and downstate New York are facing unprecedented challenges in meeting current funding needs; and

WHEREAS, due to the rate at which sales and excise taxes are levied on tobacco products and motor fuels, both classes of product generate significant revenue for the State of New York, counties, cities, towns and villages across New York State; and

WHEREAS, Indian tribes and Indian retailers across New York state do not, on their own initiative, collect and remit to the State of New York or to local governments any sales and excise taxes on sales of tobacco products or motor fuels to non-tribal members; and

WHEREAS, failure to collect sales and excise taxes on tribal and Indian sales to non-tribal members has been particularly damaging to the citizens and governments of New York because this failure deprives the State of New York and local governments of legitimate legal sales tax revenues which are desperately needed to continue delivering the current level of programs and services while keeping property taxes under control; and

WHEREAS, failure to collect these taxes on tribal and Indian sales further creates a grossly unfair business environment for non-Indian retailers across the State of New York by diverting business to tribal and Indian retailers and by giving tribal and Indian retailers a grossly unfair competitive advantage; and

WHEREAS, numerous federal court cases involving the application of state and local excise and sales taxes to sales by tribal retailers to non-tribal members, including the United State Supreme court case of Department of Taxation and Finance of New York et al. V. Milhelm Attea andBros., Inc., et. al. (No 93-377), have repeatedly affirmed that state has a right to the sales and excise tax revenues on such transactions; and

WHEREAS, the Legislature of the State of New York, by legislation contained in Chapter 62 of 2003 amending various laws of the State regarding taxation, required the Commissioner of Taxation and Finance to implement, not later than September 16, 2003, measures to effectively collect sales and excise taxes on tribal and Indian sales of tobacco and motor fuels to non-tribal members, but collection of taxes has been avoided by three successive administrations for over four years through a series of disingenuous actions; and

WHEREAS, New York State has, on this date, still not begun to collect sales and excise taxes on Native American sales to non-tribal members; and

WHEREAS, Governor Paterson is looking for ways to close a substantial projected budget deficit; and

WHEREAS, the Cayuga County Legislature and its individual members have repeatedly expressed strong support for implementation of such measures to collect these taxes on tribal sales to non-Indians; now therefore be it

RESOLVED, that Cayuga County Legislature calls on the Governor of the State of New York to enforce State law and take any and all necessary action to insure collection of all sales and excise taxes on tribal and Indian sales of all goods and services to non-tribal members for the benefit of state and local governments without further delay; and be it further

RESOLVED, that New York State take action to affirmatively assert its sovereign prerogatives and jurisdiction consistent with recent court decisions, the intent of the New York State Legislature and New York State and federal law; and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature forward copies of this Resolution to Governor Paterson and all others deemed necessary and proper. Signed by Tortorici, Palermo, Chapman, Axton, Petrus, Pinckney, Mills, Fearon, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh, Aikman, all in favor.

RESOLUTION NO. 271-10

5/25/10 COA-PROPERTYTAX

RESOLUTION CALLING ON THE CAYUGA COUNTY LEGISLATURE AND ITS INDIVIDUAL MEMBERS TO REQUEST THE UNITED STATES CONGRESS TO INSURE THAT WHEN LAND IS PLACED INTO TRUST, PROPERTY TAXES SHALL CONTINUE TO BE ASSESSED AND PAID TO LOCAL MUNICIPALITIES AND SCHOOL DISTRICTS.

BY: Hon. Peter A. Tortorici, Chairman

WHEREAS, local governments are highly dependent on property tax revenue to deliver a wide range of critical services and progress for the health, welfare, and safety of its citizens; and

WHEREAS, local school districts are highly dependent on property tax revenue to fund and provide quality education for all its student; and

WHEREAS, local government and local school districts across New York State face unprecedented challenges meeting current funding needs; and

WHEREAS, when lands are accepted into trust, the land is free from any and all property taxes to the immediate detriment of local government and school districts which must continue to provide a wide range of critical services and programs to all residents within its jurisdiction; and

WHEREAS, the inability to assess and collect property taxes on lands placed into trust damages the citizen and local governments and school districts because the local government and school districts continue the delivery of programs and services while keeping property taxes under county where large parcels of valuable properties are removed for the tax roll through fixing property rates on non-tax property to increase the amount of the loss; therefore, be it

RESOLVED, that Cayuga County Legislature and its individual members request the United States Congress to insure that when land is placed into trust, property taxes shall continue to be reassessed and paid to local municipalities and school districts.

Signed by Tortorici, Palermo, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh, Aikman, all in favor.

Motion by Lattimore to go into Executive Session at 2:23PM, 2nd by Axton, re: pending litigation and the medical, financial, credit or employment history of a particular person or corporation. All in favor.

Asked to come into Executive Session Jon Budelmann, David Gould and Al Kozlowski.

Motion by Axton to come out of Executive Session at 4:12PM, 2nd by Cuddeback, all in favor.

Motion by Axton to adjourn at 4:13PM, 2nd by Cuddeback, all in favor.

Motion by Lattimore to approve minutes of 5-25-10 on 7-27-10, 2nd by Pinckney, all in favor.

**MINUTES
WAYS & MEANS COMMITTEE
CHRISTOPHER PALERMO, CHAIR
TUESDAY, JUNE 15, 6:30PM
CCOB C.R. #1**

CALL TO ORDER: By Christopher Palermo, Chairman, Ways & Means Committee, at 6:30PM

MEMBERS PRESENT: Chair, Christopher Palermo, Steven Cuddeback, Ann Petrus, and Roger Mills, George Fearon, Patrick Mahunik, excused David Axton..

ALSO PRESENT: Chairman Peter Tortorici, County Administrator Tom Squires, Legislator's Francis Mitchell, Stephen Barski, Cynthia Aikman , Tim Lattimore and Paul Pinckney, Co. Attorney Fred Westphal, Highway Superintendent, George Wethey, Director of Mental Health Kate O'Connell, Interim Deputy Director Health & Human Services Casey Meyer, Budget Director Lynn Marinelli, Director of Probation Bernie Newcomb, Director of Planning Steve Lynch, Administrator Cayuga County Nursing Home Deb English, Director Human Resources/Civil Service Jen Marshall, Civil Service Commissioner Jeff Edwards, Treasurer Jim Orman, Director 911 Denise Stayton, Director of Parks & Trails Gary Duckett, Legislative Assistant Sheila Smith and Citizen Reporter Sarah Gantz.

MINUTES TO APPROVE: 5-17-10, motion by Cuddeback to approve minutes, 2nd by Fearon, all in favor.

PRESENTATION: WLADIS Law Firm, Mark Wladis, Matthew Tynan and Joseph Rossi, and Leann Warner, re: Grant Writing and Funding Opportunities, handout attached to original minutes.

Discussion:

Lattimore, do you deal with the empowerment zone?

Mark Wladis, yes.

Mills, do you work on a retainer?

Mark, Lobbyist work is done on a retainer, grant practice is hourly rate.

Mills, we have staff here that writes grants, you would do follow up?

Mark, grant writing is 50% writing, 50% chasing it, you need someone calling and working on your behalf.

Mills, is there a time limit.

Mark, we usually do it on a yearly basis.

COMMITTEE DISCUSSION: Bernie Newcomb Director of Probation, re: Emergency

Resolution: To Recommend and Request that the Cayuga County Ways & Means Committee

Approve the Cayuga County Ignition Interlock Plan for the Implementation of the Ignition

Interlock Provisions of Leandra's Law

RESOLUTION NO. 272-10**6-22-10 PRO Leandra's Law Imp (2)****TO RECOMMEND AND REQUEST THAT THE CAYUGA COUNTY WAYS & MEANS COMMITTEE APPROVE THE CAYUGA COUNTY IGNITION INTERLOCK PLAN FOR THE IMPLEMENTATION OF THE IGNITION INTERLOCK PROVISIONS OF LEANDRA'S LAW**

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, in late 2009 New York State enacted and passed into legislation "Leandra's Law" which (a) added the category of "Child In Vehicle" to DWI offenses that has already been implemented; and (b) which added a Section of the V&T Law requiring the installation and use of an Ignition Interlock Device as part of all DWI sentences in New York State to be implemented effective August 15, 2010; and

WHEREAS, in accordance with the request of the law, the New York State Division of Probation & Correctional Alternatives has prepared a Proposed Rule to direct the implementation of this law; and

WHEREAS, every county shall establish a County Ignition Interlock Program with respect to usage of Ignition Interlock Devices and monitoring the compliance of an operator subject to installation of an Interlock Ignition Device as directed by the sentencing court; and

WHEREAS, every county shall develop a plan in consultation with the County's Probation Director, District Attorney, Stop-DWI Coordinator, Drinking Driver Program, where applicable, a representative designated by the County Executive, a Superior and Local Criminal Court Judge designated by the Administrative Judge for the County, a representative of an agency providing legal services to those unable to afford counsel in criminal cases designated by the County Executive and submit this plan to the New York State Division of Probation & Correctional Alternatives by June 15, 2010; and

WHEREAS, every plan shall specify monitoring by the Probation Department where the operator is subject to a period of probation supervision and may designate one or more alternative person(s) or entity(s) in lieu of the Probation Department responsible for monitoring where an Ignition Interlock Device has been imposed pursuant to a conditional discharge; and

WHEREAS, the Cayuga County Judicial & Public Safety Committee has directed the Cayuga County Probation Director to include in this plan that the New York State Police be designated as the monitor for conditional discharge sentences that mandate the installation of the Ignition Interlock Device and be presented before the Ways & Means Committee for final approval; now, therefore be it

RESOLVED, that the Ways & Means Committee has approved the Cayuga County Ignition Interlock Plan to be submitted to the New York State Department of Probation & Correctional Alternatives by June 15, 2010.

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

DEPARTMENT REPORTS:

- 1) **Jim Orman (Treasurer and Data Processing) handout attached to original minutes**
- 2) **Al Kozłowski (Real Property) no report**
- 3) **Jen Marshall (Human Resources) handout attached to original minutes**

4) **Tom Squires (Budget Officer/Purchasing) Veterans Director Larry Wilt** was taken to the hospital, **Legislature Clerk Mary Jones** spoke with him this morning, he was not feeling well, she and **Niel Rivenburg** EMO office, went to Larry's office and called an ambulance for him. Moving forward with the Auditor process. CHHA update is attached. Purchasing Policy will be ready soon. The budget process is coming up, still waiting on the State budget to see where we stand. IT department is one position closer to full staff, we will be meeting to look at the structure of that department. I meet with **Dan Fessenden, Emerson Foundation** about our investment in Emerson Park and where we're going, maybe bring a manager on. **Mills**, we need to bring a manager on now. Tom, there are legal issues, it will be a legislative decision. We have \$792,000 in the sweep account, need \$825,000 that may be a little high, but I think we'll get there. Auburn Memorial Hospital is letting us use the parking lot while Mental Health is under construction. **Mills**, CHHA report shows revenue 3.8 million to 3.3 million, if revenue is down can we cut expenditures? Tom, the transfer of certificate of need maybe by December. **Lynn Marinelli**, probably March of next year. **Mills** loss of \$260,000. Tom, it's just a projection, is improving.

6-10-PL-1 Authorizing the submittal of a Grant Application and Funding Request to the New York State Department of Ag & Markets for Preparation of a County-wide Agriculture and Farmland Protection Grant by the Cayuga County Department of Planning & Economic Development. **Motion by Mills, 2nd by Mahunik, all in favor.**

Motion by Fearon to bundle GO-1, 2, and 3, 2nd by Cuddeback, all in favor.

6-10-GO-1 Authorizes Cayuga County Clerk to fill a full time cashier in the Motor Vehicle Department.

6-10-GO-2 Authorizing the County Administrator's Office to Advertise and receive various bids.

6-10-GO-3 Setting Compensatory Time Policy for Non-Bargaining Employees determined exempt and notcovered by the requirements of the Fair Labor Standard Act.
End of Bundle.

Motion by Cuddeback to bundle PW-1 through 6, 2nd by Petrus, all in favor.

6-10-PW-1 Authorizing the Chairman of the Cayuga County Legislature to sign an Agreement with Upstate Construction to allow them to access the piers on Little Sodus Bay by crossing the County owned West Barrier Bar.

6-10-PW-2 Authorizing Cayuga County to file an application for grant funds from the New York State Office of Parks, Recreation and Historic Preservation, in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$400,000.00, to assist with needed and planned improvements to the Emerson Park Pavilion as outlined in the adopted Emerson Park Pavilion Facility master plan.

6-10-PW-3 Authorization to fill the vacant typist, part-time position with the Parks & Trails Department due to a resignation.

6-10-PW-4 Authorization to amend the 2010 Cayuga County Highway Budget for Gas, Electric and Uniform Allowance.

6-10-PW-5 Authorization for Superintendent of Highways to utilize Jefferson County's Public Works software bid.

6-10-PW-6 **(Added 6-15-10)** Authorize the Chairman and Highway Superintendent to Sign an Inter-municipal Agreement with the City of Auburn.

End of Bundle.

Motion by Petrus to bundle HH-1 through 16, 2nd by Cuddeback, all in favor.

6-10-HH-1 **(Revised 6-10-10)** Authorizing the Director of Health & Human Services to fill a PT Caseworker vacancy in Child Welfare Unit.

6-10-HH-2 **(Revised 6-10-10)** Authorizing the County Legislature to create one full-time and 1 part-time Caseworker position in the Child Protective Unit of Human Services (75% funded)

6-10-HH-3 **(Revised 6-10-10)** Authorizing the Legislature to create two Human Services Examiner PT positions in the Medicaid Unit of Human Services, set the rate of pay for the same, and authorize the Director of Health and Human Services to fill these newly created positions (100% funded)

6-10-HH-4 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to contract with multiple service agencies for the provision of Child Welfare Placement Services.

6-10-HH-5 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to enter into a contract with Cornell Cooperative Extension of Cayuga County for the provision of "Placement in another Planned Permanent Living Arrangement" Services (100% federally funded).

6-10-HH-6 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to renew their contract with the State to continue the 100% funded Children with Special Health Care Needs (CSHCN) Program and to accept funding.

6-10-HH-7 To Authorize the Chairman of the Legislature and the Director of Health & Human Services to enter into a contract with First Student, Inc. for Transportation of Physically Handicapped Children (59.5% state funded).

6-10-HH-8 Authorization to fill a Medical Social Worker Pt and re-set the hourly rate of pay for the same.

6-10-HH-9 Authorizing the purchase of K Checks Software from Kinney Management Services (LLC) and enter into a licensing agreement.

6-10-HH-10 Authorization to adjust the salary of the position of MDS Coordinator at the Cayuga County Nursing Home.

6-10-HH-11 To authorize the adjustment of the salaries of the non-bargaining LPN, PT Nurses for sub supervisor pay at the CCNH.

6-10-HH-12 Authorization to create and hire an MDS Coordinator and abolish one Supervising Nurse position at the Cayuga County Nursing Home.

6-10-HH-13 Authorizing an overlap in the position of Assistant Director of Nursing at the Cayuga County Nursing Home.

6-10-HH-14 Authorizing the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home to renew an agreement with Saul Rosenblum, M.D.P.C. as Medical Director of Cayuga County Nursing Home.

6-10-HH-15 To authorize the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home to enter into an agreement with Board of Cooperative Educational Services for provision of Educational and Clinical experiences for practical Nursing Students and Nurse Aides for the 2010-2011 school year.

6-10-HH-16 Authorize the creation and filling of a full-time Director of Community Outreach at the Cayuga County Community Mental Health Center.

End of Bundle.

Motion by Palermo to bundle regular monthly resolutions 1 through 7, 2nd by Cuddeback, all in favor.

REGULAR MONTHLY RESOLUTIONS:

1. Auth. payment of **May** Audit of Claims
2. Auth. payment of Utilities.
3. Auth. payment of Claims for Thruway Tolls.
4. Auth. payment of Claims for the Sr. Nutrition Program.
5. Auth. payment of Claims for Credit Card Charges.
6. Auth. payment of Claims for Various Equipment Leases.
7. Auth. payment of Various Capital "H" Projects (**Revised 6-11-10**)

End of Bundle

6-10-WM-1 Authorizing the Chairman of the Legislature to Sign an Agreement with Utilisave for Utility Auditing/Cost Recovery. **Motion by Palermo, 2nd by Cuddeback, all in favor.**

6-10-WM-2 Authorizing the Clerk of the Cayuga County Legislature to Solicit Requests for Proposals for the Purpose of Acquiring Fixed Asset/Inventory Software. **Motion by Palermo, 2nd by Cuddeback, all in favor.**

6-10-WM-3 Authorizing the Cayuga County Treasurer to Fill an Accountant Position. **Motion by Palermo, 2nd by Petrus, all in favor.**

6-10-WM-4 Setting Summer Office Hours for County Offices. **Motion by Palermo, 2nd by Cuddeback, all in favor.**

6-10-WM-5 Directing the County Treasurer to Pay Dog Tax Monies as Apportioned. **Motion by Palermo, 2nd by Cuddeback, all in favor.**

JUDICIAL & PUBLIC SAFETY: NONE

Mills, payment for the radio system, I'm concerned with how we are going to pay for it.

Palermo, we will discuss it after the executive session.

Motion by Cuddeback to go into Executive session at 7:32PM, re: the employment history of a particular person or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, 2nd by Fearon, all in favor.

Asked to come into Executive Session, County Administrator Tom Squires, County Attorney Fred Westphal and Human Resources/Civil Service Director Jen Marshall.

Motion by Cuddeback to come out of Executive Session at 9:14PM, 2nd by Fearon, all in favor.

Fred briefly explained these resolutions that are for consideration on June 30, 2010 meeting of the full Legislature.

4 Draft Resolutions for your information only:

1. Authorizing the Clerk of the Cayuga county Legislature to Advertise Request for Proposals for the Microwave Paths for the New Cayuga County Radio System.
2. Bond Resolution of the County of Cayuga, New York Adopted on June _____, 2010 Authorizing Issuance of \$17,022,383.00 Bonds of the County of Cayuga to Pay a Portion of the Costs of Construction of the County's E-911 Communications System (2/3)
3. Authorizing the Chairman of the Cayuga County Legislature to Sign an Agreement with Motorola Inc. for a UHF Trunked Radio Network.
4. Authorizing the Chairman of the Cayuga County Legislature to Sign a Contract with _____ for Project Management Services for the Radio Communication Project.

Mills, It's easy for us to do a borrowing resolution for 17 million, but we have spent 2 years talking about the radio system and what we need, but we haven't spent 2 days talking about how we are going to pay for it. I would like to hear some proposals from the County Administrator on how we're going to find the money to pay the debt service if we authorize this level of bowtering. I'm real concerned because I don't think the one number is accurate, in terms of the sites themselves. I think the 1.8 million for the sites is in the ballpark, but we are talking about a 1.8

million in debt service that frankly I don't see where that money is coming from going forward, other than putting on the back of the County tax-payer and I'm not going to vote for this resolution if that's the case.

Tom Squires, you're right, it's a big number. There are two ways you pay for it, you increase revenue or you cut costs.

Mills, we need to spend sometime between now and the 30th to work out some of these alternatives and getting a consensus of this body as to what we would like to do.

Tom Squires, we figure it will be about \$250,000 a year for the cell phone surcharge.

Mills, I don't support that, but we could talk about it.

Tom Squires, we will aggressively pursue any kind of grant opportunities we can find.

Mills, in the short term we are going to go out and borrow \$17 million dollars.

Tom Squires, this establish the maxim amount we can borrow, if we spend \$15 million, we borrow \$15million, to satisfy the cash flow there is a payment schedule, so we are going to use bands/bond anticipation notes, borrow on bands as needed.

Mills, so we're not going out and borrow \$17million?

Tom Squires, correct, we will set the maxim amount we think we are going to spend and authorize borrowing for that. We are expecting money from the city for this.

Mills, can we get a document from the city stating they will release this money to us, are they going to give the money to us and under what terms.

Tortorici, the city has to re-negotiate with Nextel on how the money will be distributed, that will all need to be discussed.

Fearon, Tom mentioned that there are only two ways of paying for this, increasing revenues and decreasing expenditures, we really need to do a combination of both. On the side of revenues, there is always the possibility of grants, I support the idea of having other types of taxes that keep property taxes down.

Motion by Cuddeback to adjourn at 9:25PM, 2nd by Fearon, all in favor.

Motion by Petrus, 2n by Fearon to approve minutes of 6-15-2010, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
JUNE 22, 2010 – 6:30PM**

WELCOME: Mary Jones, Clerk of the Legislature

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:30PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PROCLAMATION: Elder Abuse Awareness Day, June 15, 2010, read by Mary Jones.

PUBLIC BE HEARD:

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

MINUTES: For Approval: 4-27-10 and Spec. Committee of the Whole 5-6-10, **Motion by Lattimore, 2nd by Pinckney, all in favor.**

For Reading: 5-25-10

(EMERGENCY RESOLUTION)

**RESOLUTION NO. 273-10
6-22-10 Emergency Juneres**

**EMERGENCY AUTHORIZATION FOR THE HISTORIAN'S OFFICE, CASE
INTEGRITY UNIT OF THE HEALTH AND HUMAN SERVICES DEPARTMENT,
CAYUGA COUNTY WIC OFFICE, CAYUGA COUNTY PROBATION
DEPARTMENT AND CAYUGA COUNTY ASSIGNED COUNSEL/YOUTH
BUREAU OFFICE TO OPERATE DURING THE HOURS OF 8:00 AM TO 4:00
PM DURING THE MONTH OF JUNE.**

WHEREAS, the New York State Unified Court System has summer hours of operation beginning June 1st of each year; and

WHEREAS, the County of Cayuga has departments located in the Cayuga County Courthouse and Old Historic Post Office with hours of operation of 9:00 a.m. to 5:00 p.m.; and

WHEREAS, it has been brought to the attention of the County Administrator that security officers will not be available to insure the safety of County employees between the hours of 4:00 p.m. to 5:00 p.m.; and

WHEREAS, the Cayuga County WIC Office already has appointments scheduled at 4:30 p.m on several days which cannot be rescheduled and in this instance a security office from the County Office Building will be placed at the WIC Office during that time;

NOW THEREFORE BE IT RESOLVED, that the Historian's Office, Case Integrity Unit of the Health and Human Services Department, Cayuga County WIC Office, Cayuga County Probation Department and Cayuga County Assigned Counsel/Youth Bureau Office will operate during the hours of 8:00 a.m. to 4:00 p.m. beginning June 1st; and it is further

RESOLVED, that if for any reason one of the Offices needs to remain open after 4:00 p.m. a Security Officer from the County Office Building will be placed at that office for security purposes.

Signed by Palermo, Mahunik, Tortorici, and Tom Squires, approved.

CCC REPORT: Dr. Daniel Larson, Farewell to Deborah Moeckel she has taken a job with SUNY system administration. Enrollment up-date, full time equivalent enrollment has reached 3,457. Fulton Relocation Update, our intended purchase of the vacant P&C has been sold to a lower bidder, we will move forward. Musical Theatre Festival, we anticipate this project will bring academic benefit to the College. College Budget Development, we hope to have our 2010-11 budget ready for submission to the Legislature in the next few weeks.

Chairman Tortorici called for a Special Committee of the Whole Meeting on Monday, 6/28/10 at 6:00PM on the Radio System Project.

County Administrator Tom Squires handed out tow documents 1. Estimated cost of the Emergency Communications Project and 2. A two page spreadsheet with financial projections for the project, attached to original minutes.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, handed out two documents 1. Estimated cost of the Emergency Communications Project and 2. A two page spreadsheet with financial projections for the project, attached to original minutes. Ads have been put in the papers for the Auditor position, moving forward, hiring will be done by the Legislature. Budget starts tomorrow. Early retirement incentives, will have a resolution ready for committee next month. I have a draft purchasing policy and will e-mail to you. I am continuing to meet with the foundation in regards to the investment in the pavilion.

Legislator Chapman, I would just like to congratulate Cato/Meridian School for winning the Odyssey of the Mind Competition.

CHAIRMAN'S REPORT: Peter Tortorici, I attended a Watershed meeting held at Conesus Lake, NY, it was very well attended, I learned a lot, people are committed to looking at programs and working on the watershed.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Community College Board of Trustees:

Jeffrey L. Edwards, 1986 Rte. 34, Genoa, NY 13071, term – 7-1-2010 to 6-30-2017

Cayuga County Ag & Farm Protection Board

Farmer Representative:

Jamie Edelman, 7/1/3745 Allen Rd., Cato, NY – term: 7/1/10 – 12/31/13

Dan Welch, Cornell Coop. Ext, 248 Grant Ave., Auburn, NY – Ex-Officio-coterminous with position

Cayuga-Cortland Workforce Investment Board

Lloyd Hoskins, 123 South Street, Auburn, NY – term: 7/1/10 – 6/30/13

Demetrius Murphy, 25 Bradford Street, Auburn, NY - term: 7/1/10 – 6/30/13

Paul Pinckney, 2035 Pinckney Road, Auburn, NY - term: 7/1/10-6/30/13

Motion by Lattimore, 2nd by Petrus to approve all appointments, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS1.

1. Received a letter from Brian Kolb State Assembly Minority Leader, re: receipt of resolution 270-10 (sales tax on tobacco sold on Indian lands), and resolution 271-10 (land into trust property taxes).

2. Received a letter from Gary Finch Member of Assembly, re: receipt of resolution 270-10 (sales tax on tobacco sold on Indian lands), and resolution 271-10 (land into trust property taxes).

3. Received a resignation letter from Linda Albrecht for the Community Services Board and the Mental Health Committee, effective June 10, 2010.

4. Received a letter from Matt Fletcher, re: new rates for legal services effective 7-1-2010 to 6-30-2011.

5. Received a letter from Linda Alfieri Director of Nursing Cayuga Community College, re: thanking Peter Tortorici for participating in the 35th annual Professional Advancement and Pinning ceremony.

6. Received a letter from Michael Nozzolio, re: collection of sales taxes on the sale of tobacco products.

Motion by Palermo to waive reading of communications, all in favor.

RESOLUTIONS:**RESOLUTION NO. 274-10**

06-22-10 AuditJune 2010.doc

**AUTHORIZING THE COUNTY TREASURER TO PAY
MAY 2010 AUDIT OF CLAIMS**

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on June 22, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,318,800.62, therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 17, 2009.

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 275-10

06.22.10

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

By: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

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

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

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

May 2010

| | |
|------------|-------------|
| Electric | \$ 0 |
| Telephone: | \$ 8,977.67 |
| Total: | \$ 8,977.67 |

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

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 276-10

06.22.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

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

| | |
|----------|----------|
| May 2010 | \$407.05 |
|----------|----------|

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

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 277-10

6-22-10 OFAseniornutrition

REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and Mr. Christopher Palermo, Chair of Ways and Means Committee.

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$5,477.00 covering the period through 5/28/10 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 278-10**06.22.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES**

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

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

May 2010

| | |
|---------------|-------------|
| First Niagara | \$ 1,847.21 |
| AmExpress | \$ 2,109.90 |
| Sunoco | \$ 61.84 |
| Walmart | \$ 2,565.45 |
| Exxon | \$ 40.01 |
| Total: | \$ 6,624.41 |

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

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 279-10**06.22.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.**

BY: Hon. Christopher Palermo, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

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

May 2010

| | |
|--------------------------------|-------------|
| Copier Leases and Maintenance: | \$ 8,610.49 |
| Postage Leases: | \$ 754.00 |
| Total: | \$ 9,364.49 |

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

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 280-10**(6/25/10) COA-CAPH6PAY-REV1****AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

Project #08-1 (North Street Mental Health Renovations):

| | |
|---|-------------------|
| Lowes – Inv. 37580 | 1,076.40 |
| Lowes – Inv. 22704 | 311.94 |
| Lowes – Inv. 37757 | 276.27 |
| Green Plumbing – Payment Application #5 | 31,327.00 |
| Gray’s Management Systems, Bill # 10 | 14,209.00 |
| Atlantic Testing Laboratories, Invoice # 60752 | 2,647.75 |
| Fah’s Construction Group, Payment Application #6 | 204,105.13 |
| Grainger, Invoice 9239235352 | 2,173.50 |
| East Coast Electric, Payment Application # 4 | 62,667.70 |
| Syracusa Mechanical Inc., Payment Application # 4 | 207,765.00 |
| Subtotal | 526,559.69 |

Project #08-2 (Emerson Park Pavilion Repairs & Maintenance)

| | |
|--------------------------------|---------------|
| Grainger, Invoice # 9248503733 | 273.24 |
| Subtotal | 273.24 |

Project #10-01 (Meridan Environment Restoration Project)

| | |
|-------------------------------------|------------------|
| C & S Engineers – Invoice # 0120758 | 10,149.47 |
| Subtotal | 10,149.47 |

GRAND TOTAL **536,982.40**

And be it further

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

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 281-10

6/22/10 COMUtilisave

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH UTILSAVE FOR UTILITY AUDITING/COST RECOVERY

By: Hon Chris Palermo, Chair Ways & Means Committee

WHEREAS, it has been over six years since the County of Cayuga had its monthly utility bills audited to ensure that the county is paying proper rates for the various electric, gas, water and sewer, and telecommunications services.

WHEREAS, Utilisave, LLC of Brooklyn, NY is a New York State contract vendor that provides this service at the smallest percentage fee than its competitors; and

WHEREAS, in return for providing the auditing services the county agrees to pay Utilisave, LLC the sum of 25% of refunds or credits, including taxes, surcharges and interest. If the firm does not obtain credits or refunds there will be no charge to the county for the audit; Now, therefore, be it

RESOLVED, that the Chairman of the Legislature is directed to sign an agreement with Utilisave, LLC for auditing services and the Cayuga County Treasurer is authorized to pay the firm 25% of credit and refunds received, if any, at the conclusion of the audit process.

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 282-10
(06/22/10) TREASrpfixed assets

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO
 SOLICIT REQUESTS FOR PROPOSALS FOR THE PURPOSE OF
 ACQUIRING FIXED ASSET/INVENTORY SOFTWARE**

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, the current software used for the tracking and reporting of fixed assets for Cayuga County is presently being handled in a system that is inadequate and is being phased out, and

WHEREAS, the mechanism used to get the necessary information used for the Annual Report is time consuming and not cost effective, and

WHEREAS, it is critical that we purchase software with the functionality needed to maintain a proper inventory of County Equipment and fixed assets, now, therefore be it

RESOLVED, that the Cayuga County Legislature does authorize the Clerk of the Cayuga County Legislature to hereby solicit Requests for Proposals for the acquisition of fixed asset/inventory software.

Signed by Palermo, Cuddeback, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 283-10
6/22/10 TREASfillacct.

**AUTHORIZING THE CAYUGA COUNTY TREASURER TO FILL
 AN ACCOUNTANT POSITION**

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, the current Accountant in the County Treasurer's Office is leaving on June 30th, 2010, and

WHEREAS, this position is crucial for continuity of services in the Treasurer's Office; and

WHEREAS, funding for this position is available in the 2010 Budget, A13251-51001, position control number 1805 now, therefore, be it

RESOLVED, that the County Treasurer be authorized and directed to fill the Accountant position and any fill behinds that may occur in a manner consistent with the rules and regulations of the County Civil Service Commission and the policies of Cayuga County.

Signed by Palermo, Cuddeback, Fearon, Mills and Petrus, all in favor, except Cuddeback voting no.

RESOLUTION NO. 284-10
6-22-10 COL Summer hoursrev

SETTING SUMMER OFFICE HOURS FOR COUNTY OFFICES

WHEREAS, the County adopted Handbooks for bargaining and non-bargaining employees; and

WHEREAS, the Handbooks indicate that the County Legislature may establish summer hours from 8:00 A.M to 4:00 p.m.; and

WHEREAS, the Legislature wishes to exercise its discretion and establish summer hours; now, therefore be it

RESOLVED, that effective July 1, 2010, County Offices, including but not limited to, the Offices of County Treasurer, Clerk of the Legislature, and Civil Office of the

Sheriff, shall be open for business during the summer months of July through August of every year hereafter from this point on, from 8:00 A.M. to 4:00 P.M. each weekday; and be it further

RESOLVED, that department heads of County shall retain and have the absolute discretion to require all or part of its staff to work on a 9:00 A.M. to 5:00 P.M. workday if said department head is of the opinion that it is required by law or is necessary to furnish needed services; and be it further

RESOLVED, that the Department of Motor Vehicles summer hours will be as follows: Monday, Tuesday, Wednesday and Friday, 8:00 A.M. to 3:30 P.M. and Thursday's 8:00 A.M. to 5:00 P.M.; and be it further

RESOLVED, that the Probation Department, Assigned Counsel, Case Integrity, WIC and the Historian Office will begin summer hours on June 1st of each year, due to hours being set by the Uniformed Court System and security for those departments and be it further

RESOLVED, that this resolution shall not change or alter any agreement between the County and a bargaining unit which sets forth different hours of employment; and be it further

RESOLVED, that summer hours shall commence on July 1, of each year, unless modified herein by this Resolution or by a resolution adopted by future legislative action. Signed by Palermo, Cuddeback, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 285-10

(6/22/10) DOGTX09APP

**DIRECTING THE COUNTY TREASURER TO PAY DOG TAX
MONIES AS APPORTIONED.**

BY: HON. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee.

WHEREAS, in accordance with Section 111 of the Agriculture and Markets Law the County Treasurer herewith presents for filing his annual Dog License Report, together with a Statement of Amounts Remitted and Apportioned; now, therefore, be it

RESOLVED, that the attached Dog License Report be received, approved and printed in the Journal of the County Legislature and that the County Treasurer be authorized and directed pay to the City of Auburn and the several towns the amounts mentioned in the apportionment column of said Statement, totaling \$8,057.17. Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 286-10

6.22.10 coapylgrev6

**INSTITUTING A TWO WEEK PAY LAG FOR CERTAIN EMPLOYEES IN
PARTS II, III AND IV OF THE CAYUGA COUNTY'S COMPENSATION PLAN**

BY: Hon. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, during union negotiations with the Sheriff's Unit and the Correction Officers Unit, a two week pay lag was enacted; and

WHEREAS, this pay lag will allow employee accrual benefits to be on the same schedule as the pay period; and

WHEREAS, the County Legislature decided to enact a similar pay lag for certain non-bargaining employees in Parts II, III and IV of Cayuga County's Compensation Plan; and

WHEREAS, Resolution No 165-91 enacted a ten (10) day county wide payroll lag; and

WHEREAS, Resolution No. 202-92 in effect rescinded the ten (10) day countywide payroll lag; and

WHEREAS, four (4) non bargaining employees elected to continue the 1991 ten (10) day payroll lag; now, therefore be it

RESOLVED, that all non-bargaining employees payroll in Parts II, III and IV of Cayuga County's Compensation Plan, with the exception of elected officials, elected officers and, fixed term employees, will be lagged 2 weeks; and, be it further

RESOLVED, that hourly non-bargaining employees in Parts II, III and IV of Cayuga County's Compensation Plan who are currently lagged one week will be required to lag an additional week; and, be it further

RESOLVED, that non-bargaining employees in Parts II, III and IV of Cayuga County's Compensation Plan whose payroll was lagged in 1991 shall not be subject to this resolution; and be it further

RESOLVED, commencing with the September 10, 2010 payroll the lag pay will be enacted by moving the pay period back ½ day's each pay period for the next 20 pay periods for county non-bargaining employees in Parts II, III, IV of the Cayuga County Compensation Plan; 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 Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus

Discussion:

Fearon, I would like a form for each Legislator to sign to do the same.

Tortorici, it will be ready for committee in July.

Mahunik, is the date ok?

Tortorici, yes.

Lattimore, why do we do it?

Tortorici, the Union does, we should lead by example.

Lattimore, do we have an emergency plan for employees?

Tortorici, no. We are elected officials, 20 week pay lag, if not re-elected, money will go back to you, you don't lose it.

Aikman, is there a policy so we all get lagged ?

Tortorici, no you have to sign off.

Cuddeback, can you write a check for this, is insurance covered, can't take money out of insurance or on a check not written.

Mills, we get paid, it's just 5% less for 20 pay periods.

Sincebaugh, I was told I have to receive my full salary.

Westphal, you can choose to do this.

Mahunik, salary for us is by local law, can we do a local law so this is in effect.

Westphal, local law subject to referendum.

Tortorici, it will make it more efficient for payroll to have everyone lagged.

All in favor, except Sincebaugh voting no.

**RESOLUTION NO. 287-10
(6.22.10) CSEAAGMENT09-10**

**APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. AND
COUNTY OF CAYUGA FOR THE PERIOD JANUARY 1, 2009
THROUGH DECEMBER 31, 2011**

BY: Christopher Palermo, Chairman, Ways and Means.

WHEREAS, the County and CSEA are parties to a Collective Bargaining Agreement governing terms and conditions of employment for certain employees of the County; and

WHEREAS, CSEA submitted terms for a successor agreement to its membership for consideration; and

WHEREAS, the membership of CSEA approved and ratified the terms for a successor agreement on June, 10 2010; and

NOW THEREFORE, in consideration of the mutual agreements reached between the County of Cayuga and the Cayuga County Unit of Cayuga Local 806, Civil Service Employees' Association, Inc., Local 1000, AFSCME, AFL-CIO, the Legislature of Cayuga County hereby

RESOLVES, that the Cayuga County Legislature, the County Administrator, and the Director of Human Resources are authorized and directed to take any and all appropriate actions to approve and implement said agreement for the period January 1, 2009, through December 31, 2011, by providing the necessary funding therefore; be it further

RESOLVED, that the Cayuga County Treasurer be and he is hereby authorized and directed to implement any necessary changes to implement the intent of this resolution and Collective Bargaining Agreement; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor, except Sincebaugh abstained.

RESOLUTION NO. 288-10

**(June 22, 2010) HS Fill PT Caseworker Child WelfareREV
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
A PT CASEWORKER VACANCY IN CHILD WELFARE UNIT**

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a Part-Time Caseworker vacancy in the Child Welfare Unit of Human Services due to a resignation effective April 26, 2010; and

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

WHEREAS, this is a funded position in the Human Services Department's 2010 budget; NOW, THEREFORE BE IT

RESOLVED, if the State and/or Federal funding levels change, the positions will come back for review; and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Part-Time Caseworker position, position control #006507, in the Child Welfare Unit, and any fill behind that may occur, in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 289-10

**(June 22, 2010) HS Create/Fill 1 FT and 1 PT Caseworker CPS REV
AUTHORIZING THE COUNTY LEGISLATURE TO CREATE 1 FULL-TIME
AND 1 PART-TIME CASEWORKER POSITION IN THE CHILD PROTECTIVE
UNIT OF HUMAN SERVICES (75% FUNDED)**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Department has been closely monitoring the number of reports coming in from the State Central Registry, and the numbers of CPS reports needing investigation have been consistently increasing; and

WHEREAS, once a CPS report comes in, safety must be assessed within 24 hours as well as a comprehensive assessment must be documented within 7 days of receiving a report; and

WHEREAS, the numbers of CPS reports coming into the unit is exceeding the capacity of the unit to manage; and

WHEREAS, in order to meet the mandates of this critical work, a request for additional staff is being made; and

WHEREAS, due to the staffing decisions that have been made in the 2010 budget, leaving positions unfilled that have been vacated (position control #03914 – Staff Developer and position control #04171 – Computer Systems Technician), available funds exist to cover these positions; NOW, THEREFORE, BE IT

RESOLVED, if the State and/or Federal funding levels change, the positions will come back for review; and be it further

RESOLVED, that the Cayuga County Legislature create one Full-Time Caseworker position (Grade 17) and one Part-time Caseworker in the Child Protective Unit of Human Services and that the Director of Health & Human Services be authorized and directed to fill the newly created positions and any fill behinds in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 290-10

**(June 22, 2010) HS Create/Fill 2 HumServExaminers PT MA REV
AUTHORIZING THE LEGISLATURE TO CREATE TWO HUMAN SERVICES
EXAMINER PT POSITIONS IN THE MEDICAID UNIT OF HUMAN
SERVICES, SET THE RATE OF PAY FOR THE SAME, AND AUTHORIZE THE
DIRECTOR OF HEALTH AND HUMAN SERVICES TO FILL THESE NEWLY
CREATED POSITIONS (100% FUNDED)**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, due to an increase in the Medicaid caseloads, it is the Department's desire to create and fill two Human Services Examiner Part Time positions in the Medicaid Unit of Human Services; and

WHEREAS, it is essential for the integrity of the unit to have these Human Services Examiners PT available to assist the other Medicaid Examiners in the management of their increasing caseloads; and

WHEREAS, currently there is no hourly rate for HUMAN Services Examiner PT in the Cayuga County Compensation Plan; and

WHEREAS, these positions are reimbursed at 100%; NOW THEREFORE BE IT RESOLVED, that the Cayuga County Legislature be authorized to create two Human Services Examiner PT positions; and be it further

RESOLVED, if the State and/or Federal funding levels change, the positions will come back for review; and be it further

RESOLVED, that the County Legislature be authorized to set the hourly rate at \$17.15 for Human Services Examiner PT consistent with the amount paid to other CSEA Human Services Examiners; and be it further

RESOLVED, that the Human Services Examiner PT compensation be added to Part II of the NON-Bargaining titles in the Cayuga County Compensation Plan, and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the two newly created Human Services Examiner PT positions in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 291-10

(June 22, 2010) HS Child Welfare Placement Services 2009

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH MULTIPLE SERVICE AGENCIES (LISTED) FOR THE PROVISION OF CHILD WELFARE PLACEMENT SERVICES

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide appropriate "child placement services" for children placed in foster care and at times this includes placement in a residential treatment center (RTC); and

WHEREAS, Human Services has successfully contracted with the listed agencies to provide these services in the past; and

WHEREAS, the RTC per diem rate schedule is established and set by NYS Department of Social Services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts for the time period of July 1, 2010 – June 30, 2011 with the following agencies:

- | | |
|---------------------------------------|-------------------------------------|
| Anderson School, Inc. | Kids' Peace |
| Baker Victory Services | Kinship Family & Youth Services |
| Berkshire Farm Center & Services | LaSalle School |
| Cayuga Home for Children | Liberty Resources |
| Charlton School | Lincoln Hall |
| Children's Home of Jefferson County | Northeast Parent and Child Society |
| Children's Home of Poughkeepsie | Oswego Opportunities, Inc. |
| Children's Home of Wyoming Conference | Parsons Child & Family Center |
| Crestwood Children's Center | St. Anne's Institute |
| Elmcrest Children's Center | St. Catherine's Center for Children |
| Gateway Logview | St. Coleman's |

George Junior Republic
 Glove House
 Hillside Children's Center
 Hopevale, Inc.
 House of Good Shepard

St. Joseph's Villa
 Toomey Residential & Comm. Serv.
 Vanderheyden Hall
 Salvation Army/Friendship House

and be it further

RESOLVED, that payment for these services at the current state approved rates be charged to account #A61234 54000, account #A61094 54000, and account #A61194 54000 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 292-10

(June 22, 2010) HS Cornell Coop Ext 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
 DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
 CONTRACT WITH CORNELL COOPERATIVE EXTENSION OF CAYUGA
 COUNTY FOR THE PROVISION OF "PLACEMENT IN ANOTHER PLANNED
 PERMANENT LIVING ARRANGEMENT" SERVICES
 (100% FEDERALLY FUNDED)**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide "Placement in Another Planned Permanent Living Arrangement" to children in Foster Care who have a goal of independent living; and

WHEREAS, Cornell Cooperative Extension has the expertise to provide these services to children in foster care; and

WHEREAS, the Human Services Division has established and maintains a good working relationship with Cornell Cooperative Extension for such services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cornell Cooperative Extension of Cayuga County for the contract period of 7/1/10 to 12/31/10 in the amount not to exceed \$14,000 (100% Federally funded) for "Placement in Another Planned Permanent Living Arrangement" services; and be it further

RESOLVED, that the charges for these services be paid from account #A60104 54059 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 293-10

(June 22, 2010) HD CSHCN 2010-11

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THEIR CONTRACT WITH THE STATE TO CONTINUE THE 100% FUNDED CHILDREN WITH SPECIAL HEALTH CARE NEEDS (CSHCN) PROGRAM AND TO ACCEPT FUNDING.

BY: Ann Petrus, Chairman of Health & Human Services Committee
Christopher Palermo, Chairman of Ways & Means Committee

WHEREAS, the State Health Department has now made available \$19,732 to the Health Department to continue the 100% funded Children with Special Health Care Needs Program; and

WHEREAS, it is the Department's desire to continue on with this program; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew their contract with the State, and accept funding in the amount of \$19,732 for the period of October 1, 2010 through September 30, 2011, for the purpose of continuing on with the 100% funded Children with Special Health Care Needs Program; and be it further

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries in the 2010 Health Department Budget as follows and to accept any additional COLA funds relative to this program:

Increase Appropriation Account A40264 54000 \$19,732

Increase Revenue Account A40260 43426 \$19,732

and be it also

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 294-10

(June 22, 2010) HD Transportation PHC

TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH FIRST STUDENT, INC. FOR TRANSPORTATION OF PHYSICALLY HANDICAPPED CHILDREN (59.5% STATE FUNDED)

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has the responsibility to transport pre-school children with disabilities to various school sites in the County; and

WHEREAS, having completed the formal bidding process as required by the County, it was determined that First Student, Inc. met our needs at the most reasonable price; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to contract with First Student, Inc. for the term July 1, 2010 to June 30, 2011 with the option to renew annually for four additional years after the first year as stipulated in the contract; and be it further

RESOLVED, that payment for these services will be from Account #A40454 54306 of the 2010 Health Department Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 295-10

(June 22, 2010) HDFill MSW Reset Rate-2010

AUTHORIZATION TO FILL A MEDICAL SOCIAL WORKER PT AND RE-SET THE HOURLY RATE OF PAY FOR THE SAME.

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Legislature voted to begin the process to transition the Health Department's Certified Home Health Agency to Lifetime Care; and

WHEREAS, the Director of Health & Human Services is making every effort to run the Certified Home Health Agency during the transition in accordance to mandated services; and

WHEREAS, the CHHA is required by regulation to provide one of the skilled services on its Operating Certificate, exclusively; and

WHEREAS, a Medical Social Worker PT has submitted a resignation effective 6/22/10 and must be filled during this transition period; and

WHEREAS, the current part-time Social Work Assistant PT has attained the educational credentials to work as a Medical Social Worker PT and is trained and willing to provide the mandatory services during this transition period for the agency; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health and Human Services be hereby authorized to fill the position of Medical Social Worker PT (Position #006068) effective 6/23/10 in the Public Health Department; and be it further

RESOLVED, that the hourly rate of pay be hereby reduced and set at \$22/hour effective 6/23/10; and be it further

RESOLVED, that the rate be revised in the Cayuga County Compensation Plan, Part II for Non-Bargaining Employees within the Public Health Department in the title of Medical Social Worker, PT; and be it further

RESOLVED, that the appointment be in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the position of Social Work Assistant PT be hereby abolished upon the provisional appointment of the Medical Social Worker, PT.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 296-10

**(June 22, 2010) HD, HS, MH, NH K Checks Software
AUTHORIZING THE PURCHASE OF K CHECKS SOFTWARE FROM
KINNEY MANAGEMENT SERVICES (LLC) AND ENTER INTO
A LICENSING AGREEMENT**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, federal government requires all covered entities who receive federal funds have a system in place where employees and contractors are checked on a monthly basis to insure they are not excluded providers from the Medicare/Medicaid Program; and

WHEREAS, not meeting this mandate could put the County entities at risk of losing Medicare/Medicaid reimbursement; and

WHEREAS, this software program will provide a mechanism to efficiently meet this mandate through electronic verification; NOW, THEREFORE, BE IT

RESOLVED, that the Health Department, Human Services Department, Mental Health and the Nursing Home be allowed to purchase the K Checks Software from Kinney Management Services, LLC and enter into a licensing agreement with them in the amount of \$3,240; and be it further

RESOLVED, that payment for this purchase be made from the following accounts:

| | |
|--|-------|
| Health Department: Account #A40104 54059 | \$810 |
| Human Services: Account #A60104 54059 | \$810 |
| Mental Health: Account #A43104 54059 | \$810 |
| Nursing Home: Account #E45154 54059 | \$810 |

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 297-10

Date of Meeting:6/22/10 nhmdscood

**AUTHORIZATION TO ADJUST THE SALARY OF THE POSITION OF MDS
COORDINATOR AT THE CAYUGA COUNTY NURSING HOME.**

BY: Christopher Palermo, Chairman, Ways and Means Committee

Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Julie McCarthy has agreed to accept a position at the Nursing Home of MDS Coordinator; and

WHEREAS, Ms. McCarthy has been employed in supervisory roles in other long term care facilities for over 20 years including over 10 years experience as an MDS Coordinator; Now be it therefore

RESOLVED, that Ms. McCarthy be hereby placed on the third step of the salary plan of this particular position of MDS Coordinator at Cayuga County Nursing Home because of her experience and expertise; and be it further

RESOLVED, that Ms. McCarthy continue on the third step of MDS Coordinator pursuant to the Cayuga County Compensation Plan, Part II .

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 298-10**6/22/10 nhadjslry****TO AUTHORIZE THE ADJUSTMENT OF THE SALARIES OF THE
NON-BARGAINING LPN, PT NURSES FOR SUB
SUPERVISOR PAY AT THE CCNH.**

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

Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the LPN PT Nurses have accepted additional responsibilities by being placed as Sub Supervisors for the facility when there is no other Supervising Nurse available; and

WHEREAS, the recommended amounts are consistent with the CSEA Contract for other Licensed Practical Nurses in the County; and

WHEREAS, the reimbursement will be one dollar and twenty five cents (\$1.25) per hour for LPN PT Nurse Subs; Now therefore be it

RESOLVED, that Sub Supervisor compensation be added to the non-bargaining LPN PT compensation plan at a rate of \$1.25 per hour for hours worked as a Supervisor Sub; and be it further

RESOLVED, that the Administrator of the Cayuga County Nursing Home be authorized to pay the LPN PT Supervisor Sub at the above rate; and be it further

RESOLVED, that the above Supervisor Sub rate be added to the Non-Bargaining Compensation Plan for LPN PT Nurses in the CCNH.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 299-10**Date of Meeting: 6/22/10 nhmds****AUTHORIZATION TO CREATE AND HIRE AN MDS COORDINATOR AND
ABOLISH ONE SUPERVISING NURSE POSITION AT THE CAYUGA
COUNTY NURSING HOME.**

BY: Christopher Palermo, Chairman, Ways and Means Committee

Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents; and

WHEREAS, it is necessary to designate a professional nurse to work in the capacity of completing the Minimum Data Set that is required by the Centers for Medicare and Medicaid; and

WHEREAS, the Civil Service Commission has approved the specifications for the position; and

WHEREAS, the Commission has established a wage structure that is consistent with similar titles at other skilled nursing facilities; now therefore be it

RESOLVED, that the position of MDS Coordinator be hereby created in the Nursing Home; and be it further

RESOLVED, that one of the Supervising Nurse positions be abolished; and be it further resolved

RESOLVED, that the rate of pay be set in accordance to the appropriate Non-Bargaining Compensation Plan, Part II which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire an MDS Coordinator effective 7/1/10 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga. Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 300-10

Date of Meeting: 6/22/10 nhaverlap

AUTHORIZING AN OVERLAP IN THE POSITION OF ASSISTANT DIRECTOR OF NURSING AT THE CAYUGA COUNTY NURSING HOME.

BY: Christopher Palermo, Chairman, Ways and Means Committee

Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, the work of the Assistant Director of Nursing is an important component of the care at the Cayuga County Nursing Home; and

WHEREAS, the current Assistant Director of Nursing is retiring after 25 years of service to Cayuga County with the last 7 in this position; and

WHEREAS, candidates have been recruited to fill this position; now therefore be it

RESOLVED that the position be filled starting July 19, 2010 with an individual that is certified as qualified by the Civil Service Commission on a provisional basis pending the outcome of a Civil Service Exam adhering to all of the regulations as set forth in Civil Service regulation; and be it further

RESOLVED, that the rate of pay is defined in Part IV of the County of Cayuga Compensation Plan.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 301-10

Date of Meeting: 6/22/10 nhblumagmnt

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO RENEW AN AGREEMENT WITH SAUL ROSENBLUM, M.D.P.C. AS MEDICAL DIRECTOR OF CAYUGA COUNTY NURSING HOME.

BY: Christopher Palermo, Chairman, Ways and Means Committee

Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is required to provide the residents of the facility with a medical director; and

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

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

WHEREAS, the compensation for the services of Saul Rosenblum, M.D. shall be at a rate of \$2500.00 (Two Thousand Five Hundred Dollars) on a monthly basis after submission of a voucher for services amounting to 3 (three) hours per each week of the calendar; employee physical examinations will be \$40.00 (Forty Dollars) per examination, separately invoiced to the Cayuga County Nursing Home monthly; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Saul Rosenblum, MD for a period of 2 years, from July 1, 2010 to June 30, 2012.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 302-10

Date of Meeting: 6/22/10 nhbocesagmnt

TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH BOARD OF COOPERATIVE EDUCATIONAL SERVICES FOR PROVISION OF EDUCATIONAL AND CLINICAL EXPERIENCES FOR PRACTICAL NURSING STUDENTS AND NURSE AIDES FOR THE 2010-2011 SCHOOL YEAR.

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

WHEREAS, the Cayuga County Nursing Home has a long history of providing educational and clinical experiences for practical nursing students and nurse aides enrolled in Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties; and

WHEREAS, the Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties desires Cayuga County Nursing Home provide educational and clinical experiences for practical nursing students and nurse aides enrolled be signed for the 2010-2011 school year; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with the Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties for the 2010-2011 school years.

Signed by Petrus, Axton, Barski, Mills, Mahunik, Palermo and Sincebaugh, all in favor.

RESOLUTION NO. 303-10

Action 05/26/09 MHCcreateFillDirCommOutreach 06-09

AUTHORIZE THE CREATION AND FILLING OF A FULL-TIME DIRECTOR OF COMMUNITY OUTREACH AT THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER

By: Hon. Ann Petrus, Chair, Health and Human Services Committee

Hon. Christopher Palermo, Chair, Ways and Means Committee

WHEREAS, the New York State Office of Mental Health has re-structured Clinic Treatment Services, including the requirement for community based services, effective October 1, 2010: and

WHEREAS, the Continuing Day Treatment is no longer financially viable and those currently served by that program can be served in re-designed Clinic Treatment Programs; and

WHEREAS, there is a need for supervision of the new outreach component of the Clinic Treatment Program as well as community based services; and

WHEREAS, one position of Community Mental Health Aide (position code 02104), reflected in the budget line A43111-51001, Salaries- FT, will be eliminated effective July 9, 2010 as part of the re-design of services; therefore, be it

RESOLVED, that the position of Director of Community Outreach be created and placed within Part IV, non-bargaining, of the Cayuga County Compensation Plan under Community Mental Health at a 2009 annual rate of \$65,000; and be it further

RESOLVED, that the position of Supervising Social Worker (position code 05647) as reflected in the budget line A43111-51001, Salaries-FT, be abolished upon permanent appointment of the incumbent, and successful completion of the probationary period of the Director of Community Outreach; and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to fill the position of Director of Community Outreach in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County, and be it further

RESOLVED, that, although no budget adjustments are required as all changes are within a single budget line, A43111-51001 Salaries FT, savings resulting from this action will be reported on the monthly salary adjustment report to be submitted to the County Administrator.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 304-10

(06-22-10) CC-DMV CASHIER FTrev

**AUTHORIZES CAYUGA COUNTY CLERK TO FILL A FULL TIME
CASHIER IN THE MOTOR VEHICLE DEPARTMENT.**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee

MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee

WHEREAS, there will be a Full Time DMV Cashier position vacancy on August 1 in the Motor Vehicle Bureau and that provides essential services to the Motor Vehicle Department and to the County; and

WHEREAS, it is essential that the position be filled on a permanent basis; and

WHEREAS, the funding for this Full Time Senior Cashier position #01837 has been appropriated in the 2010 Department of Motor Vehicle (A14111-51001) salary account in the amount of \$36,738; now therefore be it

RESOLVED, that Cayuga County Clerk Susan Dwyer be authorized to fill the position of Full Time Motor Vehicle Cashier, with a full time position with fringe benefits pursuant to the Cayuga County Compensation Plan, Part I- CSEA Bargaining in the title Motor Vehicle Cashier; and to fill any positions that become vacant as a result; and be it further

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

Signed by Fearon, Aikman, Chapman, Barski, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 305-10
6/22/10 COMvariousbids
AUTHORIZING THE COUNTY ADMINSTRATOR'S OFFICE
TO ADVERTISE AND RECEIVE VARIOUS BIDS

By: Hon. George Fearon, Chair Government Operations Committee
 Hon Chris Palermo, Chair Ways & Means Committee

WHEREAS, the County believes that it can receive the best pricing by advertising and receiving bids for various commodities for use by the county; and

WHEREAS, it has been determined that the county pays above the monetary threshold of \$10,000 in expenditures per year for these various commodities:

*Automotive Parts

*Copy Paper

*Printer Cartridges (O.E.M brand) original equipment manufacture

*Hardware and Tools

;and be it

RESOLVED, that the County Administrator's Department is authorized to advertise and receive sealed bids for the various items as stated in this resolution.

Signed by Fearon, Aikman, Barski, Mitchell, Palermo, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 306-10
6/22/10 GovOpW&M-EXEMPTNBCOMP
SETTING COMPENSATORY TIME POLICY FOR NON-BARGAINING
EMPLOYEES DETERMINED EXEMPT AND NOT COVERED BY THE
REQUIREMENTS OF THE FAIR LABOR STANDARDS ACT

BY: Mr. George Fearon, Chair, Government Operations Committee
 Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, it is necessary to adopt a policy for Non-Bargaining Employees regarding overtime compensation entitlement for those employees determined to be exempt and not covered by the requirements of the Fair Labor Standards Acts; and

WHEREAS, accordingly there are no restrictions requiring the payment of overtime or preventing the accumulation of time which is to be compensated by additional time off; and

WHEREAS, the aforementioned committees have determined that Elected Officials, Professional Staff, Department Heads, and other Administrative positions determined to be exempt are without a permanent policy to follow for the accrual of compensatory time; and

WHEREAS, a realization that from time to time additional hours are necessary to accomplish the mission of a department and that the needs may vary from department to department; now, be it therefore

RESOLVED, that the following policy be enacted effective immediately for all Non-Bargaining Employees not covered by the requirements of the Fair Labor Standards Act by virtue of being an Elected Official, Professional or Exempt Department Head or other Exempt Administrative Title as so determined by the county:

Elected Officials: Shall not be entitled to overtime or compensatory time.

Department Heads: Department Heads will maintain a record of compensatory time accrued by date of accrual. Compensatory time may be used with the approval of the County Administrator. Compensatory time earned shall be used as soon as possible

and shall not be accumulated beyond 30 days from the date of the original accrual, or it will be lost. Written request to the County Administrator to extend by an additional 30 days will be reviewed on a case by case basis.

Administrative/Professional Staff: The Department Head shall administer the compensatory time for their department, keeping a departmental log of compensatory time accrued by employee and by the date of accrual. Compensatory time must be pre-approved by the Department Head for staff prior to the accrual of compensatory time. Compensatory time may be used with the approval of the Department Head. Compensatory time shall be used as soon as possible and shall not be accumulated beyond 30 days from the date of the original accrual, or it will be lost. Written request to the Department Head and approval by the County Administrator to extend by an additional 30 days will be reviewed on a case by case basis.

The Department Log of accruals for Exempt Non-Bargaining employees will be provided by the Department Head to the County Administrator on a monthly basis for review.

If a Non-Bargaining employee terminates employment with the County of Cayuga any remaining compensatory time will be lost, and no pay out of hours will occur. Under no circumstances will compensatory time be paid out for any Non-Bargaining employee exempt from the Fair Labor Standards Act.

And be it further

RESOLVED, that this policy supersedes the interim policy as set forth in Resolution Numbers 47 and 91 dated 2/13/96 and 2/20/96 respectively.

Signed by Fearon, Aikman, Barski, Mitchell, Palermo, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 307-10

June 22, 2010 PB Auth CntyAgPlan Grant Submit V1

AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION AND FUNDING REQUEST TO THE NEW YORK STATE DEPARTMENT OF AG & MARKETS FOR PREPARATION OF A COUNTY-WIDE AGRICULTURE AND FARMLAND PROTECTION GRANT BY THE CAYUGA COUNTY DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

BY: Mr. Roger A. Mills, Chair, Planning and Economic Development Committee
Mr. Christopher M. Palermo, Chair, Ways and Means Committee

WHEREAS, Cayuga County has an existing county-wide Agriculture and Farmland Protection Plan duly adopted in 1996 (the "Existing Ag Plan"); and

WHEREAS, in the years since the adoption of the Existing Ag Plan, there has been significant changes in New York State's farmland protection programmatic framework and parallel changes in the scope, operations and methods of agriculture in Cayuga County and changes to the pattern and trends of rural land use throughout Cayuga County that have created a distance between the County's current needs and the policy recommendations of the 1996 Plan; and

WHEREAS, Agriculture and its related industries are among the strongest economic engines and the dominate land use in Cayuga County and is a key element in maintaining the beautiful working landscapes that draw visitors from around the state and around the world while enhancing the quality of life for Cayuga County residents; and

WHEREAS, the future viability of farming is tied to the maintenance of a strong agricultural economy and requires the establishment of sound land use planning and the cultivation of a robust farming ethic that will continue to produce generations of world-class farmers, farm neighbors, farm businesses and farm-friendly government; and

WHEREAS, matching funding of \$50,000.00 for development or updating of County-wide Agriculture and Farmland Plans is currently available through the New York State Department of Ag & Markets that allows the provision of up to \$40,000.00 of the required matching funds to be allocated by in-kind staff time and services and the Department of Planning & Economic Development has the remaining match of \$5,000.00 approved in the FY2010 department budget with a proposal to include another \$5,000.00 in the FY2011 departmental budget; and

WHEREAS, the Planning & Economic Development Department has prepared an application for funding that has been reviewed by the Cayuga County Ag & Farmland Protection Board (CCAFPB) and the CCAFPB approved a resolution at the May 5, 2010 meeting recommending that the Cayuga County Legislature approve the submittal of the proposed grant application to the state; and

WHEREAS, the Cayuga County Legislature wishes to have the Department of Planning & Economic Development prepare a new County-wide Agriculture and Farmland Protection Plan and wishes to leverage the \$50,000.00 in NYS funding available with an allocation of in-kind staff time and budgeted funds; now,

THEREFORE, BE IT RESOLVED, by the Cayuga County Legislature, as follows:

Section 1: The Cayuga County Department of Planning & Economic Development is hereby authorized and directed to prepare and submit an application for funding to the New York State Department of Ag & Markets for creation of a County-wide Agriculture and Farmland Protection Plan;

Section 2. The Chair of the Cayuga County Legislature is hereby authorized and directed to execute the required documents and agreements necessary to receive and administer the proposed grant funds if awarded by the state;

Section 3. The Cayuga County Treasurer is hereby authorized and directed to establish the necessary accounts and journal entries required to administer the grant funds should they be award; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Mills, Aikman, Fearon, Lattimore, Pinckney, Palermo, Cuddeback and Petrus, all in favor.

RESOLUTION NO. 308-10

(6/22/10) P&T West Barrier Bar Agreement 6 10

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AN AGREEMENT WITH UPSTATE CONSTRUCTION TO ALLOW THEM TO ACCESS THE PIERS ON LITTLE SODUS BAY BY CROSSING THE COUNTY OWNED WEST BARRIER BAR

By: David Axton, Chairman, Public Works

WHEREAS, the east pier of Little Sodus Bay in Fair Haven is in need of reconstruction and repair, and

WHEREAS, Upstate Construction has been hired to perform this work, and

WHEREAS, the Cayuga County Parks and Trails Department received a request from the Village of Fair Haven Mayor, Bill McVey, to allow Upstate Construction to access the piers by passing through West Barrier Bar; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed, upon the approval of the county attorney, to sign an agreement with Upstate construction to allow the necessary access.

Signed by Axton, Barski, Cuddeback, Lattimore, Mitchell and Pinckney, all in favor.

Motion by Axton to add a Whereas as follows:

WHEREAS, if Cayuga County is awarded this grant the work will be paid for using advances from the general fund which will be reimbursed once the funds are received, and, all in favor

Motion as amended, all in favor.

RESOLUTION NO. 309-10

(6-22-10) P&T Pavilion Grant 6 10

AUTHORIZING CAYUGA COUNTY TO FILE AN APPLICATION FOR GRANT FUNDS FROM THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION, IN ACCORDANCE WITH THE PROVISIONS OF TITLE 9 OF THE ENVIRONMENTAL PROTECTION ACT OF 1993, IN AN AMOUNT NOT TO EXCEED \$400,000.00, TO ASSIST WITH NEEDED AND PLANNED IMPROVMENTS TO THE EMERSON PARK PAVILION AS OUTLINED IN THE ADOPTED EMERSON PARK PAVILION FACILITY MASTER PLAN

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Colonial Revival style Emerson Park Pavilion, constructed in 1912 as the centerpiece of 40-Acre National Park Service National Register of Historic Places Lakeside Park, is the cornerstone structure of the 135-Acre Cayuga County Emerson Park, providing the public with lakeshore access to recreation and community facilities on Owasco Lake; and

WHEREAS, the Emerson Park Pavilion, Lakeside Park and Emerson Park were the focus of an extensive community planning and public participation effort in 2001, with the completion of the Emerson Park Master Plan, which called for capital upgrades making the Emerson Park Pavilion a year-round facility; and

WHEREAS, there has been an ongoing effort to document, preserve and improve this historic structure, including the preparation of the Emerson Park Pavilion Facility Master Plan (the "Plan") and the subsequent adoption of the Plan by the Cayuga County Legislature through Resolution #467-09; and

WHEREAS, Cayuga County has established Capital H 08-2 Account for the Emerson Park Pavilion project which currently has \$140,000 some of which will be used in 2010 for needed maintenance and repairs and some of which could be used as matching money for the grant, and

WHEREAS, a number of community organizations and partners, including the Fred L Emerson Foundation, have indicated a willingness to partner with Cayuga County in its efforts to protect, preserve and improve the Emerson Park Pavilion through the phased implementation of the officially adopted Emerson Park Pavilion Facility Master Plan; and

WHEREAS, the New York States Office of Parks, Recreation and Historic Preservation is currently accepting Grant Applications under the provisions of Title 9 of the Environmental Protection Act of 1993 for Park Development and Program Grants that require the applicant to provide matching grant funds; and

WHEREAS, Cayuga County understands that these grants are reimbursement grants requiring the applicant make the necessary repairs and upgrades prior to receiving the funds, and

WHEREAS, if Cayuga County is awarded this grant the work will be paid for using advances from the general fund which will be reimbursed once the funds are received, and,

WHEREAS, Phase I of the Emerson Park Pavilion Facility Master Plan is ideally suited for the State grant program allowing local and private monies and in-kind services to be leveraged with State Grant Funds; now therefore, be it

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the Cayuga County Department of Planning and Economic Development and the Cayuga County Parks and Trails Department to file an application, on behalf of Cayuga County, for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$400,000.00, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to Cayuga County for the Emerson Park Pavilion Master Facility Project, Phase I and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property, and; be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign any documents to carry out the intent of this resolution. Signed by Axton, Barski, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 310-10

6/22/10 P&T Typist PT 6 10rev

AUTHORIZATION TO FILL THE VACANT TYPIST, PART-TIME POSITION WITHIN THE PARKS & TRAILS DEPARTMENT DUE TO A RESIGNATION

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Parks and Trails Department generates many hours of routine clerical work; and

WHEREAS, that work is currently done by a Typist PT; and

WHEREAS, the current Typist PT has resigned effective 6/22/10; and

WHEREAS, filling the part time typist position would allow the Park Maintenance Supervisor and the Assistant Park Maintenance Supervisor to continue to manage the operations of Cayuga County Parks and Trails; and

WHEREAS, the approved 2010 budget for parks and trails included \$15,929 for this position; and

WHEREAS, the position will receive no fringe benefits other than those mandatory under law; now, therefore, be it

RESOLVED, that the Park Maintenance Supervisor is hereby authorized to fill the position of Typist PT (006593), in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Barski, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 311-10

June 22, 2010 hwyamndbdgtgas&elec

AUTHORIZATION TO AMEND THE 2010 CAYUGA COUNTY HIGHWAY BUDGET FOR GAS, ELECTRIC AND UNIFORM ALLOWANCE

BY: Dave Axton, Chairman, Public Works Committee

Christopher Palermo, Chairman, Ways and Means Committee

WHEREAS, in the 2010 Highway Budget monies were budgeted for gas heat, electric service, gasoline and uniform allowance; and

WHEREAS, it is necessary to amend the 2010 Highway Budget to more accurately reflect the expenses associated with these accounts; now, therefore, be it

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

| Appropriation Accounts | Original Budget | Increase/Decrease | Revised Budget |
|--|-----------------|-------------------|----------------|
| DM51304 54024 - Gas Heat | \$35,000 | (\$5900) | \$29,100 |
| DM51314 54024 - Gas Heat | \$0 | \$3500 | \$3500 |
| DM51314 54023 - Electric | \$0 | \$2400 | \$2400 |
| D50104 54016 - Uniform allowance | \$7200 | (\$7200) | \$0 |
| D50104 54114 - Property Liability Ins. | \$67,650 | (\$300) | \$67,350 |
| D51104 54016 - Uniform allowance | \$0 | \$7500 | \$7500 |
| Totals | \$109,850 | \$0 | \$109,850 |

AND BE IT FURTHER

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

Signed by Axton, Barski, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 312-10

Date: June 22, 2010 HWYPUBWORKSFTWR

AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO UTILIZE JEFFERSON COUNTY'S PUBLIC WORKS SOFTWARE BID

BY: David Axton Chairman, Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Highway department has a need to track various types of public works information including sign maintenance, fleet tracking, equipment, materials, and job costing; and

WHEREAS, Jefferson County awarded a bid for public works software in December 2009; and

WHEREAS, PubWorks by BMSI was the lowest cost program that meets the comprehensive needs of a public works department; and

WHEREAS, upon reviewing the costs and features of various public works systems, BMSI's price of \$27,244 is considerably lower than the \$68,000 originally intended for the purchase of MUNIS software; and

WHEREAS, it is agreeable by both Jefferson County and BMSI to utilize this bid and honor the pricing to Cayuga County; and

WHEREAS, under General Municipal law sections 103 and 104 this can be done; therefore now be it

RESOLVED, to allow the Superintendent of Highways to purchase public works software from BMSI by piggy-backing off of the Jefferson County Highway Department agreed pricing for software; and be it further

RESOLVED, that the County Chairman and the County Highway Superintendent be and is hereby authorized to sign an agreement, purchase from successful bidders and to pay from appropriated funds.

Signed by Axton, Barski, Cuddeback, Lattimore, Mitchell, Pinckney, Mills and Petrus, all in favor.

RESOLUTION NO. 313-10

June 22, 2010 hwyAuburnagreemillings

AUTHORIZE CHAIRMAN AND HIGHWAY SUPERINTENDENT TO SIGN AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF AUBURN

BY: David Axton Chairman, Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Highway Department and the City of Auburn desire to work together through a Mutual Sharing Plan; and

WHEREAS, this Inter-municipal Agreement would allow the City of Auburn Highway Department to provide millings to the Cayuga County Highway Department in exchange for the County Highway Department to provide assistance of same value to the City on a future project; and

WHEREAS, an Agreement will be reviewed by the County Attorney before the Chairman of the Legislature and/or the Highway Superintendent signs; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Cayuga County Highway Superintendent are hereby authorized to sign an Inter-municipal Agreement with the City of Auburn.

Signed by Barski, Cuddeback, Mitchell, Pinckney, Palermo, Fearon, Mills and Petrus, all in favor.

DEFEATED DEFEATED DEFEATED

EMERGENCY AUTHORIZATION FOR SPENDING:

RESOLUTION NO. 314-10

Reason:

The Time has come to order furniture for the Behavioral Health Services Building Project.

We have chosen a vender under state contract for the furniture and need to get the furniture ordered to make the August 2010 move in date for the 1st phase of the project. Kate O'Connell, Karen Killips, JT Bixby and Michael Pawlenko have went over the furniture needs comprehensively, and

There are funds budget in Capital H 08-01 to cover this expense (200,000.00)

Therefore; I Michael Pawlenko Superintendent of Buildings and Grounds request permission to order furniture from ROI, in the amount not to exceed of \$195,210.97 for the Behavioral Health Services Building Project to implement the intent of this authorization.

And that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement the intent of this authorization.

Moved by Axton, 2nd by Palermo.

Discussion:

Pawlenko, two different state contracts , they are the most friendly user.

Tortorici, did you get a quote from CorCraft, manufactured here?

Pawlenko, no, you'll need to ask Kate O'Connell.

Tortorici, Tom Squires will talk to Kat tomorrow.

DEFEATED by roll call vote, Noes – Lattimore, Mahunik, Palermo, Chapman, Pinckney, Mitchell, Cuddeback, Barski, Sincebaugh and Tortorici. Ayes – Axton, Petrus, Mills, Fearon, and Aikman. Vote -569/313

Motion by Tortorici to go into Executive Session re: Personnel issue and employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation., 2nd by Mills at 7:17PM, all in favor.

Motion by Cuddeback to come out of executive Session at 7:52PM, 2nd by Petrus, all in favor.

Motion by Cuddeback to adjourn at 7:52PM, 2nd by Petrus, all in favor.

Motion by Lattimore to approve minutes of 6-22-10 on 8-24-10, 2nd by Pinckney, all in favor.

MINUTES
SPECIAL LEGISLATURE MEETING
WEDNESDAY, JUNE 30, 2010, 6:00 PM
160 GENESEE ST, 6TH FLOOR, CHAMBERS,
AUBURN, NY 13021

WELCOME:

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:00PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, Palermo and Mahunik arrived at 6:08PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

TOPIC: Cayuga County Radio Systems Project

Chairman Tortorici, reminder Owasco Lake Day, Thursday, July 1, 2010 from 4 to 6:30PM at Emerson Park.

We have received a credit from Motorola for \$162,158.00, which can be used towards the Radio Project.

CORRESPONDENCE:

1. Received a letter from John C. Rossi Corporation Counsel, re: restatement of the City's cooperative participation with the County. Read in its entirety by Mary Jones Clerk of the Legislature, attached to original minutes.

Discussion:

Chapman, does this include the \$100,000 come from the other night?

Tortorici, yes.

Chapman, are we abandoning the NFBA code set up so radios will be disbursed to those who were initially cut out.

Tortorici, yes.

Chapman, Maintenance includes mobiles and portables

Tortorici, yes

Chapman, was there any discussion on a plan of ownership

Tom Squires County Administrator, I don't recall that being discussed, but that is something we need to make a decision on. The warranty applies to the specific radio regardless of who owns it. For a 3 year period the radio has a serial number, whoever owns it covered under the 3 year warranty. After 3 years we can still pull together to get a group pricing.

Chapman, on the Onondaga County website, it says "to be a participant of their system, you must have a Motorola radio" , does that pertain to us?

Squires, only particular to the testing phase of the system.

Tortorici, I had the same concern but found out it was for testing.

Denise Stayton 911 Administrator, standard was adopted

Squires, the Onondaga contract was limited to the first year had to be Motorola radio's, that is not a condition in our contract.

Lattimore, software changes in the first three years?

Dave white Motorola Representative, all software and hardware upgrades are included in the first three years of maintenance.

Lattimore, I have a letter from Mayor Quill saying that one of the vendors said the bid specks was too tight. From what was specked and what was bid out where are we now, are we still in compliance?

Fred Westphal County Attorney, yes.

Mahunik, are we going to create a line item for future costs?

Squires, we have a price sheet for all maintenance costs.

Mahunik, can we put money into a line item for the next 2 years?

Tortorici, currently we put \$110,000.00 per year in the 911 budget for maintenance, we will continue to look at that to see if we need more money.

Westphal, we could set up a capital reserve for this project and designate a certain amount of money for this.

Fearon, can that be done.

Westphal, yes.

Palermo, money left over in capital "H" can be put in.

Westphal, yes, a transfer..

Cuddeback, please pull JP-6, I will bring to committee next month.

RESOLUTIONS:

COUNTY OF CAYUGA, NEW YORK June 30, 2010

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on June 30, 2010, at 6:00 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici, Chairman

George Fearon, Vice Chairman

Cynthia Aikman

David Axton

Stephen Barski

Michael Chapman

Steven Cuddeback

Timothy Lattimore

Patrick Mahunik

Roger Mills

Francis Mitchell

Christopher Palermo

Ann Petrus
 Paul Pinckney
 Daniel Sincebaugh

There were Absent: (County Legislators)

None

Also Present:

Dave White, Roy Kirschner, and Aaron Boone from Motorola, Jeff Willis from Finger Lakes Communications, and Denise Stayton 911 Director

The following resolution was offered by Steven Cuddeback , who moved its adoption, and second by Paul Pinckney to wit:

RESOLUTION NO. 315-10

6.30.10 psalseqrapositivedeclrev

RESOLUTION DECLARING THE COUNTY OF CAYUGA SEQRA LEAD AGENCY AND ISSUING A POSITIVE DECLARATION FOR THE PROPOSED CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT; AND, DETERMINING THAT CONTRACTING FOR DESIGN AND PROJECT MANAGEMENT AND OBTAINING BONDING FOR THE PROPOSED CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT MAY AND SHALL BE PERMISSIBLY SEGMENTED FROM THE SEQRA REVIEW OF THE PROPOSED CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT

BY: Hon. Steven Cuddeback, chair Judicial and Public Safety Committee

Hon. Christopher Palermo, chair Ways and Means Committee

WHEREAS, the Legislature of the County of Cayuga (“County”) has previously identified the need and benefits associated with updating the current radio system infrastructure; and

WHEREAS, it is estimated that, should the County proceed with the Emergency Communications Project (“the Project”), the costs of the project may be in the vicinity of \$17,022,383.00 and may require the issuance of bonds to finance same; and

WHEREAS, the new system, if approved, will also require the construction of additional radio towers within the county,

WHEREAS, the Legislature of the County of Cayuga is an involved agency for the review of this Project as the legislature will have to appropriate funding for same and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the proposed Project has been designated as a Type I Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, on May 25, 2010 the County declared its intent to be lead agency for review of this Project and directed that other potentially involved agencies be notified in accordance with SEQRA; and

WHEREAS, pursuant to SEQRA, such agencies have been notified of the County’s intent to act as lead agency; and

WHEREAS, no involved agency other than the County has sought to act as lead agency; and

WHEREAS, the County has considered the action as that term is defined by SEQRA, and has independently evaluated the long form Environmental Assessment Form prepared for the Project together with the County's knowledge of the area surrounding the project and such further information as is available to the County; and

WHEREAS, due to the complexity of designing and developing the Project, a single contractor responsible for designing, building and operating the system would be in the best interests of the County, in order to ensure that the high performance standards for the wireless network will be met, and to ensure seamlessness between the system design and subsequent implementation and operations of the network; and

WHEREAS, the County must take certain preliminary steps in the bonding process to provide sufficient funding to design the Project and allow environmental review to proceed prior to approval of the system; and

WHEREAS, the County acknowledges that segmentation, as that term is used in 6 NYCRR Part 617.3(g) is only permissible when the circumstances warrant it and when a segmented review will be no less protective of the environment:

NOW, THEREFORE BE IT RESOLVED ON JUNE 30, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

RESOLVED that the Legislature of the County of Cayuga hereby declares its establishment as SEQRA lead agency for the review of this Project; and, it is further

RESOLVED, that the County has thoroughly considered relevant areas of environmental concern and applying the criteria set forth in 6 NYCRR 617.7(c), the County determines that the action may include the potential for at least one significant adverse environmental impact; and, it is further

RESOLVED that the County accordingly makes a positive declaration of significance; and it is further

RESOLVED that the Project, including construction of a number of new towers and refurbishing of existing towers, constitutes an action described in one or more of the categories contained in 6 NYCRR 617.10(a)(1) through (a)(4), and accordingly, a generic environmental impact statement ("GEIS") is appropriate to assess the Project's environmental impacts; and it is further

RESOLVED that the County directs that a GEIS be prepared which shall address environmental impacts in conformance with 6 NYCRR 617.10 and shall be subject to all applicable procedures of 6 NYCRR Part 617, and it is further

RESOLVED, that the County hereby declares that it is in the County's best interest to request proposals and contract for the design, engineering, construction and operation of the Project, from potential prime contractors and subcontractors; and it is further

RESOLVED, that the County hereby declares that it is in the County's best interests to consider certain approvals related to bonding for the Project at this time so that sufficient funding exists to explore appropriate alternatives as required by SEQRA and other provisions of law; and it is further

RESOLVED, that the segmentation of obtaining prime contractors and sub contractors and consideration of approvals related to bonding for the Project ("the Design Project") for purposes of SEQRA review at this time is appropriate and permissible for the following reasons:

a. The Design Project does not commit the County to any particular actions or future approvals with respect to ultimate design, location and nature of the remainder of the Project, including towers to be upgraded and/or constructed during later stages of the

Project because the Design Project simply provides the County the means to explore design and development of the Project without committing to any particular layout or design, or to construct any towers at this time.

b. Review and approval of the Design Project at this time is no less protective of the environment because the development of individual towers, and the impact of construction of the entire system, is to be analyzed in a GEIS which will identify significant adverse environmental impacts, if any, and require appropriate mitigation.

c. Additionally, the risk that the decision as to this Design Project may be practically determinative of a subsequent action is minimal because no actual tower construction or other activities that may have a potential significant impact will occur prior to review and approval of a GEIS and issuance of findings pursuant to SEQRA, as well as any necessitated post-GEIS review for particular towers despite the review and potential approval of the Design Project.

d. The danger that this Project is being broken up into two or more component parts that individually would not have as significant an environmental impact as the entire project is not present because the County has determined that a positive declaration is required for the Project and has required preparation of a GEIS that will examine potential impacts from the entire Project.

e. Accordingly, segmentation can be performed without running afoul of SEQRA's basic policies; and it is further

RESOLVED that the County directs the County Attorney to take the necessary procedural steps to file and publish the positive declaration in accordance with 6 NYCRR 617.12, including providing notice to all entities identified therein, as well as publication in the Environmental Notice Bulletin; as well as take any further necessary steps in accordance with SEQRA.

Moved by Cuddeback, 2nd by Pinckney.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton Fearon, Mahunik, Mills, and Petrus, approved by 2/3 vote, all voting Aye.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on June 30, 2010, the result of which vote was as follows:

| COUNTY LEGISLATOR | VOTE |
|--------------------------|-------------|
| Timothy Lattimore | Aye |
| Patrick Mahunik | Aye |
| Christopher Palermo | Aye |
| Michael Chapman | Aye |
| David Axton | Aye |
| Ann Petrus | Aye |
| Paul Pinckney | Aye |
| Roger Mills | Aye |
| George Fearon | Aye |
| Francis Mitchell | Aye |
| Steven Cuddeback | Aye |
| Stephen Barski | Aye |
| Daniel Sincebaugh | Aye |
| Cynthia Aikman | Aye |
| Peter Tortorici | Aye |

DATED: June 30, 2010

COUNTY OF CAYUGA, NEW YORK
June 30, 2010

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on June 30, 2010, at 6:00 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici, Chairman
George Fearon, Vice Chairman
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman
Steven Cuddeback
Timothy Lattimore
Patrick Mahunik
Roger Mills
Francis Mitchell
Christopher Palermo
Ann Petrus
Paul Pinckney
Daniel Sincebaugh

There were Absent: (County Legislators)

None

Also Present:

Dave White, Roy Kirschner, and Aaron Boone from Motorola, Jeff Willis from Finger Lakes Communications, and Denise Stayton 911 Director

The following resolution was offered by Steven Cuddeback, who moved its adoption, and second by David Axton to wit:

RESOLUTION NO. 316-10

6.30.10 psaprdcmmprjctseqrarsrev4

RESOLUTION DETERMINING THAT THE EXECUTION OF A COMMUNICATIONS SYSTEM AGREEMENT WITH MOTOROLA, INC., AN AGREEMENT FOR PROJECT MANAGEMENT SERVICES, AND AUTHORIZING ISSUANCE OF \$17,022,383.00 BONDS OF THE COUNTY OF CAYUGA TO PAY A PORTION OF THE COSTS OF CONSTRUCTION OF COUNTY'S E-911 SYSTEM IN CONNECTION WITH THE EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT CONSTITUTE AN UNLISTED ACTION UNDER SEQRA AND ADOPTING A NEGATIVE DECLARATION (2/3).

BY: Hon. Steven Cuddeback, chair Judicial and Public Safety Committee
Hon. Christopher Palermo, chair Ways and Means Committee

WHEREAS, the Legislature of the County of Cayuga (“County”) has previously identified the need and benefits associated with updating the current radio system infrastructure; and

WHEREAS, it is estimated that, should the county proceed with the Cayuga County Emergency Communications Project (“the Project”), the costs of the project may be in the vicinity of \$17,022,383.00 and may require the issuance of bonds to finance same; and

WHEREAS, the Project, if approved, will also require the construction of additional radio towers within the county; and

WHEREAS, the Legislature of the County of Cayuga, an involved agency, will consider appropriate funding for the Project and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the Project has been designated as a Type I Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the County has been properly established as lead agency for the Project in accordance with the requirements of SEQRA; and

WHEREAS, the County must take certain steps to finance the design of the Project and the related environmental review of the Project prior to approval of the new system; and

WHEREAS, the County has previously resolved that it is in the County’s best interests to consider the adoption of a bond resolution for the Project at this time so that sufficient funding exists to explore appropriate alternatives as required by SEQRA and other provisions of law; and

WHEREAS, due to the complexity of designing and developing the Project, a single contractor responsible for designing, building and operating the system would be in the best interests of the County, in order to ensure that the high performance standards for the wireless network will be met, and to ensure seamlessness between the system design and subsequent implementation and operations of the network; and

WHEREAS, the County has previously resolved that it is in the County’s best interest to request proposals and contract for the design, engineering, construction and operation of the Project, from potential prime contractors and subcontractors; and it is further

WHEREAS, the County has previously made a determination that segmentation of the design and environmental review process, including contracting for the design, engineering, construction and operation of the Project, and adoption of a resolution authorizing a portion of the costs of the system be bonded, (the “Design Project”) from the Project is appropriate and permissible; and

WHEREAS, the County has found that, among other reasons, segmentation is permissible because separate review and approval related to the Design Project does not create any significant environmental impact, does not result in a less thorough environmental review of the Project, which has received a positive declaration and for which a GEIS will be developed, and the Design Project does not commit the County to commence, engage in, or approve any particular detail, location or other aspect of the Project; and

WHEREAS, the County has concluded that sufficient information has been provided to it to fully and accurately assess and evaluate the potential environmental impacts resulting from the Design Project in conformance with SEQRA; and

WHEREAS, the County has considered the Design Project and has independently evaluated the short form Environmental Assessment Form prepared for the Design Project together with the County's knowledge of the area surrounding the Project and such further information as is available to the County; and

WHEREAS, the County has applied the applicable criteria set forth in SEQRA in its identification and assessment of the potential environmental impacts reasonably expected to result from the Design Project, including without limitation, 6 NYCRR. 617.7 (a), (b) and (c);

NOW, THEREFORE BE IT RESOLVED ON JUNE 30, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

RESOLVED, that the County hereby determines that the Design Project constitutes an Unlisted Action which will not result in any significant adverse environmental impacts, and accordingly, no further SEQRA review is required. The reasons supporting such determination are set forth in the Negative Declaration attached to this resolution and it is further

RESOLVED, that the County authorizes and directs its officers, agents and employees to do such further things or perform such further acts and execute such documents as are necessary and/or appropriate to promptly file, circulate and publish the Negative Declaration issued for the Design Action as required by SEQRA;

Moved by Cuddeback, 2nd by Axton.

Discussion:

Sincebaugh, can we lower the cost of the 17million down, with the sale of CHHA, the amount the City is putting in and the amount from Arcuri's Office Tortorici, no that is the cost we will bond for.

Squires, we will only borrow what we need to borrow.

Sincebaugh, so you should only have to borrow 13,922,000.

Squires, correct, but we need to be authorized to secure funding to pay for the entire project, we need to make that commitment to Motorola.

Tortorici, the 13million does not include the towers.

Squires, the cost of the sites is around 1.8million.

Sincebaugh, why do we have to have borrow more than 13million.

Squires, we have to be authorized to be able to, if we need to, to borrow the entire amount of the project. If we limit ourselves to bond for less than the total amount of the project, and something goes terribly wrong, then we can spend 14million on the project and not have any money to finish. We are capping the project at that amount and saying that we are committed to the project. We will continue to look at funding.

Fearon, we are the lead, resolutions #2, 3, 4 and 5, I hope the majority of us find other resources to lessen the property tax and look for ways to reduce this.

Mills, why borrow 17million when you only need 13 million, I still have concerns. I do think we need some buffers in there. Still concerned with the 1.8million for the tower sites, we still don't know what the project manager will cost. This body as a whole will take every opportunity to find sources to cover all the expenses, so taxpayers don't this burden.

Chapman, JP-2, 3rd Whereas, there is no mention of refurbishing sites.

Westphal, JP-2 is the SEQRA resolution coming to a negative declaration, so you don't need it.

Lattimore, this is a lot of money, the County could but everyone a cell phone and pay their bill for a couple of years. First responders, Public Safety, they need this, I will support this, we need something that works.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton Fearon, Mahunik, Mills, and Petrus, approved by 2/3 vote, all voting Aye.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on June 30, 2010, the result of which vote was as follows:

| COUNTY LEGISLATOR | VOTE |
|--------------------------|-------------|
| Timothy Lattimore | Aye |
| Patrick Mahunik | Aye |
| Christopher Palermo | Aye |
| Michael Chapman | Aye |
| David Axton | Aye |
| Ann Petrus | Aye |
| Paul Pinckney | Aye |
| Roger Mills | Aye |
| George Fearon | Aye |
| Francis Mitchell | Aye |
| Steven Cuddeback | Aye |
| Stephen Barski | Aye |
| Daniel Sincebaugh | Aye |
| Cynthia Aikman | Aye |
| Peter Tortorici | Aye |

COUNTY OF CAYUGA, NEW YORK
June 30, 2010

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on June 30, 2010, at 6:00 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici, Chairman
George Fearon, Vice Chairman
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman
Steven Cuddeback
Timothy Lattimore
Patrick Mahunik
Roger Mills
Francis Mitchell

Christopher Palermo
Ann Petrus
Paul Pinckney
Daniel Sincebaugh

There were Absent: (County Legislators)

None

Also Present:

Dave White, Roy Kirschner, and Aaron Boone from Motorola, Jeff Willis from Finger Lakes Communications, and Denise Stayton 911 Director

The following resolution was offered by Steven Cuddeback, who moved its adoption, and second by David Axton to wit:

RESOLUTION NO. 317-10

6.30.10 psaprdcmmprjctbondresolutionrev5

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,
ADOPTED ON JUNE 30, 2010 AUTHORIZING ISSUANCE OF \$17,022,383.00
BONDS OF THE COUNTY OF CAYUGA TO PAY A PORTION OF THE
COSTS OF CONSTRUCTION OF THE COUNTY'S E9-1-1
COMMUNICATIONS SYSTEM. (2/3)**

BY: Hon. Steven Cuddeback, chair Judicial and Public Safety Committee
Hon. Christopher Palermo, chair Ways and Means Committee

WHEREAS, the Legislature of the County of Cayuga ("County") has previously identified the need and benefits associated with updating the current radio system infrastructure; and

WHEREAS, it is estimated that, should the county proceed with the Cayuga County Emergency Communications Project ("the Project"), the costs of the project may be in the vicinity of \$17,022,383.00 million and may require the issuance of bonds to finance same; and

WHEREAS, the Project, if approved, will also require the construction of additional radio towers within the county; and

WHEREAS, the Legislature of the County of Cayuga, an involved agency, will consider appropriate funding for the Project and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the Project has been designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the County has been properly established as lead agency for the Project in accordance with the requirements of SEQRA; and

WHEREAS, the County must take certain steps to finance the design of the Project and the related environmental review of the Project prior to approval of the new system; and

WHEREAS, the County has previously resolved that it is in the County's best interests to consider the adoption of a bond resolution for the Project at this time so that sufficient funding exists to explore appropriate alternatives as required by SEQRA and other provisions of law; and

WHEREAS, the County has previously made a determination that segmentation of the design and environmental review process (the "Design Project") from the Project is appropriate and permissible; and

WHEREAS, the County has found that, among other reasons, segmentation is permissible because separate review and approval related to the Design Project does not create any significant environmental impact, does not result in a less thorough environmental review of the Project, which has received a positive declaration and for which a GEIS will be developed, and the Design Project does not commit the County to commence, engage in, or approve any particular detail, location or other aspect of the Project; and

WHEREAS, the County has concluded that sufficient information has been provided to it to fully and accurately assess and evaluate the potential environmental impacts resulting from the Design Project in conformance with SEQRA; and

WHEREAS, the County has considered the Design Project and has independently evaluated the short form Environmental Assessment Form prepared for the Design Project together with the County's knowledge of the area surrounding the Project and such further information as is available to the County; and

WHEREAS, the County has applied the applicable criteria set forth in SEQRA in its identification and assessment of the potential environmental impacts reasonably expected to result from the Design Project, including without limitation, 6 NYCRR. 617.7 (a), (b) and (c);

WHEREAS, by resolution adopted on June 30, 2010, the County has previously determined that the Design Project constitutes an Unlisted Action which will not result in any significant environmental impacts and accordingly, no further SEQRA review is required; and

NOW, THEREFORE BE IT RESOLVED ON JUNE 30, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. For the specific object or purpose of undertaking the Project, including the development and construction of an emergency radio system for voice and data radio communications services constituting a digital trunked land mobile radio system, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work, in and for the County of Cayuga, New York, there are hereby authorized to be issued \$17,022,383.00 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the Design Project is hereby approved.

Section 2. The plan for the financing of the \$17,022,383.00 maximum estimated cost thereof shall be as follows:

(a) By the issuance of the \$13,398,383.00 bonds of said County herein authorized; and

(b) By the issuance of \$3,624,000.00 bonds of said County pursuant to future bond resolutions, if and when any of the identified purposes related to the Project has undergone a SEQRA review and permitting process allowing that aspect of the Project to go forward, if so adopted by the County Legislature; and

(c) By the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 3. The faith and credit of said County of Cayuga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such matter, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 7. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

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

(a) Pursuant to subdivision 98 of paragraph a of Section 11.00 of the Local Finance Law, subdivision 11(a) of Section 11.00 of the Local Finance Law, and subdivision 21 of Section 11.00 of the Local Finance Law, the weighted average period of probable usefulness of the Project is 12 years; and

(b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.

(e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.

(f) The bonds authorized herein are not being issued for an assessable improvement.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Moved by Cuddeback, 2nd by Axton.

Discussion:

Chapman, this is a new copy, what are the changes?

Westphal, page 3, section 2, additional paragraph c the numbers of the project have been split up, section 8, blank under useful life, that was changed to 12 years.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton Fearon, Mahunik, Mills, and Petrus, approved by 2/3 vote, all voting Aye.

Treasurer

James Orman, Treasurer

Co. Atty.

Frederick Westphal, County Attorney

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on June 30, 2010, the result of which vote was as follows:

| COUNTY LEGISLATOR | VOTE | |
|--------------------------|-------------|-----|
| Timothy Lattimore | Aye | |
| Patrick Mahunik | | Aye |
| Christopher Palermo | Aye | |
| Michael Chapman | Aye | |
| David Axton | | Aye |
| Ann Petrus | | Aye |
| Paul Pinckney | | Aye |
| Roger Mills | | Aye |
| George Fearon | | Aye |
| Francis Mitchell | | Aye |
| Steven Cuddeback | Aye | |
| Stephen Barski | | Aye |
| Daniel Sincebaugh | Aye | |
| Cynthia Aikman | | Aye |
| Peter Tortorici | | Aye |

DATED: June 30, 2010

CERTIFICATE

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

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on June 30, 2010, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this 30 day of June, 2010.

Susan M. Dwyer, County Clerk
[SEAL]

NOTICE OF BOND RESOLUTION

The resolution, a summary of which is published herewith, was adopted on June 30, 2010. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Cayuga, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Susan M. Dwyer, County Clerk

SUMMARY OF BOND RESOLUTION

A Resolution adopted by the County Legislators of the Cayuga County, Cayuga County, New York (the "County") on June 30, 2010 authorizes the issuance of bonds and other obligations to finance in part the development and construction of an emergency radio system for voice and data radio communications services constituting a digital trunked land mobile radio system, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work, and to pay for such project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$17,022,383.00, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$17,022,383.00 and a tax is authorized to pay the interest on said obligations when due. The County also determined that the approval of bonds constituted an unlisted action and a Negative Declaration was issued. Under the Local Finance Law, the Project has a period of probable usefulness of 12 years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

RESOLUTION NO. 318-10

6.30 10 PSAPCPH10-3rev2

AUTHORIZATION TO CREATE CAPITAL 'H' PROJECT NUMBER 10-03 (CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT) 2/3 VOTE.

BY: Hon. Steven Cuddeback, chair Judicial and Public Safety Committee
Hon. Christopher Palermo, chair, Ways and Means Committee

WHEREAS, the Legislature of the County of Cayuga ("County") has previously identified the need and benefits associated with updating the current radio system infrastructure; and

WHEREAS, it is estimated that, should the county proceed with the Cayuga County Emergency Communications Project ("the Project"), the costs of the project may be in the vicinity of \$17,022,383.00 million and may require the issuance of bonds to finance same; and

WHEREAS, the Project, if approved, will also require the construction of additional radio towers within the county; and

WHEREAS, the Legislature of the County of Cayuga, an involved agency, will consider appropriate funding for the Project and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the Project has been designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the County has been properly established as lead agency for the Project in accordance with the requirements of SEQRA; and

WHEREAS, the County must take certain steps to finance the design of the Project and the related environmental review of the Project prior to approval of the new system; and

WHEREAS, the County has previously resolved that it is in the County's best interests to consider the adoption of a bond resolution for the Project at this time so that sufficient funding exists to explore appropriate alternatives as required by SEQRA and other provisions of law; and

WHEREAS, the County has previously made a determination that segmentation of the design and environmental review process, including contracting for the design, engineering, construction and operation of the Project, and adoption of a resolution authorizing a portion of the costs of the system be bonded, (the "Design Project") from the Project is appropriate and permissible; and

WHEREAS, the County has found that, among other reasons, segmentation is permissible because separate review and approval related to the Design Project does not create any significant environmental impact, does not result in a less thorough environmental review of the Project, which has received a positive declaration and for which a GEIS will be developed, and the Design Project does not commit the County to commence, engage in, or approve any particular detail, location or other aspect of the Project; and

WHEREAS, by Resolution No. **316-10** adopted on June 30, 2010, the County has previously determined that the Design Project constituted an Unlisted Action which will not result in any significant environmental impacts accordingly, no further SEQRA review is required; and

Now therefore be it

RESOLVED, that in order to carry out the Project, the County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 10-03 (CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT) in an amount not to exceed \$17,022,383.00 source of funding County Bonding pursuant to Resolution No. **317-10**, together with in-kind services from County personnel and equipment and anticipated grants or revenues from the City of Auburn, New York's radio re-banding; and be it further

RESOLVED, the County Treasurer is authorized to make the journal and accounting entries necessary to accomplish the foregoing

Moved by Cuddeback, 2nd by Pinckney.

Discussion:

Lattimore, what is the cost to maintain the old system?

Tortorici, maintenance is \$110,000.

Lattimore, could we expedite some of the equipment to reduce some of the maintenance cost on the present system.

Tortorici, It would have to be up and running at once. We have passed the three important resolutions, it shows a commitment from this Legislature that we are committed to public safety here in Cayuga County and committed to finding the funding for this project to reduce the cost to the taxpayers.

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton Fearon, Mahunik, Mills, and Petrus, approved by 2/3 vote, all voting Aye.

RESOLUTION NO. 319-10**6.30.10 psapmotorolaprojectrev4****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO SIGN AN AGREEMENT WITH MOTOROLA INC. FOR A UHF
TRUNKED RAIDO NETWORK**

BY: Hon. Steven Cuddeback, Chair Judicial and Public safety

Hon. Christopher Palermo, Chair Ways and Means

WHEREAS, the county's current radio system is approaching the end of its useful life; and

WHEREAS, Resolution No. established Capital "H" Project No. 10-03, (Emergency Communications System); and

Whereas, Cayuga County is facing FCC narrow banding compliance updates required by 2012; and

WHEREAS, Resolution No. 251-09 authorized the completion of procurement documents for a UHF radio network; and

WHEREAS, Motorola, Inc. responded with a proposal; and

WHEREAS, Motorola, Inc. currently holds a New York State contract for the provision of radio systems; and

WHEREAS, extensive negotiations were conducted with Motorola on its response; and

WHEREAS, Motorola Inc. presented three options to the Cayuga County Legislature on May 6, 2010, see attached; and

WHEREAS, the Judicial and Public Safety Committee met, reviewed the options and recommends that the Cayuga county Legislature adopt option number 1 at a cost of \$13,398,383.00; now therefore be it

RESOLVED, that the Chairman is hereby authorized and directed to negotiate and execute a communications system agreement with Motorola Inc. (option no. 1 at a cost not to exceed \$13,398,383.00) for the upgrade of the county's current radio system and the acquisition of the related equipment, software and licenses.

Moved by Cuddeback, 2nd by Sincebaugh.

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 320-10**6/30/10 cc911RFPmicrowaverev3****AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO
ADVERTISE REQUEST FOR PROPOSALS FOR THE MICROWAVE PATHS
FOR THE NEW CAYUGA COUNTY RADIO SYSTEM.**

BY: Steven Cuddeback, Chairperson, Judicial & Public Safety Committee

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County is in the process of upgrading its Emergency Communications System; and

WHEREAS, microwave paths are necessary to link tower sites to allow for consistent radio communications and provide connectivity to the Master Site in Onondaga County; now therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature be authorized to advertise request for proposals for the microwave paths for the new Cayuga County Radio System.

Moved by Cuddeback, 2nd by Axton.

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton Fearon, Mahunik, Mills, and Petrus, all in favor.

Cuddeback, thanked former Legislator Ray Lockwood, who started the project and everyone involved in the Radio Project.

Lattimore, an employee of the Highway Department Bob Weller, has passed away, we would like to express our condolences to his family.

Motion by Cuddeback, 2nd by Sincebaugh at 6:37PM, all in favor.

Motion by Lattimore to approve minutes of 6-30-10 on 8-24-10, 2nd by Pinckney, all in favor.

MINUTES
CAYUGA COUNTY LEGISLATURE
JULY 27, 2010 – 6:00PM

CALL TO ORDER: Hon. Peter Tortorici, Chairman, AT 6:04PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

DEATHS: Robert T. (Bob) Weller, Cato, NY, Highway employee for more than 25 years, he was a loving husband, father, and grandfather and a passionate Yankees fan.

PRESENTATION:

Cayuga Economic Development Agency, Inc. (CEDA), Terry Masterson Executive Director (update), power point presentation attached to original minutes.

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address. **Seneca/Cayuga ARC, Kate Sinicropi Associate Executive Director, thanked all that responded to the tragic bus accident that injured 15 people and took the life of Bette Terpening on July 7, 2010, special thanks to Brian Dahl, Director EMO and David Gould, Sheriff. Hand out attached to original minutes.**

Tim Donovan, Adult Homeless Task Force, August is National Homeless Awareness Month, youth will be placing signs throughout the County. Handout attached to original minutes.

MINUTES: For Approval: 5-25-10, Motion by Lattimore, 2nd by Pinckney, all in favor.

For Reading: 6-22-10, 6-28-10 and 6-30-10 (Spec. meeting)

CCC REPORT: Dr. Daniel Larson: attached to original minutes.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: None

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, early retirement incentive, I don't recommend because it's not cost prohibitive for the County. We have a new Purchasing Policy for the County, the result of Auditing Committee, It's a good policy and I believe it will save the County money, we will update it as we move forward. We have a resolution tonight on the MUNIS payroll system, we have concluded that it does not fit our needs. We will look at other vendors, get information and move forward. Emerson Foundation, still looking at investment in the Pavilion, they will advise the County Legislature what your roll will be and keep you informed. Budget, Department

Heads will get their requests to me August 4, 2010 hope to have figures to full Legislature in September.

CHAIRMAN'S REPORT: Peter Tortorici, Letter from the City of Auburn, re: Owasco Lake Watershed Inspection and Management Program, attached to original minutes and handed out to all Legislator's. Legislator David Axton and I went to the NACo Conference, discussion on land in to trust, 12 other counties in the US to built a coalition to work with the tribes, we are still moving forward.

APPOINTMENTS AND RE-APPOINTMENTS:

Community Service Board

Tony Gucciardi, 165 Willowbrook Drive, Auburn, NY term: 1/1/10 to 12/31/13

Michael Mancini, PO Box 302, Auburn, NY term: 1/1/10 to 12/31/13

Cayuga-Cortland Workforce Investment Board

Farm owner:

D. Diane Eldred, 581 E. Genoa Road, Locke, NY 13092, term: 7/1/10 – 6/30/13

Motion by Lattimore, 2nd by Palermo. Discussion:

Mills, requested Clerk of the Legislature Mary Jones read Deb Schwarting's resignation letter. I served with Deb on

the MRDD sub-committee, I think this is a disservice to her. Last month Linda Albrecht resigned, both worked

tirelessly with me when I was Chairman. We need good people to serve on these committees and I think they should let her know why she was not re-appointed.

Vote on all Appointments, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received an e-mail from Deborah Schwarting, resigning her from the Community Services Board and the MRDD subcommittee, effective immediately.

2. Received a letter from concerned citizens re: Wasteful spending on improvements on the Erie Canal/Aqueduct Park Vs Money needed to clean up portions of Towpath Road.

Both read by Clerk of the Legislature Mary Jones.

RESOLUTIONS

RESOLUTION NO. 321-10

07-27-10 AuditJuly 2010.doc

AUTHORIZING THE COUNTY TREASURER TO PAY

MAY 2010 AUDIT OF CLAIMS

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on July 27, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,880,351.07, therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 17, 2009.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 322-10**07.27.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.**

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

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

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

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

June 2010

| | |
|------------|--------------|
| Electric | \$ 66,488.97 |
| Telephone: | \$ 17,664.11 |
| Total: | \$ 84,153.08 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 323-10**07.27.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS**

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

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

June 2010

\$188.34

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 324-10**7-27-10 OFAseniornutrition7-10****REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.**

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

Mr. Christopher Palermo, Chair of Ways and Means Committee.

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$5,040.00 covering the period through 6/25/10 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, Axton, Barski, Mahunik, Sincebaugh, Palermo, Cuddeback, Fearon and Mills, all in favor.

RESOLUTION NO. 325-10

07.27.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

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

June 2010

| | |
|---------------|-------------|
| First Niagara | \$ 0 |
| AmExpress | \$ 5,708.47 |
| Sunoco | \$ 310.95 |
| Walmart | \$ 0 |
| Exxon | \$ 80.01 |
| Total: | \$ 6,099.43 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 326-10

07.27.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Christopher Palermo, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

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

June 2010

| | |
|--------------------------------|--------------|
| Copier Leases and Maintenance: | \$ 11,062.35 |
| Postage Leases: | \$ 478.00 |
| Total: | \$ 11,540.35 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

**RESOLUTION NO. 327-10
(7/27/10) COA-CAPH7PAY**

**AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST
VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claimS and charge the same to the appropriate Capital "H" Projects:

Project #08-1 (North Street Mental Health Renovations):

| | |
|---|------------|
| Gray's Management Systems, Bill # 11 | 17,167.00 |
| Syracusa Mechanical Inc., Payment Application # 5 | 116,660.00 |
| Fah's Construction Group, Payment Application #7 | 196,796.00 |
| East Coast Electric, Payment Application # 5 | 176,814.00 |
| Green Plumbing Inc, Payment Application # 6 | 32,404.00 |
| C & S Companies, Invoice 0821428 | 13,556.60 |
| Subtotal | 553,397.60 |

Project #10-01 (Meridan Environment Restoration Project)

| | |
|-------------------------------------|----------|
| C & S Engineers – Invoice # 0121129 | 8,749.50 |
| Subtotal | 8,749.50 |

Project #10-03 (Emergency Communication Project)

| | |
|---|----------|
| Gilberti Stinziano Heintz & Smith, PC- Inv.CAYU02-55298 | 2,311.25 |
| Subtotal | 2,311.25 |

GRAND TOTAL 564,458.35

And be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

**RESOLUTION NO. 328-10
7.27.10 cadeferredcompauditrev**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO EXECUTE AGREEMENT FOR AUDITING SERVICES OF THE CAYUGA
COUNTY DEFERRED COMPENSATION PLAN.**

WHEREAS, the County of Cayuga provides a Deferred Compensation Plan for employees of Cayuga County; and

WHEREAS, said Deferred Compensation Plan must be audited yearly; and

WHEREAS, two quotas were requested with only one vendor responding for an audit of the 2009 Cayuga County Deferred Compensation Plan, to wit:

A) Bonadio & Co. LLP. (see attached); and

WHEREAS, no monies for the audit were budgeted for the fiscal year 2010; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is here by authorized and directed to execute an agreement with Bonadio & Co. LLP for the 2009 audit of the Cayuga County Deferred compensation Plan in an amount not to exceed \$12,000.00; and be it further

RESOLVED, that the sum of \$12,000.00 be transferred from Account No. A 10164-54000 to Account No. A10104-54059, Professional services; 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 Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 329-10

(7/27/10) COA-RenFLETCHERctrForServsReEduLaw2010

TO AUTHORIZE THE CAYUGA COUNTY LEGISLATURE AND THE CHAIRMAN TO CONTRACT WITH ATTORNEY AND COUNSELLOR AT LAW MATTHEW R. FLETCHER RELATED TO THE PROVISION OF ADVICE, CONSULTATION AND REPRESENTATION IN EDUCATION LAW AND RELATED LEGAL MATTERS.

BY: MR. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, the County of Cayuga is in need of the services of Matthew R. Fletcher, Attorney at Law, for the purposes of advice, consultation and representation in Education Law and related legal matters; and

WHEREAS, in order to meet the needs of the County, both parties are desirous of entering into a contract wherein Matthew R. Fletcher will provide the above services to the County of Cayuga for the following compensation:

1. Legal services are to be billed at an hourly rate of \$185.00 per hour. Billings are to be submitted on a monthly basis;
2. Paralegal services are to be billed at the rate of \$55.00 per hour; Mileage is to be billed at the rate of \$.55 per mile;
4. Duplication, printing and copying are to be billed at cost in addition to a ten percent (10%) surcharge;
5. Filing fees, cost of process servers and other disbursements shall be billed at cost; and

WHEREAS, the term of such contract shall be from July 1, 2010 until June 30, 2011; now, therefore, be it

RESOLVED, that the Cayuga County Legislature approve obtaining the services of Matthew R. Fletcher, Attorney and Counsellor at Law, as set forth herein above.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 330-10

(7/27/10) COA-RenLaborRelsCtWithBOCES10

AUTHORIZING RENEWAL OF LABOR RELATIONS SERVICE AGREEMENT WITH CAYUGA-ONONDAGA BOCES.

BY: Mr. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, the COUNTY OF CAYUGA entered into a contract with CAYUGA-ONONDAGA BOCES to handle all negotiations and labor relations for the County of Cayuga, which contract terminated on June 30, 2010; now, therefore, be it

RESOLVED, as follows:

1. That, the Chairman of the County Legislature be and he is hereby authorized to enter into a renewal contract with CAYUGA-ONONDAGA BOCES to perform labor relations services, including negotiations, for the County of Cayuga for a period of one (1) year (7/1/10 to 6/30/11).

2. That for negotiating agreements listed below, to be administrated by BOCES during the period July 1, 2010 through June 30, 2011, CAYUGA-ONONDAGA BOCES shall receive \$48,400.00 from the COUNTY OF CAYUGA; and the sum of \$12,100.00 will be the responsibility of CAYUGA COMMUNITY COLLEGE:

- a. CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC. (General Agreement)
- b. DEPUTY SHERIFF'S POLICE ASSOCIATION (Road Patrol)
- c. CIVIL SERVICE EMPLOYEES' ASSOCIATION (Sheriff's Department)
- d. CAYUGA COUNTY COMMUNITY COLLEGE FACULTY ASSOCIATION
- e. CAYUGA COUNTY NURSES' ASSOCIATION

3. That for any and all additional matters that they are engaged for, not covered by the contract, CAYUGA-ONONDAGA BOCES shall be paid a fixed hourly rate of \$105.00 per hour, plus costs and disbursements.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 331-10

July 27, 2010 RPSincGISacct_Revised

**AUTHORIZING INCREASING THE BALANCE OF THE
CAPITOL H ACCOUNT 03-07 BY FUNDING FROM FLEMING, OWASCO
AND CAYUGA COUNTY OFFICE OF REAL PROPERTY GRANT
MONIES TO PURCHASE A GPS-TRIMBLE**

BY: Mr. Christopher Palermo, Chair, Ways and Means Committee

WHEREAS, the Cayuga County Office of Real Property has been working toward the advancement of the GIS coordinate database within all layers of on-line mapping, in order to help other county departments and town officials access information necessary to perform their functions more efficiently; and

WHEREAS, the acquisition of a GPS – Trimble Geo XH is the next step toward the county departments working together with town offices within Cayuga County to gather critical infrastructure data and to incorporate GPS field data into a management system of said infrastructure. Said GPS is to be initially used for the explicit purpose of capturing the locations of assets related to the water and waste water systems in the towns. The GPS-Trimble unit cost is \$9,991.00; and

WHEREAS, the Cayuga County established Capital H Account No. 03-07 for the implementation of Geo-spatial Information Systems Technology (GIS), has a balance of \$5,962.57; and

WHEREAS, the town of Fleming has agreed to contribute \$1,500.00, and in return will receive training and services in regard to the access to data collected with the GPS unit and information generated using a secure internet mapping system ; and

WHEREAS, the Town of Owasco has agreed to contribute \$1,500.00, and in return will receive training and services in regard to the access to data collected with the GPS unit and information generated using a secure internet mapping system; and

WHEREAS, the Cayuga County Office of Real Property will contribute \$322.43 from account number A13554-54084, which are monies from the Cayuga County Real Property Centralized Taxation grant received; and now

THEREFORE, BE IT RESOLVED, by the Cayuga County Legislature as follows: The Total balance in Capital H Account No. 03-07 will be increased from \$5,992.57 to \$9,285.00; and, BE it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized to amend and make the necessary and appropriate journal and accounting entries to allocate funds to Capital H Account No. 03-07 for the purchase of a GPS – Trimble GEO XH.
Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 332-10

(07/27/2010) rpssigncontractfortaxsale2010rev

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH SCHERRER AUCTIONS TO AUCTION OFF CAYUGA COUNTY TAX FORECLOSED PROPERTY.

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, pursuant to Resolution 188-02, Auction Policies and Procedures, section 2, the same auctioneer may conduct the auction again upon authorization of the Ways & Means Committee; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to sign an agreement with Auctions International to dispose of certain Cayuga County owned real property.
Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 333-10

7/27/10 W&M NONBARGAIN-2010DRAFTrev7

AUTHORIZING SALARY ADJUSTMENTS FOR PART II and PART IV OF THE COUNTY OF CAYUGA COMPENSATION PLAN FOR NON BARGAINING EMPLOYEES FOR THE YEARS 2010 and 2011.

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, the County of Cayuga and the Deputy Sheriffs Police Association, Sheriff's Employees' Association of Cayuga County, the Unit of Cayuga Local 806, Civil Service Employees Association, Inc. Local 1000, AFSME AFL-CIO and the NYS Nurse Association have agreed on a new Collective Bargaining Agreement for years 2008 - 2011; and

WHEREAS, the County desires, to provide a monetary consideration for Part II and Part IV Non Bargaining employees except as otherwise stated below; and

WHEREAS, it is the intent to provide a cost of living increase for the work performed by the non-bargaining line staff and administration; now therefore be it

RESOLVED, that except as otherwise stated hereafter, the annual salaries for PART II and PART IV, NON BARGAINING EMPLOYEES for the years 2010 and 2011 shall be adjusted as set forth below:

Effective 1/1/10, 2.5% shall be added to all 2009 base wages and salaries, including steps.

Effective 1/1/2011, 2.25% shall be added to all 2010 base wages and salaries, including steps.

and be it further

RESOLVED, that the Longevity amounts and Increment/Longevity columns shall not be increased; and be it further

RESOLVED, that the following exceptions shall apply:

EXCEPTIONS:

For 2010 and 2011, any PART II and PART IV employee whose 2009 base salary is \$81,600 or more, the lesser of 2.5% for theyear 2010 , 2.25% for the year 2011 or \$,1632.00 will be added to the base salary;

For 2011, any PART II and PART IV employee whose 2010 base salary is \$83,640 or more, the lesser of 2.5% for the year 2010 2.25% for the year 2011 or \$1,714.00 will be added to the base salary; and be it further

RESOLVED, that the financial adjustment as set forth herein above for 2010 and 2011 shall apply to any PART II and PART IV employee who are on the county payroll in 2010, but shall not apply to any PART II or PART IV employee whose employment with Cayuga County during the 2010 or the 2011 calendar year, as applicable, was terminated by the employee quitting, being fired, resigning, or have otherwise terminated employment with Cayuga County, by any reason other than retirement; and be it further

RESOLVED, except as otherwise stated herein below, that the adjusted salaries as set forth in this resolution shall not apply to:

A. ALL ELECTED OR APPOINTED FIXED TERM OFFICIALS IN PART III EXCEPT AS OTHERWISE PROVIDED BY LOCAL LAW

B. EMPLOYEES REPRESENTED BY NYSNA PART I, CSEA PART I, SEACC Part I, DEPUTY SHERIFF POLICE ASSOCIATION PART I

C. HEALTH SERVICES AIDE, PT and CLERK PT at MINIMUM WAGE at CCNH

D. COURT ATTENDANT, PART TIME

E. SPECIAL PATROL OFFICER, PART TIME

F. ALL SEASONAL EMPLOYEES IN ALL DEPARTMENTS

G. MEDICAL CONSULTANT, JOB 2 (PHD)

H. 100% FUNDED JOB 2'S in DISTRICT ATTORNEY'S OFFICE and RECORDS RETENTION OFFICE

I. CCIDA SECRETARY-TREASURER

J. LABORER PT at MINIMUM WAGE (Parks & Trails position only);

K. DIRECTOR OF COMMUNITY MENTAL HEALTH

L. STAFF PSYCHIATRIST PT

M. MEDICAL SOCIAL WORKER PT (2010 only)

N. HUMAN SERVICES EXAMINER PT (2010 only)

O. COORDINATOR OF INFORMATION TECHNOLOGY

; and be it further

RESOLVED, that, except as otherwise stated herein, that non bargaining unit employees that are part time employees and temporary employees, shall be paid in accordance with PART I, PART II and/or PART IV of the Compensation Plans as applicable for 2010 and 2011, as above modified, and under no circumstances shall they be allowed to exceed Step 1 of the Compensation Plans nor shall they be paid longevity and/or increments with the exception of LPN PT in the CCNH, PHD and CMH Departments; and be it further

RESOLVED, that the non-bargaining positions of LPN PT be adjusted by the 2.5% cost of living increase but be allowed to move in the step ranges in accordance to resolution number 807-08 adopted 12/16/08 and 22-09 adopted 1/27/09; and be it further

RESOLVED, that this resolution supersedes Resolution 21-10, and be it further

RESOLVED, that the vacation, sick leave, funeral leave, personal leave, health insurance provisions, holiday provisions of the CSEA contract, January 1, 2009 - December 21, 2011, shall become applicable to all non-bargaining employees, retirees, officers and elected officers the date of change for the CSEA bargaining unit, as soon as practicable; and be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 334-10

(July 27, 2010) HS Fill Caseworker CPS

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL A CASEWORKER VACANCY IN THE CHILD PROTECTIVE UNIT OF HUMAN SERVICES DUE TO RESIGNATION OF INCUMBENT

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, there is a caseworker vacancy in the Child Protective Unit of Human Services due to a resignation effective July 9, 2010; and

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

WHEREAS, sufficient funding exists in the Human Services Department's 2010 budget to support this position; NOW, THEREFORE BE IT

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 335-10

(July 27, 2010) HS Cayuga Home Preventive Respite

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CAYUGA HOME FOR CHILDREN FOR THE PROVISION OF PREVENTIVE RESPITE AND CHILD WELFARE DIAGNOSTIC SERVICES

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department has undertaken an initiative to look at ways that we may be able to reduce the number of days children need to be placed in detention; and

WHEREAS, it was agreed that having access to short-term respite services as well as getting access to community based diagnostic services may have a significant impact in reducing our detention days; and

WHEREAS, we have negotiated with Cayuga Home for Children for the provision of these services at the follow costs:

| | |
|------------------------------|----------------|
| Preventive Respite | \$195 per diem |
| Diagnostic Services: | |
| · A Psych-Social Evaluation | \$150 |
| · A Home Assessment | \$150 |
| · A Psychiatric Assessment | \$375 |
| · A Psychological Assessment | \$600 |

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Home for Children to provide the above services for the contract period of July 1, 2010 through June 30, 2011; and be it further

RESOLVED, that these services be paid from Account #A60704 54184 (Preventive Services) of the Human Services Department's 2010 Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 336-10

(July 27, 2010) HS Cayuga Counseling Diagnostics 2010

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CAYUGA COUNSELING SERVICES, INC. FOR THE PROVISION OF COMMUNITY, DETENTION OR RESPITE BASED MENTAL HEALTH DIAGNOSTIC ASSESSMENTS TO CHILDREN AND TO MAKE RECOMMENDATIONS FOR TREATMENT

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Department believes that having access to community based diagnostics will offer Family Court a less expensive alternative to a 60-day residential diagnostic evaluation; and

WHEREAS, the Human Services Division of Health & Human Services desires to contract with Cayuga Counseling to provide the community based diagnostics and make recommendations for treatment; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Counseling Services, Inc. to provide these services for the contract period August 1, 2010 through July 31, 2011 at the following costs:

| Services | Rates Per Unit of Service |
|--|---------------------------|
| Clinic Rate for all face to face contacts including office visits, home visits, school observations and consultations | \$185 per hour |
| Meetings with other service providers who are already involved with the case, or to coordinate a service plan for the individual being assessed. | \$100 per hour |
| previous evaluations. | |

Cost per person requested to make court appearances. Travel time will be factored into the hourly calculation.

\$ 75 per hour

RESOLVED, that these services be paid from Account #A60704 54184 of the 2010 Human Services Department's Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 337-10

(July 27, 2010) HD WIC Contract 2010

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT WIC AWARD AND CONTRACT WITH THE NYS DEPARTMENT OF HEALTH

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

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

WHEREAS, funding has been made available for the Cayuga County Health Department in an amount up to \$477,847 to continue to run the WIC program for the period October 1, 2010 through September 30, 2011; and

WHEREAS, this funding has already been budgeted in the Health Department's 2010 budget in accounts #A40821 and #A40824; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with the NYS Department of Health for the time period October 1, 2010 through September 30, 2011 in an amount up to \$477,847 to continue the 100% federally funded WIC program and to accept any additional unallocated funds relative to this Program.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 338-10

7.27.10 coamndreclassif09rev5

AMENDING RESOLUTION NO.. 623-09 WHICH AUTHORIZING CLASSIFICATION SURVEY ADOPTED BY THE CIVIL SERVICE COMMISSION FOR THE COUNTY ATTORNEY'S OFFICE

BY: Hon. George Fearon, Chair Government Operations Committee
Hon. Christopher Palermo, Ways and Means Committee

WHEREAS, Resolution No. 623-09, adopted on November 24, 2009, entitled AUTHORIZING CLASSIFICATION SURVEY ADOPTED BY THE CIVIL SERVICE COMMISSION FOR THE COUNTY ATTORNEY'S OFFICE had the consequence of raising questions concerning the job duties of the part time assistant county attorney; and

WHEREAS, there was no intention of changing the primary duties of the part time assistant county attorney, position control number 2283; and

WHEREAS, Social Services Law Section 66 authorizes the Cayuga County Legislature to authorize the appointment of any number of social services attorney's to perform duties it considers necessary; and

WHEREAS, the duties of the individual holding the position before and after the adoption of Resolution No. 623-09 were not to change; the position is to continue to perform the duties as set forth at Social Services Law 66; now therefore be it

RESOLVED, the Cayuga County Legislature authorize the appointment of a part time of social services attorney's to perform duties it considers necessary; and be it further

RESOLVED, that Resolution No. 623-09 is here by amended as follows:

RESOLVED, that the attached reclassification plan be hereby adopted by the Legislature with the following changes to the department effective immediately as there will be no change in compensation:

1. Create one Social Services Attorney, part time

2. Move all positions under the County Attorney's jurisdiction to the County Attorney's Office under A14200 effective immediately; and be it further

RESOLVED, that the Part IV of the Cayuga County Compensation Plan for Administrative and Department Heads be hereby amended to the following schedule effective immediately:

Under County Attorney:

Social Services Attorney Part Time (Pos. No. 2283) \$46,369

And be it further

RESOLVED, that the county attorney be hereby authorized and directed to fill the Social Services Attorney Part Time; and be it further

RESOLVED, that the positions be filled by the County Attorney in accordance with the Civil Service Rules and Regulations and the policies of Cayuga County; and be it further

RESOLVED, the Resolution No. 623 be amended as herein above set forth Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell and Palermo, all in favor.

PULLED PULLED PULLED

Motion by Fearon to Pull

RESOLUTION NO.

July 27, 2010 colstandardworkweekrev3

**ESTABLISHING STANDARD WORK WEEK FOR COUNTY LEGISLATORS
FOR RETIREMENT PURPOSES**

BY: George Fearon, Chairman, Government Operations Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, to be in compliance with requirements of the New York State Retirement System, the County Legislature passed Resolution No. 242-00 establishing a specific standard work week for County Legislators and elected or appointed officials for retirement purposes; and

WHEREAS, Resolution establish the standard work week for the aforementioned positions at 35 hours per week; and

WHEREAS, the County Legislators have not given themselves a raise since that time and are now working for less than the minimum wage; and

WHEREAS, it is necessary to change the standard work week for the County Legislators to 30 hours per week; now therefore be it

RESOLVED, that the standard work week for County Legislator's only is set at thirty (30) hours per week; and it is further

RESOLVED, that this Resolution amends number 242-00 for the County Legislator's only for retirement purposes; and it is further

RESOLVED, the standard work for all other elected or appointed officials will remain set at thirty-five (35) hours per week as previously established; and be further

RESOLVED, that this Resolution is effective immediately.

Motion by Fearon to introduce GO-10A.

Motion by Chairman Tortorici to do at end of meeting.

RESOLUTION NO. 339-10

7/27/10 COMprocurement manualrev

**ADOPTING A CAYUGA COUNTY PURCHASING POLICY AND
PROCUREMENT MANUAL**

By: Mr. George Fearon, Government Operations Committee

Mr. Christopher Palermo, Ways and Means Committee

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 procurements 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 approved and adopted, effective immediately

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 340-10

Date of Meeting: 7/27/10 COMawardcopypaperev

**AUTHORIZING THE COUNTY TO ACCEPT A BID FOR XEROGRAPHIC
COPY PAPER FOR VARIOUS DEPARTMENTS WITHIN CAYUGA COUNTY.**

BY: George Fearon, Chairman, Government Operations Committee

Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 305-10 authorized the issuance of an ITB to obtain bids for copy paper for various Cayuga County Departments; and

WHEREAS, the Administrator's office sent out specification packages to local, New York State and nationally based firms; and,

WHEREAS, four (4) firms responded with proposals; and,

WHEREAS, the following bids were received based on estimated bi annual use:

| Vendor Name | 8.5x11 | 8.5x14 | 11x17 |
|-------------|---------------|--------------|--------------|
| | est.usage 460 | est.usage 25 | est. usage 4 |
| Hummel's | \$28.00/case | \$44.00/case | \$35.00/case |
| Xpedx | \$35.67/case | \$50.06/case | \$39.26/case |
| Domtar | \$31.27/case | \$42.32/case | \$33.25/case |
| Office Max | No Bid | | |

WHEREAS, Hummel's Office Plus is able to provide the necessary services at the lowest cost; now therefore be it,

RESOLVED, that the bid be awarded to Hummel's Office Plus, at an estimated bi-annual usage cost of \$14120.00, which is a savings of \$2164 bi-annually from our current price of copier paper.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 341-10

7/22/10 COATTNY-AMENDBUDGET2010rev2

AUTHORIZING TO AMMEND THE COUNTY ATTORNEY'S BUDGET 2010

BY: Hon. George Fearon, Chairman Government Operations Committee

Hon. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the County Attorney's Office recently received a check from the Cayuga Tobacco Asset Securitization Corporation in the amount of \$4,750.00 for professional services rendered by the office; and

WHEREAS, the County Attorney's Office has exhausted various lines in its contractual accounts; and

WHEREAS, the County Attorney's Office proposed that its 2010 Budget be amended by increase line A14200-41274 Misc Fees to \$4,750.00 and then distribute the monies into the following accounts:

| | |
|--------------------------------|------------|
| A14204 54058 Professional Dues | \$1,500.00 |
| A14204 54049 Office Supplies | \$ 500.00 |
| A14204 54055 Postage | \$ 250.00 |
| A14204 54084 Travel | \$1,000.00 |
| A14204 54122 Law Books | \$1,500.00 |

Now therefore be it

RESOLVED, that, in order to rectify the forgoing, the County Treasurer be and he is hereby authorized and directed to transfer funds in the following manner:

| Appropriation Accounts | Increase |
|--------------------------------|------------|
| A14204 54058 Professional Dues | \$1,500.00 |
| A14204 54049 Office Supplies | \$ 500.00 |
| A14204 54055 Postage | \$ 250.00 |
| A14204 54084 Travel | \$1,000.00 |
| A14204 54122 Law Books | \$1,500.00 |

And be it further

RESOLVED, that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 342-10
7.27.10 coatrmnttylercncrct

**AUTHORIZING THE COUNTY ATTORNEY TO ENTER INTO
NEGOTIATIONS WITH TYLER TECHNOLOGIES, INC. TO TERMINATE
THE PAYROLL AND TAX COLLECTION MODULES.**

BY: Hon. George Fearon, Chair government Operations Committee

Hon. Christopher Palermo, Chair Ways and Means Committee

WHEREAS, by RESOLUTION NO. 708-07 (11.27.07) the County selected Tyler Technologies, Inc. and its proposal to meet the County's financial, personnel and property tax applications at a cost not to exceed \$750,000.00; and

WHEREAS, it is apparent the Tyler Technologies, Inc. is unable to meet the needs of the County in the areas of tax collection and payroll; and

WHEREAS, the County is of the opinion that it will not move forward with the tax collection and payroll modules; now therefore be it

RESOLVED, that the County attorney is authorized and directed to negotiate the termination of the payroll and tax collection module with Tyler Technologies, Inc.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 343-10
7.27.10 coawlasiagmntrev

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO EXECUTE AN AGREEMENT FOR CONSULTING AND GRANT WRITING
SERVICES WITH WLADIS LAW FIRM.**

BY: Hon. George Fearon, Chair Government Operations Committee

Hon. Christopher Palermo, Chair Ways and Means Committee

WHEREAS, the County is considering securing professional services for economic development assistance, including pursuing grants, federal appropriations, and other funding opportunities for Cayuga County ; and

WHEREAS, the County is considering securing professional services for a liaison between New York State Government officials on behalf of the County; and

WHEREAS, Wladis Law Firm provides such professional services and has submitted two proposals for consideration (attached); now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to execute two professional services agreements with Wladis Law for a period of time not to exceed twelve (12) months, commencing August 1, 2010; and be it further

RESOLVED, that the sum of \$55,000.00 be transferred from Account No. A 10174, Provision for Salaries, into Account No. A 10104-54059, Professional Services; 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 Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 344-10**July 27, 2010 bdelecthavaequipmentrev****AUTHORIZING THE BOARD OF ELECTIONS TO PURCHASE EQUIPMENT WITH HAVA-RELATED FUNDS.**

BY: Mr. Fearon, Chair, Government Operations Committee, and
Mr. Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Board of Elections has been advised that it currently has excess funds retained by the New York State Board of Elections pursuant to the federal Help America Vote Act (HAVA); and,

WHEREAS, such funds must be spent by September 29, 2010, and invoices submitted for such purchases must be submitted by August 16, 2010; and,

WHEREAS, the Cayuga County Board of Elections has researched needed equipment and materials that can be purchased with these funds; and

WHEREAS, a 5% county match is necessary for these purchases; now therefore, be it

RESOLVED, that the Cayuga County Board of Elections is hereby authorized to purchase the following items:

| ITEM | QUANTITY | PRICE PER UNIT | TOTAL COST |
|--------------------------------------|----------|-------------------|---------------|
| Table Top Units | 50 | \$48.00 | \$2,400.00 |
| 5 Foot Folding Tables | 25 | \$69.00 | \$1,725.00 |
| Carts for tables | 2 | \$179.95 | \$359.90 |
| Vote Here Stands | 15 | \$20.20 | \$303.00 |
| Table Top Vinyl Pocket Sign Holders | 21 | \$29.50 | \$619.50 |
| Blank Voting Sign Stands | 10 | \$21.95 | \$219.50 |
| Portable Ballot Boxes | 4 | \$27.25 | \$109.00 |
| Pens for ballots (by the dozen) | 60 | \$5.95 | \$357.00 |
| Ballot Boxes for ImageCast machines | 51 | \$159.00 | \$8,109.00 |
| Scanner for voter registration cards | 1 | \$1,300.00 | \$1,300.00 |
| Printer | 1 | \$3,799.00 | \$3,799.00 |
| | | | \$19,300.90 |

And further

RESOLVED, that \$1,000 will be transferred From A14504-54074 (Department Expense) to Equipment for purposes of the 5% county match; 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 Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 345-10

(7.27.10) CCCLABAGR(a&pgroup)

CONFIRMING THE 2004-2012 LABOR AGREEMENT BETWEEN THE CAYUGA COMMUNITY COLLEGE ADMINISTRATIVE PROFESSIONAL GROUP AND THE CAYUGA COMMUNITY COLLEGE BOARD OF TRUSTEES.

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee, and

Hon. George Fearon, Chairman, Government Operations Committee.

WHEREAS, the Board of Trustees of Cayuga County Community College on July 21, 2010, approved a collective bargaining agreement with Administrative/Professional Group for a 8-year time period from September 4, 2004 to August 31, 2012 for administrative and professional employees; and

WHEREAS, attached hereto is the said agreement which provides for certain increases in wages, specific changes in health and dental insurance provisions and other changes as set forth in the attached agreement; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby ratify and confirm said labor agreement.

Signed by Fearon, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor, except Aikman abstained.

RESOLUTION NO. 346-10

July 25, 2010 e&tceo-wibagmnt

AUTHORIZE AGREEMENT BETWEEN THE CAYUGA-CORTLAND WORKFORCE INVESTMENT BOARD (WIB) AND THE CHIEF ELECTED OFFICIALS OF CAYUGA AND CORTLAND COUNTIES

BY: ROGER MILLS, Chairperson, Planning & Economic Development Committee

WHEREAS, The Workforce Investment Act, hereinafter referred to as the Act (20 USC 9201 et. seq., Public Law 105-22-, Stat. 936), authorized the expenditure of federal funds to assist local governments in coordinating and implementing workforce development programs in locally determined Workforce Investment Areas (WIA's); and

WHEREAS, the Counties constitute a jurisdiction eligible for designation as a Workforce Investment Area; and

WHEREAS, the ACT requires the establishment of a Workforce Investment Board to assist in carrying out provisions of the ACT; and

WHEREAS, the ACT requires a partnership between the Workforce Investment Board (WIB) and the Chief Elected Officials of the Counties; and

WHEREAS, the ACT requires the WIB and the Chief Elected Officials of the Counties to define the scope of their partnership by means of an agreement; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Cayuga County Legislature be and is hereby authorized to execute the agreement with the Workforce Investment Board; said agreement shall be in a form approved by the County Attorney; AND BE IT FURTHER

RESOLVED, that the Chairman of the Cayuga County Legislature be and is hereby authorized to execute such agreements with agencies of the State of New York as are necessary to conduct programs authorized under the Workforce Investment Act for the period beginning July 1, 2010 and ending June 30, 2011.

Signed by Mills, Aikman, Lattimore, Mahunik, Fearon and Pinckney, all in favor.

RESOLUTION NO. 347-10**July 27, 2010 PB_OpposFarmLaborMandaterev****OPPOSING NEW YORK STATE LEGISLATURE BILL NUMBERS S.2247-B
AND A.1867-B MANDATING FARM LABOR REQUIREMENTS**

BY: Mr. Roger A. Mills, Chair, Planning and Economic Development Committee

WHEREAS, Cayuga County enjoys a large and diverse farming community, and

WHEREAS, the farms in Cayuga County span a wide range of sizes production methods and products and are presently experiencing historically low prices for their products, and

WHEREAS, Senate Bill S.2247-B and Assembly Bill A.1867-B would subject local farmers to the mandatory payment of overtime to farm workers, collective bargaining and other requirements that would place them in precarious financial positions, and

WHEREAS, the adage "make hay when the sun is shining" stems from the truth that the business of farming is such where particular seasons require more hours of work than others and is crucial to the success of any farm, and

WHEREAS, farmers can do little to influence the prices that they receive for their farm products, and

WHEREAS, no other states have such comprehensive labor mandates for agricultural workers, since there are significant federal laws that regulate the migrant labor stream and provide fair labor standards for agricultural employment for all farm workers,

NOW, THEREFORE, BE IT RESOLVED, that the Cayuga County Legislature urges the New York State Legislature to reject Bills S.2247-B and A.1867-B, and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor David Paterson of the State of New York, the Speaker of the New York State Assembly, the Majority Leader of the New York State Senate and all Senators and Assembly Members whose Legislative Districts are in Cayuga County.

Signed by Tortorici, Palermo, Chapman, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh and Aikman, all in favor.

RESOLUTION NO. 348-10**(7/27/10) P&TErieCanalTrail 7 10rev2****AUTHORIZING THE COUNTY TO TRANSFER OWNERSHIP OF A
PORTION OF THE ERIE CANAL TRAIL BETWEEN AQUEDUCT PARK AND
CENTERPORT ROAD TO THE TOWN OF BRUTUS AND AUTHORIZING
THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO EXECUTE DOCUMENT. (2/3)**

BY: Mr. David Axton, Chairman, Public Works

Mr. Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Parks and Trails Department oversees the county trail system including over 30 miles of trails; and

WHEREAS, one section of the county trail (Parcel # 82.00-1-33.1) is located in the Town of Brutus and includes 13.1 acres of land extending approximately one mile and is located between Aqueduct Park and Centerport Road; and

WHEREAS, this section trail was recently improved by New York State and is part of the Erie Canal Trail; and

WHEREAS, The Town of Brutus sent a letter to the Cayuga County Parks Commission asking that the County consider turning the parcel over to the Town (see attachment); and

WHEREAS, this is an isolated parcel in the Town of Brutus; and

Whereas, The Town of Brutus has been assisting with the maintenance of the trail; and

WHEREAS, the Town agrees to keep the trail open to all current recreational uses including snowmobiling in the winter months; and

WHEREAS, the New York State Office of Parks, Recreation and Historic preservation is not opposed to the change; and

WHEREAS, the local legislator and the Parks Commission supports the transfer; now, therefore, be it

RESOLVED, that Cayuga County is hereby authorized and directed to transfer a parcel of land, commonly known as tax map number 82.00-1-33.1, which parcel is located in the Town of Brutus, consisting of approximately 13.1 acres of land to the Town of Brutus pursuant to section General Municipal Law, Section 72-h and County Law, Section 215; and be it further

RESOLVED, that the transfer is subject to the Town of Brutus using the parcel's as parkland with any and all members of the public being permitted access to the parcel; and be it further

RESOLVED, that the parcel will continue to be used for park purposes and the parkland use shall not be diverted to non-park use; and be it further

RESOLVED, if the Town of Brutus desires or undertakes to alienate the parcel as to a non-park purpose or desires or undertakes to restrict access to the parcel to members of the public that, in that event, the parcel shall revert to the County of Cayuga; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents required to implement this resolution..

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell and Pinckney. Approved by 2/3 vote, all voting in favor. 882/0

RESOLUTION NO. 349-10

Date: 7/27/10 P&TComputers 7 10

AUTHORIZING THE PURCHASE OF FOUR COMPUTERS AND MONITERS FOR CAYUGA COUNTY PARKS AND TRAILS

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the IT Department has established a schedule for replacement of county computer equipment; and

WHEREAS, four of the computers and monitors used by Cayuga County Parks and Trails are due for upgrade; and

WHEREAS, the 2010 Emerson Park budget account A71102-52014 did include \$3,000 for this upgrade; and

WHEREAS, the IT Department provided Parks and Trails with quotation based on New York State pricing of \$662/unit for a total of \$2,648; now therefore be it

RESOLVED, that the County Legislature hereby authorizes the Parks and Trails Department to work with the IT Department to purchase the recommended computer equipment.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 350-10

7/27/2010 Bldgs Mental Health Furniture rev2

**AUTHORIZING THE SUPERINTENDENT OF BUILDINGS AND GROUNDS
TO APPROVE THE PURCHASING OF FURNITURE FOR THE MENTAL
HEALTH BUILDING PROJECT CAPITAL H 08-01.**

BY: MR. Axton, Chairman, Public Works Committee, and
MR. Palermo, Chairman, Ways & Means Committee.

WHEREAS, the new Mental Health facility will require furniture to operate; and
WHEREAS, there is \$200,000.00 budgeted for furniture for the new facility, and
WHEREAS, the Superintendent of Buildings and Grounds and the project Construction Manager will utilized preferred provider CorCraft and ROI a distributor for state contract furniture venders; therefore let it be

RESOLVED, that the Superintendent of Buildings and Grounds is authorized to approve the purchasing of the furniture for the Mental Health Building Project; \$31,916.00 to CorCraft and \$151,109.48 to ROI for a total of 183,025.48, to implement the intent of this resolution .

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 351-10

7/27/2010 Bldgs 911 HVAC modification bid rev

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO
ADVERTISE FOR SEALED BIDS FOR THE MODIFICATION OF THE 911
CENTER HVAC SYSTEM AT THE PUBLIC SAFETY BUILDING 7445 COUNTY
HOUSE ROAD, AUBURN NEW YORK**

BY: MR. Axton, Chairman, Public Works Committee, and
MR. Palermo, Chairman, Ways & Means Committee.

WHEREAS, Cayuga County has been working correcting the life safety issues within the County and

WHEREAS, it has been found that there is no fresh air intake for the 911 HVAC system this is not compliant with code, and

WHEREAS, resolution 578-09 contracted with C&S Companies for a design to modify the HVAC system to make it compliant, and

WHEREAS, the Superintendent of Buildings and Grounds requested quotes for this modification and all were over the \$20,000.00 limit and will have to go out for bid:
Now therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature is authorizing to advertise for sealed bids for the modification of the 911 Center HVAC system at the Public Safety Building 7445 County House Road, Auburn New York; be it further
Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 352-10
July 27, 2010 hwytransferautopaint
AMENDING OF 2010 CAYUGA COUNTY HIGHWAY
BUDGET FOR AUTO PAINTING

BY: Dave Axton, Chairman, Public Works Committee
 Christopher Palermo, Chairman, Ways and Means Committee

WHEREAS, in the 2010 Highway Budget a total of \$10,000 was budgeted for Auto Painting and,

WHEREAS, it is necessary to amend the 2010 Highway budget to more accurately reflect the increased cost of auto painting; now, therefore, be it

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

| Appropriation Accounts | Old Amount | New Amount | Increase | Decrease |
|----------------------------|------------|------------|----------|----------|
| DM51304 54110 - Tires | \$34,000 | \$32,000 | | \$2000 |
| DM51304 54196 – Auto Paint | \$ 9,000 | \$11,000 | \$2000 | |

AND BE IT FURTHER

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

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 353-10
Date: July 27, 2010 hwygasboyreplace
AUTHORIZING THE HIGHWAY SUPERINTENDENT TO PURCHASE A
GASBOY PROGRAM UPGRADE

BY: David Axton Chairman, Public Works Committee
 Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the County Highway Department currently utilizes Gasboy software to record gasoline purchase transactions from the Motor Pool; and

WHEREAS, this 1997 version of Gasboy is DOS-based and does not run properly with updated Windows operating systems; and

WHEREAS, LaValley Bros. offers an updated version of the Gasboy software for \$1,574.00; and

WHEREAS, there is money in the 2010 budget, Account No. D50104 54018 for this purchase; now therefore be it

RESOLVED, the Highway Superintendent is hereby authorized to purchase a Gasboy software upgrade from LaValley Bros.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 354-10
Date: July 27, 2010 hwypurchsignupgrd
AUTHORIZING THE HIGHWAY SUPERINTENDENT TO PURCHASE A
TRAFFIC SIGN & DESIGN PROGRAM UPGRADE

BY: David Axton Chairman, Public Works Committee
 Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the County Highway Department currently utilizes URW Traffic Sign & Design production software for making road and other signs; and

WHEREAS, the URW Traffic Sign & Design Package offers an upgrade of the existing software for \$2295.00 which includes updated federal sign standards that are outdated in the current version; and

WHEREAS, there is money in the 2010 budget, Account No. D50104 54018 for an upgraded sign design program; now therefore be it

RESOLVED, the Highway Department is hereby authorized to purchase upgraded software for the sign making system from URW America.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 355-10

Date: 7/27/10 p&t purchase mower 7 10

**AUTHORIZING THE PURCHASE OF A JACOBSEN TURFCAT
MOWER FOR PARKS AND TRAILS USE**

By: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, since the year 2007 the Capital Plan for Cayuga County Parks and Trails has included a request for a new Jacobsen Turfcats lawn mower for parks use in the year 2011; and

WHEREAS, the projected cost off the new mower in the year 2011 is \$19,500; and

WHEREAS, there is an excellent used Jacobsen Turfcats mower belonging to Brockport Central School District up for auction on Auctions International; and

WHEREAS, we believe we could purchase this used mower for a cost not to exceed \$7,500; and

WHEREAS, the parks department has \$7,500 remaining in equipment budget Account # A71102-52000 that was to be saved because we are doing two roof projects in house rather than paying a contractor; now therefore be it

RESOLVED, the Park Maintenance Supervisor is authorized to bid on and purchase the mower at a cost not to exceed \$7,500.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 356-10

7.27.10 PASPRDOPRJCTMGRrev2

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO SIGN A CONTRACT WITH C & S COMPANIES FOR PROJECT
MANAGEMENT, ENGINEERING AND COMPLIANCE SERVICES FOR THE
RADIO COMMUNICATION PROJECT.**

BY: Hon. Steven Cuddeback, Chair Judicial and Public safety

Hon. Christopher Palermo, Chair Ways and Means

WHEREAS, the county's current radio system is approaching the end of its useful life; and

WHEREAS, Resolution No. 318-10 established Capital "H" Project No. 10-03, (Emergency Communications System); and

WHEREAS, Resolution No. 319-10 authorized execution of a contract with Motorola, Inc. for the design and equipment phases of the project; and

WHEREAS, three proposals were received for project management, engineering and compliance services for the project, copies attached; now, there for be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign a contract with C & S companies for project management, engineering and compliance services for the Emergency Communications System project. Signed by Cuddeback, Aikman, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 357-10
Action Date 7/27/10 PSAPftESDfillrev
AUTHORIZATION TO FILL A VACANT EMERGENCY SERVICES
DISPATCHER POSITION

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
 Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently will has a vacant Full-Time Emergency Services Dispatcher positions; and

WHEREAS, the Cayuga County E-911 Center had a resignation and it is necessary to select candidates and fill the Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the position (#07016) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher position from the existing Civil Service list; and be it further

RESOLVED, that the positions be filled in accordance to the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga.
 Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik and Mills, all in favor.

RESOLUTION NO. 358-10
7/27/10 SHRDYCLEANAWARD
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN A
CONTRACT FOR DRY CLEANING SERVICES AT THE CAYUGA COUNTY
SHERIFF’S DEPARTMENT TO MULDOON DRY CLEANERS OF AUBURN.

BY: Hon. Steve Cuddeback, Chairman, Judicial & Public Safety Committee
 Hon. Chris Palermo, Chairman, Ways and Means Committee

WHEREAS, on June 29, 2010, two bids were received and opened for providing dry cleaning services for the Cayuga County Sheriff’s Department for a one year period of time with option to extend each year for three years; and

WHEREAS, the two bids that were received were as follows:

| Item | Dry Cleaning | Qty. | Muldoons | Brewsters |
|------|----------------|------|----------|-----------|
| #1 | Uniform Shirts | 40 | \$2.50 | \$1.60 |
| #2 | Uniform Pants | 30 | \$4.50 | \$5.50 |
| #3 | Ties | 5 | \$0.00 | \$3.50 |
| #4 | Vest | 5 | \$0.00 | \$5.00 |
| #5 | 2 Pc. Suit | 10 | \$0.00 | \$12.00 |
| #6 | Blazer | 5 | \$0.00 | \$6.50 |
| #7 | Jacket | 5 | \$0.00 | \$8.50 |
| | TOTAL | | \$7.00 | \$42.60 |

| Item | Alterations | Est. Qty. | Unit Price | Total Price | |
|-------|-------------------------|-----------|------------|-------------|---------|
| #1 | Trousers Lengthen | | As needed | \$12.00 | \$6.00 |
| #2 | Trousers Shortened | | As needed | \$12.00 | \$6.00 |
| #3 | Trousers - waist in | | As needed | \$10.00 | \$6.00 |
| #4 | Trousers - waist out | | As needed | \$10.00 | \$6.00 |
| #5 | Zipper replacement | | As needed | \$12.00 | \$7.00 |
| #7 | Sleeves - shortened | | As needed | \$10.00 | \$5.50 |
| #8 | Sleeves - lengthen | | As needed | \$10.00 | \$5.50 |
| #9 | Patches - sewn on Large | | As needed | \$5.00 | \$3.50 |
| #10 | Patches - sewn on Small | | As needed | \$2.50 | \$2.50 |
| TOTAL | | | | \$83.50 | \$48.00 |

RESOLVED, that the bid from Muldoon Dry Cleaners of Auburn to provide dry cleaning services at the prices stated above for Dry Cleaning and Alterations be awarded to Muldoon Dry Cleaners; and be it further

RESOLVED, that the Chairman of the County Legislature is hereby authorized and directed to sign a one-year contract for dry cleaning services with said vendor. Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik and Mills, all in favor.

RESOLUTION NO. 359-10

7/27/10 SHR-Transfer Monies (Computers/SimplexGrinnell)

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2010 CUSTODY PROFESSIONAL SERVICE BUDGET LINE (A31504 54059) TO THE SHERIFF'S 2010 LAW ENFORCEMENT EQUIPMENT BUDGET LINE (A31102 52000) AND THE SHERIFF'S 2010 CUSTODY COMPUTER SUPPORT BUDGET LINE (A31504 54019).

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2010 Law Enforcement Equipment Budget Line (A31102 52000) to cover the cost of thirteen new computers that will replace thirteen existing computers in the Cayuga County Sheriff's Office that need to be upgraded due to their being over 5-years old; and

WHEREAS, there is an insufficient amount of money in the Sheriff's 2010 Custody Computer Support Budget Line (A31504 54019) to cover the cost increase of the maintenance agreement between the Sheriff's Office and SimplexGrinnell, the Custody Fire and Security Vendor; and

WHEREAS, there is enough money in the Sheriff's 2010 Custody Professional Services Budget Line (A31504 54059) to compensate the shortfall in the Sheriff's 2010 Law Enforcement Equipment Budget Line (A31102 52000) and the Sheriff's 2010 Custody Computer Support Budget Line (A31504 54019); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$11,000 from the Sheriff's 2010 Custody Professional Services Budget Line (A31504 54059) to the Sheriff's 2010 Law Enforcement Equipment Budget Line (A31102 52000); and further be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$11,500 from the Sheriff's 2010 Custody Professional Services Budget Line (A31504 54059) to the Sheriff's 2010 Custody Computer Support Budget Line (A31504 54019); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik and Mills, all in favor.

RESOLUTION NO. 360-10

Date: 7/27/10 SHR – NavTitleChg

AUTHORIZATION TO CHANGE A TITLE ONLY WITHIN THE LAW ENFORCEMENT DIVISION (MARINE UNIT) OF THE CAYUGA COUNTY SHERIFF'S OFFICE.

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee
MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, the Sheriff has conducted an analysis of the positions of the Cayuga County Sheriff's Office, Marine Unit; and

WHEREAS, the Sheriff has conferred with the Cayuga County Civil Service Commission and the Commission authorized a change in title pursuant to a Resolution being adopted by the Legislature approving a title change in the Marine Unit; and

WHEREAS, said title change has no budgetary impact; now, be it therefore RESOLVED, that the below title be hereby changed as follows:

| | |
|----------------|------------------------------------|
| Current Title: | New Title: |
| Peace Officer | Navigational Assistant (Seasonal); |

And be it further

RESOLVED, that the changes in title be in accordance with the Cayuga County Civil Service Rules and Regulations.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik and Mills, all in favor.

RESOLUTION NO. 361-10

Date: 7/27/10 SHR – Fill CO VacancyRev

AUTHORIZE THE SHERIFF TO FILL TWO VACANT CUSTODY OFFICER POSITIONS IN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.

By: MR. STEVEN CUDDEBACK, Judicial & Public Safety Committee

MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, Two Custody Officers (Position Control No. 001956-SYS and 001971-SYS) resigned effective June 19, 2010 and July 31, 2010 leaving two vacancies in the Cayuga County Sheriff's Department Custody Division; and

WHEREAS, it is mandated by the New York State Commission of Correction that the Cayuga County Sheriff's Department Custody Division maintain a certain number of Custody Officer Positions to comply with the minimum staffing complement as the services provided by these positions are critical for maintaining the safe, smooth and efficient operation of the Sheriff's Office Custody Division and due to these resignations, reduces the minimum staffing to two below state mandates; and

WHEREAS, it is now necessary to fill these vacant positions from the civil service eligibility list so that the recruits may attend the upcoming academy; and

WHEREAS, these positions are designated and accepted in the 2010 Cayuga County Sheriff's Law Custody Salaries Operating Budget A31501 51001; now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill two Custody Officer Positions; and be it further

RESOLVED, the employees hired will be placed at the appropriate step within the Sheriff's Employee Association of Cayuga County (SECC) Compensation Plan for 2007-2011; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik and Mills, all in favor.

RESOLUTION NO. 362-10

Date: 7/27/10 SHR – NPDS-Marine Unit Seasonalrev

AUTHORIZATION TO CREATE 15 NEW POSITIONS WITHIN THE LAW ENFORCEMENT DIVISION (MARINE UNIT) OF THE CAYUGA COUNTY SHERIFF'S OFFICE, REDUCE 15 DEPUTY SHERIFF (NAVIGATION) SEASONAL POSITIONS AND SET THE PAY RATE FOR SAID NEW POSITIONS

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee

MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, the Sheriff has conducted an analysis of the positions of the Cayuga County Sheriff's Office, Marine Unit; and

WHEREAS, the Sheriff has submitted duties statements for 15 new positions for the Marine Unit to the Cayuga County Civil Service Commission and the Commission classified the positions as appropriate for the duties proposed; and

WHEREAS, said new positions has no additional budgetary impact; now, be it therefore

RESOLVED, that 15 Deputy Sheriff (Navigational) Seasonal positions within the Marine Unit of the Cayuga County Sheriff's Office are hereby abolished; and it is further

RESOLVED, that 15 Navigational Assistant Seasonal positions are created within the Marine Unit of the Cayuga County Sheriff's Office; and it is further

RESOLVED, that under the recommendation of the Sheriff and the Judicial & Public Safety Committee the hourly rate of pay for Navigational Assistant Seasonal is hereby set at the rate of \$12.00 per hour, and it is further

RESOLVED, that the HR Administrator add the title of Navigational Assistant Seasonal at a pay rate of \$12.00/hr to the Cayuga County Compensation Plan under Part II Non-Bargaining, and it is further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik and Mills, all in favor.

Motion by Fearon to introduce G0-10A, 2nd by Cuddeback.

Resolution No. 363-10
July 27, 2010 colstandardworkweek4Arev
GO-10A

By: George Fearon, Chairman, Government Operations Committee
Christopher Palermo, Chairman Ways and Means Committee

RE: STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED
AND APPOINTED OFFICIALS.

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

| Title | Name | Social Security (last 4) | Registration Number | Standard Work Day | Term Begins/Ends | Participates in Employer's Time Keeping System | Days/Month (ROA) |
|-----------------------------------|---------------------|--------------------------|---------------------|-------------------|-------------------|--|------------------|
| Legislator | Cynthia Aikman | 4814 | 36911584 | 6 | 1/1/10 - 12/31/13 | N | 20 |
| Legislator | David Axton | 5472 | 42630152 | 6 | " | N | 20 |
| Legislator | Stephen Barski | 2335 | 50002682 | 6 | " | N | 20 |
| Legislator | Steven E. Cuddeback | 2445 | 40287534 | 6 | " | N | 20 |
| Legislator | George Fearon | 9565 | 40287542 | 6 | " | N | 20 |
| Legislator | Timothy Lattimore | 4719 | 20350237 | 6 | " | N | 20 |
| Legislator | Christopher Palermo | 2949 | 41368283 | 6 | " | N | DNC |
| Legislator | Paul Pinckney | 9964 | 43434059 | 6 | " | N | 20 |
| Clerk/Legislature | Mary Jones | 1092 | 37994597 | 7 | 1/1/10- | Y | |
| Deputy | Kimberly Taggerty | 1136 | 41597527 | 7 | 1/1/10-12/31/10 | Y | |
| County Attorney | Frederick Westphal | 0632 | 35745488 | 7 | 1/1/10-12/31/13 | Y | |
| County Treasurer | James Orman | 8083 | 32181513 | 7 | 1/1/10-12/31/13 | Y | |
| APPOINTED OFFICIALS | | | | | | | |
| Civil Service: | | | | | | | |
| Commissioner | Jeffrey Edwards | 8137 | 34305482 | 7 | 6/1/10-5/31/16 | N | 17.23 |
| Highway Department Superintendent | George Wethey | 4528 | 35898741 | 7 | 1/1/10-12/31/13 | Y | |

and it is further

RESOLVED, further, that the redacted copy of the resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

Discussion:

Mahunik, I do not support, downsizing government, it sends the wrong message. Palermo, are we full time or part time Legislators? What we wind up doing is charging the taxpayers for full benefits, but elect not to take it. I make a motion to amend time to standard work day to 3 hours, ineligible for benefits and health, 2nd by Mahunik.

Fred Westphal Co. Attorney, I just want to be clear, you are talking GO-10A.

Palermo, just for Legislators, split resolution so it does not mess up retirement.

Mills, we are clearly part-time, I vote yes, apply to all.

Westphal, amend standard work day for 8 Legislators?

Palermo, standard work day to 3 hours.

Westphal, are you amending GO-2?

Palermo, withdraw amendment.

Petrus, this shows that we are not ready to make a decision, we need to see GO-10A and GO-10B, this should be pulled. Motion by Petrus to table, 2nd by Cuddeback, all in favor, except Fearon and Mahunik voting no.

Motion by Palermo to bring back GO-2, pulled earlier by Fearon, 2nd by, 2nd by Mahunik

Resolution No. 364-10

July 27, 2010 colstandardworkweekrev

GO-2

ESTABLISHING STANDARD WORK WEEK FOR COUNTY LEGISLATORS FOR RETIREMENT PURPOSES

BY: George Fearon, Chairman, Government Operations Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, to be in compliance with requirements of the New York State Retirement System, the County Legislature passed Resolution No. 242-00 establishing a specific standard work for County Legislators and elected or appointed officials for retirement purposes; and

WHEREAS, at that time, the time frame for the aforementioned positions were established at 35 hours per week; and

WHEREAS, the County Legislators have not given themselves a raise since that time and are now working for less than the minimum wage as set by the State of New York; and

WHEREAS, it is necessary to change the standard work week for the County Legislators to 30 hours per week; now therefore be it

RESOLVED, that the Standard Work Week for County Legislator's only is set at thirty (30) hours per week; and it is further

RESOLVED, that this Resolution amends number 242-00 for the County Legislator's only for retirement purposes; and it is further

RESOLVED, the standard work for all other elected or appointed officials will h remain set at thirty-five (35) hours per week as previously established; and be further RESOLVED, that this Resolution is effective immediately.

Motion withdrawn by Palermo.

Motion to bring to the floor by Cuddeback, 2nd by Palermo

AUTHORIZATION TO PARTICIPATE IN A PAY LAG
COMMENCING ON SEPTEMBER 10, 2010

We, the undersigned Cayuga County Legislators have decided to participate in a pay lag commencing with the September 10, 2010 payroll.

We the undersigned agree that a lag pay will be enacted by moving our pay period back ½ day's each pay period for the next 20 pay periods. We ask that the Cayuga County Treasurer make the journal and accounting entries required to implement the intent of this agreement.

Signed by Tortorici, Palermo, Chapman, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh and Aikman.

Motion to adjourn by Axton at 7:38PM, 2nd by Mills, all in favor, except Mitchell opposed.

Motion by Lattimore to approve minutes of 7-27-10 on 9-28-10, 2nd by Pinckney, all in favor.

MINUTES
SPECIAL CAYUGA COUNTY LEGISLATURE MEETING
TUESDAY, AUGUST 3, 2010 AT 5:00PM

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 5:00PM.

ROLL CALL: Sheila Smith, Deputy Clerk of the Legislature, all Legislators present, except Cuddeback excused and Chapman arriving at 5:07PM and Axton arriving at 5:20PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PRIVILEGE OF THE FLOOR:

Legislator Patrick Mahunik for Greg Rigby, re: resolution to reset work hours for County Legislator's. Not one of you balked about compensation when you were elected, you're Public Servant's. Entertain the resolution and if you vote yes, it says you lied to yourselves, should be for the good of the community, not for self fulfillment.

Legislator Michael Chapman for Jim Brewster, resolution to reset work hours for County Legislator's. How can you claim to work 35 hours a week for \$11,000 to \$12,000 a year. You get travel, full health insurance, retirement, I can't understand how any Legislator can work 35 hours a week, some meetings only last 25 minutes. Calls to constituents, e-mails, I think their only working about 10 hours a week. I urge each Legislator to reconsider your vote, the taxpayers are burdened.

Discussion:

Fearon, some do work a lot of hours, it's more than just meetings. The Legislature has had one raise in ten years. I believe 30 hours is inappropriate, I think we need something between 30 to 40 hours. We don't do it for the money, I support it, but I don't think it will come up tonight.

Palermo, if it comes up, it's not because we are trying to jack up our pensions, this is not the case. This is the rule of the retirement system, all municipalities must pass this, towns and villages have already done this.

Motion by Tortorici to bring resolution GO-1C (365-10) to the floor, 2nd by Petrus.

Resolution No. 365-10

August 2010 colstandardworkweek4Crev2

BY: George Fearon, Chairman, Government Operations Committee
Christopher Palermo, Chairman Ways and Means Committee

RE: STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS.

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body: and it is further

RESOLVED, further, that the redacted copy of the resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Mahunik, Mills and Petrus.

Discussion:

Chapman, where do other people fall?

Fred Westphal Co. Attorney, doesn't cover them.

Palermo, in another 2 years we will have to pass this again.

Lattimore, II call the pension people in New York, they will come out and explain this to us.

Tom Squires Co. Administrator, the annual cost of retirement is based on the salary, no cost to local taxpayers. We took a sample from 34 counties, 5 have 7 hours days and 29 have 6 hour days.

Petrus, was this sample for Legislator's?

Tom, yes.

Fearon, 10 more counties came in at 6 hours.

Mitchell, some have opted out of the retirement system.

Mills, choices of opting out of retirement system, not everyone is going to receive 100% of the plan.

Petrus, this is a housekeeping resolution, call the question, all in favor, except Mitchell and Chapman opposed.

Resolution as moved, all in favor, except Mitchell and Chapman voting no.

Motion by Mitchell to go into Executive Session at 5:27PM, 2nd by Pinckney, re: Pending or current Litigation and Matters leading to the discipline of a particular person, all in favor.

Motion by Mills to come out of Executive Session at 6:16PM, 2nd by Sincebaugh, all in favor. No action taken.

RESOLUTION:

RESOLUTION NO. 366-10
Action 08/03/10 RPSflldataentry
AUTHORIZATION TO FILL DATA ENTRY MACHINE OPERATOR
ON TEMPORARY BASIS WITHIN THE REAL PROPERTY
TAX SERVICES DEPARTMENT

BY: Christopher Palermo, Chairperson, Ways and Means Committee

WHEREAS, an employee in a critical position that performs specialized functions in real property tax related activities is expected to be on a paid leave of absence for an extended period of time but not to exceed three months; and

WHEREAS, a temporary replacement has been identified, that currently holds certification as a Town Assessor with the training needed to assist the Real Property Office in a professional manner; and

WHEREAS, it is imperative the position be filled; and

WHEREAS, there is budgeted in the 2010 Real Property Budget salaries account, monies for temporary help; now therefore be it

RESOLVED, that the County Administrator in the absence of the Real Property Director II be authorized to fill the position of Data Entry Machine Operator, at the probationary step of grade 4 (\$15.93/hour) from the Cayuga County Compensation Plan, Part I; and be it further

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

Signed by Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

Motion by Sincebaugh to adjourn at 6:19PM, 2nd by Axton, all in favor.

Motion by Lattimore to approve minutes of 8-3-10 on 9-28-10, 2nd by Pinckney, all in favor.

MINUTES
SPECIAL LEGISLATURE MEETING
THURSDAY, AUGUST 12, 2010, 5:30 PM
160 GENESEE ST, 6TH FLOOR, CHAMBERS,
AUBURN, NY 13021

CALL TO ORDER: Hon. Peter Tortorici, Chairman, AT 5:30PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present except Pinckney arriving at 5:38PM and Cuddeback, excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PRESENTATION: Pavilion Advisory Committee and Emerson Foundation, Tony Franceschelli, our goal is to make a Landmark for the years to come. Power Point Presentation attached to original minutes.

Discussion:

Tortorici, there is an RPF list in front of you, please let us know if there is anyone else that should be included, so that we may reach out to everyone. Please note that LEG-1 has been pulled.

Dan Fessenden, the list includes vendors within a 75 miles radius.

Lattimore, Gary Duckett may have a list of caterers.

Duckett, caterers are on the list.

Tortorici, we have about 140 of them so far.

Lattimore, this is a great thing, but I hope the operation doesn't cannibalize the area.

Franceschelli, it is a beautiful facility, there's no other place like it.

Pinckney, looking for operation for fall 2012.

Franceschelli, looking at middle summer 2012.

Lattimore, it's affordable now, hope it doesn't increase too much.

Franceschelli, pricing needs to be fair and equitable, consultant has looked into this.

Mahunik, loss of rental fees for 2011 & 2012?

Squires, projections should be done for part of 2011.

Mills, we will be responsible for some in-kind services, and we should also think dockage to get to the pavilion, we need to keep these things in mind moving forward.

Duckett, Parks Commission has prioritized items.

Mills, also pricing for county residents.

Franceschelli, yes we looked into that, we need to get the vendors onboard.

Mills, discount for non-profits?

Franceschelli, yes that is why we need the vendors, then we would have more information. This is a facility that won't be here in the future if we don't do something today.

RESOLUTIONS:

**PULLED PULLED PULLED
(LEG-1)**

RESOLUTION NO. 367-10

(8/12/10) Leg LICNemersonpkpavilionrev2

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO EXECUTE A LICENSE AGREEMENT BETWEEN EMERSON OPARK
PAVIOLION, LLC. AND THE COUNTY OF CAYUGA FOR THE
RESTORATION AND RECONSTRUCTION OF THE
EMERSON PARK PAVILION.**

BY: By: David R. Axton, Chairperson, Public Works
Christopher Palermo Means Committee

WHEREAS, the Emerson foundation approached the Cayuga County legislature in advance of the 100th anniversary of the conveyance of Emerson Park to the residence of Cayuga County by Fred Emerson; and

WHEREAS, the Emerson Foundation, in partnership with the Cayuga County Legislature desires to undertake a project for the restoration and reconstruction of the Emerson Park Pavilion; and

WHEREAS, the Emerson Foundation presented to the Cayuga County Legislature a design plan for the project, which the Legislature approves; and

WHEREAS, the Emerson Foundation created a Emerson Park Pavilion, LLC for the purpose for completing the project, now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the attached License Agreement between Emerson Park Pavilion, LLC and the County of Cayuga.

RESOLUTION NO. 368-10

(8/12/10) LegRFP emersonpkpavilion

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE
TO ADVERTISE AND RECEIVE REQUEST FOR PROPOSALS FOR
CATERING AND HOSPITALITY MANAGEMENT SERVICES
FOR EMERSON PARK PAVILION**

BY: David R. Axton, Chairperson, Public Works
Christopher Palermo Means Committee

WHEREAS, the Emerson Foundation and the County of Cayuga anticipate partnering for the renovation reconstruction and capital improvement of the Emerson Park; now, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to advertise for interested parties to submit proposals for catering and hospitality management services for Emerson Park Pavilion; and be it further

RESOLVED, that proposals deemed to have merit will be submitted for approval to the Public Works Committee, the New York State Office of Parks Recreation and Historic Preservation and ultimately the Cayuga County Legislature.

Motion by Pinckney to go into Executive Session at :5:57PM, 2nd by Lattimore, re: Employee matter, all in favor.

Motion by Aikman to come out of Executive Session at 6:33PM, 2nd by Petrus, all in favor.

Motion by Aikman to adjourn at 6:33PM, 2nd by Lattimore, all in favor.

Motion by Lattimore to approve minutes of 8-12-10 on 9-28-10, 2nd by Pinckney, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
AUGUST 24, 2010 – 6:00PM**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:00PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except excused Mahunik and Axton arriving at 6:04PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PRESENTATION: United Way, Tim Kelly, Executive Director and Bob and Madeleine Nethercott, Campaign Co-Chairs. **Video attached to original minutes.**

PROCLAMATION: Farmers' Cooperative Market of Cayuga County 60th Anniversary, **title read by Mary Jones, Clerk of the Legislature, handed out last week.**

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address. **Paul Pinckney for Sean Lattimore, owner of Springside, handout attached to original minutes.**

MINUTES: For Approval: 6-22-10, 6-28-10 and 6-30-10 (Spec. meeting). **Motion by Lattimore, 2nd by Pinckney to approve minutes, all in favor.**
For Reading: 7-27-10, Spec. Meet. 8-3-10 and 8-12-10

CCC REPORT: Dr. Daniel Larson: **Handout attached to original minutes.**

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Sincebaugh, apologized to his family, friends, Legislature, employees, his constituents, people of Cayuga County for his behavior and thanked all those that called or sent messages and he is moving forward.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, SEQRA hearing was held on 8-16-10 and a kick of meeting will be held on 9-7-10 at the Holiday Inn, re: the Radio Project. Financing for the project is moving forward, we have meet with the city several times, on the re-banding issue, agreement has been made and we will move forward with the change order with Nextel to purchase equipment from Motorola. We are pursuing every dollar. Budget process is moving forward, we will meet with department heads after Labor Day. The workplace Violence Policy is almost complete; I will have a list of recommendations in a couple of months. The salt shed that was damaged in Ira, insurance company will pay \$100,000 but that's not enough to rebuild. We will have a bid opening tomorrow and then we will have a better idea of what it will cost. This and an Internal Auditor will be discussed in executive session.

Discussion:

Lattimore, is Langone still on contract?

Squires, yes.

Lattimore, was it his recommendation that we not go with Motorola microwave?

Squires, microwave was included at first, but to contain cost bid to do separate.

Lattimore, was that Langone's suggestion?

Tortorici, no, it was Motorola's.

Axton, Motorola explained that the would just be a middleman and to save money we should go out to bid.

Lattimore, how many bids?

Squires, there're not all in yet, three showed up for the pre bid.

Lattimore, al lot of money for consultant, we need good advice.

Squires, we are still short one frequency.

Tortorici, we contract with Langone, he gets paid as we sue him.

Westphal, yes.

Tortorici, we are moving forward with hiring a project manager, change order, moving forward with project.

Pinckney, paging frequency, will we need Lagone after that?

Squires, can't think of anything, but he does work that we ask him to do.

Tortorici, where are we to date with Langone, cost wise?

Squires, I will get that information for you.

Tortorici, Langone is an expert on frequencies, but if we don't need him then we don't use him.

CHAIRMAN'S REPORT: Peter Tortorici, agreement with the city, Motorola, and the change order, we are moving forward with that. We will have a Special Committee of the Whole Meeting on 8-31-10, work session Economic Development, Bio-gas, 20 mile pipeline, green energy. Watershed committee is now meeting twice a month, plan to manage the lake into the future and stop the runoff.

APPOINTMENTS AND RE-APPOINTMENTS:

Water Quality Management Agency:

Ron Podolak, 5002 North Rd., Auburn, NY 13021, Term – 8-1-10 to 12-31-10

Cayuga County Planning Board:

Bill Carmen, 3812 Carver Rd., Moravia, NY 13118, Term – Members serve until the locality they represent submits a new nomination.

Community Services Board:

Dr. John Henderson, 7481 Centerport Rd., Auburn, NY 13021, Term – 1-110- to 12-31-13

Motion by Lattimore to approve all appointments, 2nd by Mills, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a list of Certified 2010 State Equalization Rates, for the City of Auburn and Towns and Villages.
2. Received a letter from NYSAC, re: Property Tax Cap.
3. Received a letter from Brian Kolb, State Assembly Minority Leader, and David Patterson Governor, acknowledging receipt of Resolution No. 347-10 opposing New York State Senate Bill S2247B.

Motion by Palermo to waive reading of communications and announcements, 2nd by Pinckney, all in favor.

RESOLUTIONS:

**RESOLUTION NO. 369-10
08-24-10 AuditAug 2010.doc
AUTHORIZING THE COUNTY TREASURER TO PAY
AUGUST 2010 AUDIT OF CLAIMS**

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on August 24, 2010 audit claims against the County of Cayuga in the aggregate sum of \$3,306,776.20, therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 17, 2009.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

**RESOLUTION NO. 370-10
08.24.10**

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

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

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

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

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

July 2010

| | |
|------------|--------------|
| Electric | \$ 0 |
| Telephone: | \$ 23,694.86 |
| Total: | \$ 23,694.86 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 371-10**08.24.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS**

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

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

July 2010

\$217.31

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 372-10**8-24-10 OFAseniornutrition8-10****REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.**

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and Mr. Christopher Palermo, Chair of Ways and Means Committee.

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$6,344.00 covering the period through 7/30/10 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 373-10**08.24.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES**

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

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

July 2010

| | |
|---------------|-------------|
| First Niagara | \$ 1,784.59 |
| AmExpress | \$ 1,320.00 |
| Sunoco | \$ 167.89 |
| Walmart | \$ 0 |
| Exxon | \$ 41.17 |
| Total: | \$ 3,313.65 |

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

Signed by Palermo, Axton, Cuddeback, Mahunik and Mills, all in favor.

RESOLUTION NO. 374-10

08.24.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Christopher Palermo, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

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

July 2010

| | |
|--------------------------------|-------------|
| Copier Leases and Maintenance: | \$ 8,589.88 |
| Postage Leases: | \$ 754.00 |
| Total: | \$ 9,343.88 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 375-10

(8/27/10) COA-CAPH8PAY-REV

AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.

BY: MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

Project #08-2 (Emerson Park Pavilion Renovations)

| | | |
|-------------------------------|---------------|---------------|
| Grainger – Invoice 9307960394 | 261.05 | |
| Subtotal | | 261.05 |

Project #08-1 (North Street Mental Health Renovations)

| | | |
|---|-------------------|-------------------|
| Gray's Management Systems - Bill # 12 | 20,079.25 | |
| East Coast Electric - Application # 6 | 46,640.25 | |
| The UPS Store –Invoice #83046583662646883248 | 126.62 | |
| Atlantic Testing Laboratories – Invoice 60774 | 1,361.13 | |
| Atlantic Testing Laboratories – Invoice 60812 | 4,207.75 | |
| Atlantic Testing Laboratories – Invoice 62270 | 1,202.00 | |
| FAHS Construction – Application # 8 | 281,215.82 | |
| Siracusa Mechanical Inc - Application # 6 | 128,677.50 | |
| Green Plumbing – Application # 7 | 18,749.00 | |
| Subtotal | | 502,259.32 |

Project #10-01 (Meridan Environment Restoration Project)C & S Engineers – Invoice # 0121698 **4,383.50****Subtotal** **4,383.50****Project #10-02 (Post Frame Building Project –Sheriff’s Office)**

Cayuga County SWCD – Invoice # 201079 9

NOTE: PREVIOUSLY PAID ON 7/16/20) **13,890.00**Fingerlakes Construction Co., Inc – Application # 1 **43,776.00**Fingerlakes Construction Co., Inc – Application # 2 **33,259.50****Subtotal** **90,925.50****Project #10-03 (Emergency Communication Project)**The Citizen – Invoice # 419919 **29.83**

Gilberti Stinziano Heintz & Smith, PC –

Invoice #CAYU02 55298 67169AJS **8,620.90**Motorola – Invoice # 41146315 **456,253.00****Subtotal** **464,903.73****GRAND TOTAL** **1,062,733.10**

And be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Mills, all in favor.

RESOLUTION NO. 376-10**08/24/10 trespaytoski-int.controls****AUTHORIZING PAYMENT TO TOSKI, SCHAEFER AND CO. FOR SERVICES RELATED TO CAPITAL H PROJECT #07-05**

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, Resolution #246-08 (attached) authorized the County to contract with Toski, Schaefer and Co. (County Auditors) to review internal controls within the County’s financial software system; and

WHEREAS, the final cost has come in at less than half the authorized amount; and

WHEREAS; this cost is solely associated with the financial software project, and

WHEREAS, the original budgeted account was A13254 54059 (Professional Services) in the amount of \$15,000, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to pay this bill from the Capital H Project #07-05, in the amount of \$6,947.50.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 377-10**8.24.10 coatransfermonies cpth10-03****AUTHORIZING THE TRANSFER OF MONIES INTO CAPITAL “H” ACCOUNT NO. 10-03 AND AMENDING E-911 2010 BUDGET.**

BY: Hon. Steven Cuddeback, chairman Judicial and Public Safety Committee

Hon. Christopher Palermo, chairman, Ways and Means Committee

WHEREAS, Resolution No. 318-10 created Capital “h” Account No. 10-03 (Cayuga County Emergency Communications Project); and

WHEREAS, the 2010 E-911 budget contains an encumbrance for Finger Lakes Communication (PO 19346); and

WHEREAS, these services are more appropriately attributed to Capital "H" Project No. 10-03; now therefore be it

RESOLVED, that the monies representing PO193647 be transferred into Capital "H" Account No. 10-03; and be it further

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

Signed by Cuddeback, Aikman, Mitchell, Petrus, Pinckney, Palermo, Axton, Cuddeback, Fearon, Mahunik and Mills, all in favor.

RESOLUTION NO. 378-10

08/24/2010 RPS-fillRPSposition

**AUTHORIZATION TO FILL ONE REAL PROPERTY SERVICE SPECIALIST
WITHIN THE REAL PROPERTY TAX SERVICES DEPARTMENT
DUE TO A RESIGNATION.**

BY: Mr. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the position of Real Property Tax Service Specialist (position control # 6405) within the Real Property Tax Services Department will be vacant due to the resignation of the current employee (effective August 31, 2010); and

WHEREAS, the position performs an integral part of the Real Property Tax office procedures and provides support to the public; and

WHEREAS, the position of Real Property Tax Service Specialist is necessary for the efficient operation of the Real Property office; now therefore be it

RESOLVED, that the position of Real Property Tax Service Specialist be hereby filled in the Real Property Tax Services Department at the 2010 Grade 13 rate as indicated in the CSEA Compensation Plan in the Real Property Tax Services section; and be it further

RESOLVED, that in the absence of the Director of Real Property Tax Services II , that the County Administrator be hereby authorized and directed to fill the position of Real Property Tax Service Specialist in accordance to the policies of the County of Cayuga and in accordance to the Cayuga County Civil Service Rules and Regulations.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 379-10

8.24.10 W&M NONBARGAIN-2010rev8

**AUTHORIZING SALARY ADJUSTMENTS FOR PART II and PART IV OF THE
COUNTY OF CAYUGA COMPENSATION PLAN FOR NON BARGAINING
EMPLOYEES FOR THE YEAR 2010 AND 2011, AND REPEALING
RESOLUTION NO. 333-10.**

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, RESOLUTION No. 333-10 contained several inaccuracies and requires restatement; and

WHEREAS, the County of Cayuga and the Deputy Sheriffs Police Association, Sheriff's Employees' Association of Cayuga County, the Unit of Cayuga Local 806, Civil Service Employees Association, Inc. Local 1000, AFSME AFL-CIO and the NYS Nurse Association have agreed on a new Collective Bargaining Agreement for years 2008 - 2011; and

WHEREAS, the County desires, to provide a monetary consideration for Part II and Part IV Non Bargaining employees except as otherwise stated below; and

WHEREAS, it is the intent to provide a cost of living increase for the work performed by the non-bargaining line staff and administration; now therefore be it

RESOLVED, that except as otherwise stated hereafter, the annual salaries for PART II and PART IV, NON BARGAINING EMPLOYEES for the years 2010 and 2011 shall be adjusted as set forth below:

Effective 1/1/10, 2.5% shall be added to all 2009 base wages and salaries, including steps.

Effective 1/1/2011, 2.25% shall be added to all 2010 base wages and salaries, including steps and be it further

RESOLVED, that the Longevity amounts and Increment/Longevity columns shall not be increased; and be it further

RESOLVED, that the following exceptions shall apply:

EXCEPTIONS:

For 2010 and 2011, any PART II and PART IV employee whose 2009 base salary is \$81,600 or more, the lesser of 2.5% for theyear 2010 , 2.25% for the year 2011 or \$,1632.00 will be added to the base salary;

For 2011, any PART II and PART IV employee whose 2010 base salary is \$83,640 or more, the lesser of 2.5% for the year 2010 2.25% for the year 2011 or \$1,714.00 will be added to the base salary; and be it further

RESOLVED, that the financial adjustment as set forth herein above for 2010 and 2011 shall apply to any PART II and PART IV employee who are on the county payroll in 2010, but shall not apply to any PART II or PART IV employee whose employment with Cayuga County during the 2010 or the 2011 calendar year, as applicable, was terminated by the employee quitting, being fired, resigning, or have otherwise terminated employment with Cayuga County, by any reason other than retirement; and be it further RESOLVED, except, as otherwise stated herein below, that the adjusted salaries as set forth in this resolution shall not apply to:

A. ALL ELECTED OR APPOINTED FIXED TERM OFFICIALS IN PART III EXCEPT AS OTHERWISE PROVIDED BY LOCAL LAW

B. EMPLOYEES REPRESENTED BY NYSNA PART I, CSEA PART I, SEACC Part I, DEPUTY SHERIFF POLICE ASSOCIATION PART I

C. HEALTH SERVICES AIDE, PT and CLERK PT at MINIMUM WAGE at CCNH

D. COURT ATTENDANT, PART TIME

E. SPECIAL PATROL OFFICER, PART TIME

F. ALL SEASONAL EMPLOYEES IN ALL DEPARTMENTS

G. MEDICAL CONSULTANT, JOB 2 (PHD)

H. 100% FUNDED JOB 2'S in DISTRICT ATTORNEY'S OFFICE and RECORDS RETENTION OFFICE

I. CCIDA SECRETARY-TREASURER

J. LABORER PT at MINIMUM WAGE (Parks&Trails position only);

K. DIRECTOR OF COMMUNITY MENTAL HEALTH

L. STAFF PSYCHIATRIST PT

M. MEDICAL SOCIAL WORKER PT (2010 only)

N. HUMAN SERVICES EXAMINER PT (2010 only)

O. COORDINATOR OF INFORMATION TECHNOLOGY; and be it further

RESOLVED, that, except as otherwise stated herein, that non bargaining unit employees that are part time employees and temporary employees, shall be paid in accordance with PART I, PART II and/or PART IV of the Compensation Plans as applicable for 2010 and 2011, as above modified, and under no circumstances shall they be allowed to exceed Step 1 of the Compensation Plans nor shall they be paid longevity and/or increments with the exception of LPN PT in the CCNH, PHD and CMH Departments; and be it further

RESOLVED, that the non-bargaining positions of LPN PT be adjusted by the 2.5% cost of living increase but be allowed to move in the step ranges in accordance to resolution number 807-08 adopted 12/16/08 and 22-09 adopted 1/27/09; and be it further

RESOLVED, that this resolution supersedes Resolution 21-10, and be it further

RESOLVED, that the, holiday schedule, and sick leave/ personal leave buyback plan provisions of the CSEA contract, January 1, 2009 - December 21, 2011, shall become applicable to all non-bargaining employees, retirees, officers and elected officers the date of change for the CSEA bargaining unit, as soon as practicable; and be it further

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

RESOLVED, that Resolution No. 333-10 is hereby repealed.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 380-10

8.24.10 coamoancseacleanersrev

AUTHORIZING THE CAYUGA COUNTY ADMINISTRATOR AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A "MEMORANDUM OF AGREEMENT" WITH CSEA

BY: Hon. Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, Whereas, Resolution No,264-10 authorized the Chairperson of the Cayuga County Legislature to enter into a cleaning services agreement with New York State Industries for the Disabled (Rochester Rehabilitation), a preferred provider in New York State, for Cayuga County buildings; and

WHEREAS, a "Memorandum of Agreement" has been drawn up in the matter of the transfer of cleaning services which directly impacts upon employment relationship between the County of Cayuga and the Civil Services Employees Association, Inc., Cayuga Local 806 (hereinafter referred to as "CSEA"); NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the "Memorandum of Agreement" presented by CSEA, and authorizes and directs the County Administrator and the Chairman of the Cayuga County Legislature to sign the aforementioned "Memorandum of Agreement" between Cayuga County CSEA.

Signed by Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 381-10
(08/24/10) W&Mcreate/fillActDirRealProp
AUTHORIZATION FOR THE CREATION AND FILLING OF THE
TEMPORARY POSITION OF REAL PROPERTY SERVICES MANAGER AND
SETTING THE HOURLY RATE FOR THE SAME.

BY: Christopher Palermo, Chairperson, Ways and Means Committee

WHEREAS, the County's Real Property Tax Services office is going through a transition for management staff due to the Leave of Absence of the Director of Real Property Services II; and

WHEREAS, the Director of Real Property Services II handles the day to day supervision and oversight of all County Real Property functions; and

WHEREAS, in order to provide continuity of services and supervision and coordination of all County Real Property services, the County's Real Property Oversight Committee shall, with the assistance of the County Administrator, select and appoint a qualified candidate to fill the position of Real Property Services Manager; now, therefore be it

RESOLVED, that the County does hereby create the temporary position of Real Property Services Manager; and be it further

RESOLVED, that the appointing authority be hereby authorized to fill the temporary new position effective immediately; and be it further

RESOLVED, that the rate of pay for the temporary position of Real Property Services Manager be set at \$32.81 per hour for the temporary period of appointment and added to Part III of the Cayuga County Compensation Plan; and be it further

RESOLVED, that the temporary appointment be made in accordance to Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga. Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 382-10
08/24/10 COLtransfervacationbuyout
AUTHORIZATION TO TRANSFER FUNDS TO THE CLERK
OF THE LEGISLATOR ACCOUNT.

BY: Hon. Christopher M. Palermo, Chairman, Ways & Means Committee

WHEREAS, pursuant to the Cayuga County Employee Handbook for Non-Represented Employees, and specifically section 20-I employees are entitled to request payment for unused vacation days; and

WHEREAS, there was insufficient funds set aside in the 2010 budget account number A10401-51008 (vacation buyout) to accommodate the vacation buyout for the Legislative Assistance; and

WHEREAS, the amount of \$1,624.44 was paid to said employee in January, 2010 leaving a negative account balance; now therefore be it

RESOLVED, that the sum of \$1,624.44 be transferred from (Contingency Account) No. A10164-54000 to Account No. A10401-51008 (vacation buyout); and be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 383-10

08/24/2010 coamoacsealagretro

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A 'MEMORANDUM OF AGREEMENT' WITH CSEA
BY: Mr. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, Resolution 287-10 approved the collective bargaining agreement between the Civil Service Employees Association, Inc. and the County of Cayuga for the period of January 1, 2009 through December 31, 2011.

WHEREAS, a "Memorandum of Agreement" has been drawn up between The County of Cayuga and the Civil Service Employees Association, Inc. containing language for a lag payroll and retroactive wage increases back to January 1, 2009; NOW THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the "Memorandum of Agreement" presented by CSEA, and authorizes and directs the Chairman of the Cayuga County Legislature to sign the aforementioned "Memorandum of Agreement between Cayuga County and CSEA.

Signed by Palermo, Cuddeback, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 384-10

(August 24, 2010) HS Clinical Psychologists Contracts

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO CONTRACTS WITH VARIOUS CLINICAL PSYCHOLOGISTS TO CONDUCT CLINICAL PARENTAL AND CHILD ASSESSMENTS FOR CHILD WELFARE CASES

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department has need for the services of clinical psychologists to conduct clinical parental and child assessments for determining appropriate permanency and service plans for children and families; and

WHEREAS, these clinical psychologists possess the knowledge and expertise to perform our work; and

WHEREAS, the Department desires to contract with the following Clinical Psychologists at the rates listed:

| | |
|------------------------------------|---|
| Dr. Robert Kohlbrenner @ \$125/hr. | Dr. Norman Lesswing @ \$110/hr. |
| Dr. Brian Thomson @ \$125/hr. | Dr. Richard Hoyt @ \$110/hr. |
| Dr. Santo Bentivagnia @ \$100/hr. | Affiliated Psychological Consultants @ \$475/case |

and

WHEREAS; these expenses are budgeted for in the 2010 Human Services budget and are reimbursed by the State at 75%; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized and directed to enter into contracts with the clinical psychologists listed above for the period August 1, 2010 through July 31, 2011 at the scheduled rates.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 385-10
(August 24, 2010) HS Non-Residential DV Funding
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO
ACCEPT \$12,075 FUNDING FROM NYS OTDA

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, NYS Office of Temporary and Disability Assistance (OTDA) has advised Cayuga County Human Services that the SFY 2010-11 includes a TANF appropriation for provision of non-residential domestic violence services in the amount of \$12,075; and

WHEREAS, this funding will be utilized to provide advocacy, information and referral services, safety planning, 24 hr. hot-line service, counseling, support group and children's activities for domestic violence victims; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health & Human Services Department be authorized to accept \$12,075 funding from NYS OTDA that is eligible to be expended for the period July 1, 2010 through June 30, 2011; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2010 Budget as follows:

| | |
|---------------------------------------|----------|
| Increase Revenue Account A60600 44660 | \$12,075 |
|---------------------------------------|----------|

| | |
|---|----------|
| Increase Expenditure Account A60604 54000 | \$12,075 |
|---|----------|

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 386-10
(August 24, 2010) HD PHP Grant 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO
CONTRACTS WITH THE STATE OHS AND WITH HEALTH RESEARCH,
INC. (HRI) TO ACCEPT FUNDING (\$23,626 FROM STATE OHS AND \$59,272
FROM HRI) FOR THE PURPOSE OF CONTINUED DEVELOPMENT OF
PUBLIC HEALTH PREPAREDNESS FOR CAYUGA COUNTY

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Health Department once again has been awarded funding for Public Health Preparedness; \$23,626 from the State Office of Homeland Security (OHS) and \$59,272 from Public Health Preparedness (PHP) HRI, for a total of \$82,898; and

WHEREAS, this funding is for the purpose of continued development of "Public Health Preparedness" for Cayuga County; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with the State OHS and Health Research, Inc. to accept funding in the amount of \$82,898 for the period 8/10/10 through 8/9/11 for the purpose of continued development of public health preparedness in Cayuga County; and be it further

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

RESOLVED, that the Cayuga County Treasurer is authorized and directed to make all the necessary journal and accounting entries and to amend the Health Department's 2010 budget in the following manner:

| | |
|--|----------|
| Increase Revenue Account #A40250 43425 | \$82,898 |
| Increase Appropriation Account #A40254 54000 | \$82,898 |

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 387-10

(August 24, 2010) HD A&E Transport PHC

**TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH A&E TRANSPORT SERVICES, INC. FOR
TRANSPORTATION OF PHYSICALLY HANDICAPPED CHILDREN**

(EXTENDED SUMMER SESSION FOR SPECIAL EDUCATION CLASSES)

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department is responsible under SED 4410 to insure that children are transported to their authorized special education placement and to provide payment for such transportation; and

WHEREAS, the Hannibal School district Committee for Pre-School Special Education has authorized transportation for two pre-school students attending a tuition-based 12:1:1 integrated special education classroom during a 6-week summer session at Riley Elementary School, Oswego, NY, managed by Oswego County BOCES); and

WHEREAS, A&E Transport Services, Inc. has agreed to transport the two Hannibal pre-schoolers with a disability, during the (summer) six-week extended school year, at a rate of \$264.49 per round trip (rate includes both students). Round trip includes transporting child from home to elementary school and back to home each day that school is in session; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to contract with A&E Transport Services, Inc. for the transportation of the two pre-school students referred to in the above paragraph for the six-week summer session in the integrated special education class; and be it further

RESOLVED, that payment for these services will be charged to Account #A40454 54306 of the 2010 Health Department Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 388-10**(August 24, 2010) HD Bike/Pedestrian Safety 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THE STATE FOR BICYCLE HELMET DISTRIBUTION,
SAFETY AND PEDESTRIAN INJURY REDUCTION PROGRAM**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
 Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the State has offered the Cayuga County Health Department a Grant of \$15,000 for the period October 1, 2010 through September 30, 2011 for the "Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program," and

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

WHEREAS, it is our desire to participate in this project; now, therefore, be it

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

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2010 Budget in the following manner:

Increase Revenue Account #A40270 43427 \$15,000

Increase Appropriation Account #A40274 54000 \$15,000

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 389-10**(August 24, 2010) HD ATUPA 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
AGREEMENT WITH THE STATE TO PARTICIPATE IN THE YOUTH
TOBACCO ENFORCEMENT AND PREVENTION PROGRAM
AND ACCEPT FUNDING**

BY: Ann Petrus, Chairman of the Health & Human Services Committee
 Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department contracted with the State to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program (aka ATUPA) for the period October 1, 2009 through September 30, 2010; and

WHEREAS, the New York State Department of Health continues to make funds available to municipalities for the purpose of reducing the use and accessibility of tobacco to youth under 18 years of age and to enforce the Clean Indoor Air Act; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the State to continue to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program for the period of October 1, 2010 through September 30, 2011 in the amount of \$32,229; and be it further

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries to amend the Cayuga County Health Department 2010 Budget in the following manner:

| | |
|--|----------|
| Increase Appropriation Account #A40194 54000 | \$32,229 |
| Increase Revenue Account #A40190 43419 | \$32,229 |

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 390-10

August 24,2010 MHBudAdSvc\$

AMENDING THE 2010 MENTAL HEALTH BUDGET FOR INTENSIVE CASE MANAGEMENT SERVICE ENHANCEMENT FUNDS

BY: Ms. Ann R. Petrus, Chair, Health and Human Services Committee, and Mr. Christopher M. Palermo,Chair, Ways and Means Committee.

WHEREAS, the New York State Office of Mental Health allocates 100% state funded Service Enhancement Funds for use in Intensive Case Management Programs, to be expended within guidelines established by the State; and

WHEREAS, the specific use of these dollars is determined throughout the year by the actual needs presented by eligible recipients; and

WHEREAS, the allocation of these Service Enhancement Funds in the 2010 budget requires revision based on actual 2010 usage; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be authorized to make the necessary accounting entries adjusting the 2010 Cayuga County Budget as follows:

| |
|---|
| Increase Line A43164-54064 Rent Clnt by \$10,000. |
| Decrease Line A43164-54202 Pat Rehab by \$10,000 |

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 391-10

DATE: 08/24/10 OFAamendbudgetAug10

AMEND THE YEAR 2010 CAYUGA COUNTY OFFICE FOR THE AGING BUDGET AND AUTHORIZING THE ACCEPTANCE OF GRANTS.

BY: Ann Petrus, Chair, Health & Human Services Committee, and Chris Palermo, Chair, Ways and Means Committee.

WHEREAS, the Office for the Aging has received \$22,179 additional funding from the New York State Office for the Aging for the following programs in the amount of:

| | |
|--|------------|
| WRAP Weatherization Referral & Packaging | \$10,500 |
| Title III E Caregiver Respite Services | 3,346 |
| Community Living Home Care Program | 8,333; and |

WHEREAS, these funds were not available to this Office when the year 2010 budget was prepared and Cayuga County Treasurer's Office will need to amend the year 2010 Office for the Aging budget to reflect the increased funding to be received; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized to accept funding in the amount of \$22,179 and to enter into all contracts necessary to execute this grant; and be it further

RESOLVED, that the County Treasurer be and he is authorized and directed to amend the Year 2010 Cayuga County Office for the Aging budget in the following manner:

Increase Revenue

| | |
|----------------------------------|----------|
| A67720 44774 WRAP Weatherization | \$10,500 |
| A67720 44778 Caregiver | 3,346 |
| A67720 43772 OFA Programs | 8,333 |

Increase Contractual

| | |
|-------------------------------------|--------|
| A67724 54118 Contractual Agreements | 22,179 |
|-------------------------------------|--------|

And be it further

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 392-10

DATE: 08/24/10 OFA Food Service Helper Temp Aug 10 rev 3

AUTHORIZATION TO FILL FOOD SERVICE HELPER POSITION ON TEMPORARY BASIS WITHIN THE SENIOR NUTRITION PROGRAM.

BY: Ann Petrus, Chair, Health & Human Services Committee, and
Chris Palermo, Chair, Ways and Means Committee.

WHEREAS, a part-time employee in a critical position that performs meal preparation for the Moravia congregate site and for home delivered meals in the southern part of the county is expected to be on an unpaid leave of absence for an extended period of time but not to exceed three months; and

WHEREAS, a temporary replacement has been identified, that has the ability to fill the position in a professional manner; and

WHEREAS, it is imperative the position be filled; and

WHEREAS, there is budgeted in the 2010 Office for the Aging salaries account, monies for the part-time position; now therefore be it

RESOLVED, that the Director of the County Office for the Aging is hereby authorized to fill the position of part-time Food Service Helper, (007043-SYS) at the rate of pay (\$11.79 per hour) set for Food Service Helper in the Cayuga County Compensation Plan, Part II for Non-Bargaining Employees under the Office for the Aging pursuant to Resolution #333-10 (7/27/10); and be it further

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 393-10

Date of Meeting: 8/24/10 nhphrmagmnt

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE,
THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME
AND THE CAYUGA COUNTY SHERIFF TO ENTER INTO AN
AGREEMENT WITH HEALTH DIRECT PHARMACY TO PROVIDE
PHARMACY SERVICES AND CONSULTING PHARMACIST SERVICE
TO THE NURSING HOME AND THE JAIL.**

BY: Ann Petrus, Chairman, Health & Human Services Committee
Steve Cuddeback, Chairman, Judicial and Public Safety
Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the Nursing Home and the Jail have had pharmacy service provided by Health Direct Pharmacy for the past 4 years; and,

WHEREAS, those services have been provided in a satisfactory manner; and

WHEREAS, the agreement allows for an extension of 1 year, Now therefore be it

RESOLVED that the Chairman of the Legislature, the Administrator of Cayuga County Nursing Home and the Cayuga County Sheriff be authorized to sign an agreement for an extension of one year with Health Direct Pharmacy.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 394-10

Date of Meeting: 8/24/10 nhrplccrpt

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING
HOME TO REPLACE CARPETING AT THE NURSING HOME.**

BY: Christopher Palermo, Chairman, Ways and Means Committee
Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, the Cayuga County Nursing Home has the need to replace carpet in the office area; and

WHEREAS several vendors were contacted to submit quotes to install and replace the carpeting; and

WHEREAS proposals were received from three vendors including:

Baker Carpet House at \$3,465.00;

ProCarpet at \$3,275.00; and

Balian's at \$3,255.00; and

WHEREAS, Balian's is able to provide the necessary carpeting at the lowest price; now therefore be it

RESOLVED that the Administrator of the Nursing Home arrange for replacement carpet in the office area from Balian's for \$3,255.00 (Three thousand two hundred fifty-five dollars).

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 395-10**Date of Meeting: 8/24/10 nhcrtflswa****AUTHORIZATION TO CREATE AND HIRE A SOCIAL WORK ASSISTANT AND ABOLISH A PART TIME SOCIAL WORK ASSISTANT POSITION AND ONE PART TIME EVENING CERTIFIED NURSING ASSISTANT AT THE CAYUGA COUNTY NURSING HOME.**

BY: Christopher Palermo, Chairman, Ways and Means Committee

Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents; and

WHEREAS, it is necessary to add time to the social work function at the nursing home which includes social work, admissions and interviews for the Minimum Data Set (requirement for Medicare and Medicaid reimbursement); and

WHEREAS, the Civil Service Commission has approved the specifications for the position; and

WHEREAS, the Commission has established a wage structure that is consistent with similar titles at other skilled nursing facilities; now therefore be it

RESOLVED, that the position of Social Work Assistant be hereby created in the Nursing Home; and be it further

RESOLVED, that the part time position of Social Work Assistant and one of the Certified Nursing Assistant positions be abolished; and be it further resolved

RESOLVED, that the rate of pay be set in accordance to the appropriate Non-Bargaining Compensation Plan, Part II which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire an MDS Coordinator effective 10/1/10 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 396-10**Date of Meeting: 8/24/10 nhacptmrss****AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF MATTRESSES AT THE NURSING HOME.**

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

Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the mattresses at the Nursing Home need replacement, and

WHEREAS, the Purchasing Agent for Cayuga County advertised bid specifications for the replacements; and,

WHEREAS, the specifications included properties that would meet the clinical needs of the residents, disposal of old mattresses and the option of a discount with prompt payment; and

WHEREAS, five (5) firms responded with proposals; and,

WHEREAS, the following proposals were received:

- Chestnut Ridge Foam for \$18,080 (with no disposal or discount);
- Direct Supply for \$18,537.65 (includes disposal and discount);
- Hill-Rom for \$27,853.50 (no disposal and no discount);
- Health System Services for \$15,954.40 (includes disposal and discount)
- Emerald Resources for \$14,984.20 (includes disposal and discount)

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation, disposal and warranties; and

WHEREAS, the proposal submitted by Direct Supply contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to Direct Supply for no more than \$ 18,537.65 (Eighteen thousand five hundred thirty-seven and sixty-five cents).

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 397-10

August 24, 2010 MHCcreateFillSSW8.10rev

AUTHORIZING THE CREATION AND FILLING OF ONE STAFF SOCIAL WORKER POSITION AT THE COMMUNITY MENTAL HEALTH CENTER

BY: Ann R. Petrus, Chair, Health and Human Services Committee, and
Christopher M. Palermo Chair, Ways and Means Committee

WHEREAS, the Community Mental Health Center of Cayuga County budgeted additional Staff Social Workers in the 2010 budget in anticipation of regulatory changes mandated by the New York State Office of Mental Health; and

WHEREAS, the demand for clinical services is such that an additional position is now required to address this need for services; and

WHEREAS, the regulatory changes associated with the clinic restructuring mandates will become effective October 1, 2010; and

WHEREAS, a Staff Social Worker generates fee for service revenue in excess of the total cost of the position; now therefore, be it

RESOLVED, that one Staff Social Worker position be created and placed within Part I of the Cayuga County Compensation Plan under Mental Health, and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to fill the position of Staff Social Worker in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County; and be it further

RESOLVED, that this position will be eliminated should the Office of Mental Health funding cease.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 398-10**Date of Meeting: 8/24/10 COMawardprintercart****AUTHORIZING THE COUNTY TO ACCEPT A BID FOR PRINTER CARTRIDGES FOR VARIOUS DEPARTMENTS WITHIN CAYUGA COUNTY.**

BY: George Fearon, Chairman, Government Operations Committee
 Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the Administrator's office sent out specification packages to local, New York State and nationally based firms; and,

WHEREAS, ten (10) firms responded with bids; and,

WHEREAS, after careful review of the bids received, be it

RESOLVED, that the bid be awarded to Custom Computer Specialists, at an estimated annual savings of \$13,500.00, from our current price of printer cartridges.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Cuddeback, Fearon, Mahunik, Mills and Petrus, all in favor.

Motion by Axton to amend work day to 6 hours, 2nd by Aikman, approved roll call vote, Ayes – Lattimore, Chapman, Axton, Petrus, Pinckney, Fearon, Mitchell, Cuddeback, Barski, and Aikman. Noes – Palermo, Mills, Sincebaugh and Tortorici. Mahunik excused. Vote 597/236/49.

Resolution as amended, approved by roll call vote, Ayes – Lattimore, Palermo, Chapman, Axton, Petrus, Pinckney, Fearon, Mitchell, Cuddeback and Aikman. Noes, - Mills, Barski, Sincebaugh and Tortorici. Excused Mahunik. Vote – 604/229/49.

RESOLUTION NO. 399-10**8-24-10 colstandardworkweek 7hr LegRev.****STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED OFFICIALS.**

By: George Fearon, Chairman, Government Operations Committee
 Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

| Title | Name | Social Security (last 4) | Registration Number | Standard Work Day | Term Begins/Ends | Participates in Employer's Time Keeping System | Days/Month (ROA) |
|------------|---------------------|--------------------------|---------------------|-------------------|-------------------|--|------------------|
| Legislator | Cynthia Aikman | 4814 | 36911584 | 6 | 1/1/10 - 12/31/13 | N | 20 |
| Legislator | David Axton | 5472 | 42630152 | 6 | " | N | 20 |
| Legislator | Stephen Barski | 2335 | 50002682 | 6 | " | N | 20 |
| Legislator | Steven E. Cuddeback | 2445 | 40287534 | 6 | " | N | 20 |
| Legislator | George Fearon | 9565 | 40287542 | 6 | " | N | 20 |
| Legislator | Timothy Lattimore | 4719 | 20350237 | 6 | " | N | |
| Legislator | Christopher Palermo | 2949 | 41368283 | 6 | " | N | |
| Legislator | Paul Pinckney | 9964 | 43434059 | 6 | " | N | 20 |

and be it further

RESOLVED, further, that the redacted copy of the resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

Discussion:

Axton, all elected officials in county have a 6 hour work day reported to the state. All other nearby counties set at a 6 hour work day, it does not mandate that you work 6 hours, can work more or less, it is for reporting purposes, won't cost the taxpayers a nickel more. Motion to amend to 6 hours, 2nd by Aikman.

Mills, I won't support, there are 8 names listed, if adopted 6 would have to work 7 hours, should be for all not just those listed.

Westphal, this is for Legislator's elected after 8-12-2009.

Mills, so some at 6 some at 7?

Westphal, does not mandate what you work, just for reporting.

Mitchell, can't be uniform, some are not in the system.

Chapman, please clarify, number of people in pension or salary?

Squires, based on salary.

Fearon, doesn't mean you work 6 hours a day, some work many more hours.

Palermo, 7 hours, no reason to exclude the rest of us, 3 month reporting, so ½ at 3 months and ½ at 1 month, we should all be the same.

Aikman, I support the amendment, it's a State requirement for people elected after a certain date, we're the last county to go to 6 hour work day, this will bring us in line.

Lattimore, I'm a tier 1 employee, so I don't have to report, it's an unequal system. We should have pension people come and explain this to us.

Tortorici, if we change salary, it still won't get us to a full year credit.

Squires, in some cases it will if 6 hour day, Chairman, Deputy Chairman, Committee Chair, will get a full year credit.

RESOLUTION NO. 400-10

(8/24/10) COAcollegebudget10rev

APPROVING 2010-11 BUDGET FOR CAYUGA COMMUNITY COLLEGE.

BY: Mr. George Fearon, Chair, Government Operations Committee, and
Mr. Christopher Palermo, Chair, Ways & Means Committee.

WHEREAS, Cayuga Community College has presented its budget for the 2010-11 academic year to the Ways & Means and Government Operations Committees of the Cayuga County Legislature; and

WHEREAS, said Cayuga Community College budget for 2010-11 academic year totals \$30,101,174.00; and

WHEREAS, the sponsor's share of Cayuga County in said budget is the amount of \$2,841,515.00; and

WHEREAS, the Cayuga Community College requests an additional contribution; and

WHEREAS, the Cayuga County legislature approves no additional contribution; now, therefore, be it

RESOLVED, that the said 2010-2011 Budget of Cayuga Community College is hereby approved in accord with a 2010 County contribution of \$2,841,515.00 for a total of \$2,841,515.00.

Signed by Fearon, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mills and Petrus, all in favor, except Aikman abstained.

RESOLUTION NO. 401-10

08/24/2010 GOVOPW&MITREQFill

AUTHORIZATION TO FILL ONE COMPUTER SYSTEMS TECHNICIAN POSITION WITHIN THE INFORMATION TECHNOLOGY DEPARTMENT.

BY: Mr. George Fearon, Chairman Government Operations

Mr. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the position of Computer Systems Technician (position control # 7019) within the Information Technology Department will be vacant due to the removal of the current employee (effective 9/3/10/); and

WHEREAS, the position performs an integral part of the Information Technology functions and provides support to the various County Departments; and

WHEREAS, the position of Computer Systems Technician is necessary for the efficient operation of Information Technology within the county; now therefore be it

RESOLVED, that the position of Computer Systems Technician be hereby filled in the Information Technology Department at the 2010 Grade 25 rate as indicated in the CSEA Compensation Plan in the Information Technology section; and be it further

RESOLVED, that in the absence of the Coordinator of Information Technology, that the County Administrator be hereby authorized and directed to fill the position of Coordinator of Information Technology in accordance to the policies of the County of Cayuga and in accordance to the Cayuga County Civil Service Rules and Regulations.

Signed by Fearon, Barski, Lattimore, Palermo, Aikman, Chapman, Mitchell, Cuddeback, Mills, Axton and Petrus, all in favor.

MOTION NO. 402-10

8-24-10

Motion by Aikman for all Legislator’s work day to be 6 hours, 2nd by Fearon, approved by roll call vote. Ayes, Lattimore, Palermo, Chapman, Axton, Petrus, Pinckney, Fearon, Mitchell, Cuddeback and Aikman. Noes – Mills, Barski, Sincebaugh and Tortorici. Excused Mahunik. Vote – 604/229/49

RESOLUTION NO. 403-10

Date: August 24, 2010 HWYLOADERPURrev

AUTHORIZATION FOR THE HIGHWAY SUPERINTENDENT TO PURCHASE A LOADER USING STATE CONTRACT PRICING

BY: David Axton Chairman, Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, in the 2010 Highway Department budget, funds were budgeted in account DM51302 52002 in the amount of \$185,000 for the replacement of a 1984 IH loader; and

WHEREAS, the County can purchase a new loader with necessary options at a total cost of \$121,941.09 from State bid # PC62322 thereby eliminating the need and cost of bidding; and

WHEREAS, this loader is a critical component of the Highway Department for road maintenance and paving and snow removal; now therefore be it

RESOLVED, the Highway Superintendent is authorized to purchase a loader off of the State bid (PC62322) utilizing the appropriated and budgeted funds in account DM51302 52002; and be it further

RESOLVED, that the cost of the loader not exceed \$121,941.09; 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 Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 404-10

8.24.10 P&T Ag Museum Reject Bids 8 10

AUTHORIZING THE REJECTION OF ALL BIDS FOR THE DESIGN AND CONSTRUCTION OF A CLIMATE CONTROLLED CONFERENCE ROOM AND LIBRARY AT THE WARD W. O'HARA AGRICULTURAL MUSEUM.

BY: MR. David Axton, Chairman, Public Works Committee, and
MR. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 628-09 authorized and directed the Clerk of the Legislature to advertise for interested parties to submit proposals for the design and construction of the code compliant climate controlled conference room and library at the museum and

WHEREAS, The Public Works Committee reviewed the bids and decided to reject all bids; now therefore let it be

RESOLVED, that the Cayuga County Legislature rejects all bids for the design and construction of the code compliant climate controlled conference room and library.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 405-10

(8/24/10) (P&T) RFP Ag Museum Addition 8 24 10

AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE AND RECEIVE REQUEST FOR PROPOSALS FOR THE DESIGN AND CONSTRUCTION OF A CLIMATE CONTROLLED CONFERENCE ROOM AND LIBRARY AT THE WARD W. O'HARA AGRICULTURAL MUSEUM

By: David R. Axton, Chairperson, Public Works
Christopher Palermo Means Committee

WHEREAS, the Ag Museum Board of Commissioners have been raising money (so far \$17,000) for a climate controlled conference room and library to the Ward W. O'Hara Agricultural Museum; and

WHEREAS, the Parks and Trails Department, the Parks Commission and the legislature have supported this effort by budgeting \$15,000 toward this project in 2009 and 2010 for a total of \$30,000; and

WHEREAS, the Dr. Joseph F. Karpinski Sr. has advised the parks department that he would support the project in the amount of \$150,000 with the funds to come from the Dr. Joseph F. Karpinski Sr. Foundation giving a total for the project of \$197,000; and

WHEREAS, Cayuga County Soil and Water has agreed to work with the parks department to do some of the work including much of the site work and interior finishing work; now, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to advertise for interested parties to submit proposals for the design and shell construction of the code compliant climate controlled conference room and library, and be it further

RESOLVED, such proposals will then be considered by, The Park Maintenance Supervisor, the Ag Museum Director, the Ag Museum Board of Commissioners, the County Attorney, and the Parks Commission, and be it further

RESOLVED, that proposals deemed to have merit will be submitted for approval to the Public Works Committee, the New York State Office of Parks Recreation and Historic Preservation and ultimately the Cayuga County Legislature.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 406-10

(8/24/10) P&TSeasonalandPTpositions 8 10

**HIRING OF PART-TIME AND SEASONAL POSITIONS WITHIN
THE PARKS & TRAILS DEPARTMENT**

By: Mr. David Axton, Chairman, Public Works

Mr. Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, Cayuga County Parks & Trails has vacant part-time and seasonal positions that are filled in the fall season to meet the operational and maintenance needs of the department; and

WHEREAS, the traditional season for The Parks and Trails Department is from Memorial Day to after Tomatofest; and

WHEREAS, it is anticipated that in order to accomplish this work one (1) Part Time Park Security Guard and up to twenty-two (22) seasonal positions including four (4) Laborers, two (2) Maintenance Crew Leaders, seven (7) Park Security Guards, three (3) Building Maintenance Mechanics, two (2) Cleaners, three (3) Museum Aides and one (1) Museum Assistant will be needed; and

WHEREAS, the following positions have been placed in the County of Cayuga Compensation Plan, Part II, under Parks and Trails for the year 2010 and set at the following rates:

- (1) Part-Time Park Security Guard \$16.81/hr.
- (4) Laborers \$7.25/hr. (Federal Min. Wage)
- (2) Maintenance Crew Leaders \$8.75/hr.
- (7) Park Security Guards \$9.75/hr.
- (3) Building Maintenance Mechanic \$11.50/hr.
- (2) Cleaner \$8.75/hr.
- (3) Museum Aide \$7.75/hr.
- (1) Museum Assistant \$8.50/hr.; now, therefore, be it

RESOLVED, that the Park Maintenance Supervisor, with the approval of the Public Works Committee, is hereby directed and authorized to hire one (1) part-time position and up to twenty-two (22) seasonal positions as stated above; and be it further

RESOLVED and understood that the funding for the above-stated positions shall not cause The Parks and Trails Department Budget Account #A71101-51002 to exceed the 2010 budgeted for seasonal employees of \$117,037.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 407-10

(8/24/10) P&T Resurface Access Road 8 10

AUTHORIZING THE CAYUGA COUNTY PARKS AND TRAILS DEPARTMENT WORK WITH THE HIGHWAY DEPARTMENT TO RESURFACE THE ACCESS ROADS AND PARKING AREAS ON THE FLEMING SIDE OF THE PARK

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, NYSDOT paved the access road from the traffic circle to the island bridge with curse binder; and

Whereas, NYSDOT also installed a stone parking area off the access road; and

Whereas, the county installed another stone parking area and a driveway to access the canoe launch on the Fleming side; and

Whereas, all of these improvements are in need of maintenance; and

Whereas, the 2010 Budget for Emerson Park Equipment Account A71102-52000 contains \$6,303 to allow the Cayuga County highway Department to perform this work; and

Whereas, the Parks and Trails Department has an additional \$1,000 in budget account for Road Maintenance # A71104-54088 if needed; now therefore be it

Resolved, that the Cayuga County Parks and Trails Department is authorized to work with the Cayuga County Highway Department to slurry seal the paved access road; and be it further

Resolved, that the Cayuga County Parks and Trails Department is authorized to work with the Cayuga County Highway Department to oil and chip the stone canoe launch access road and two stone parking areas on the Fleming side of the park for a cost not to exceed \$7,303 as budgeted; and be it further

Resolved, that the treasurer is hereby authorized to make the accounting and journal entries needed to carry out the intention of this resolution.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 408-10

**8/24/10 Bldgs accept quote abatement boiler room Hardenburg building rev2
AUTHORIZING THE SUPERINTENDENT OF BUILDINGS AND GROUNDS,
TO ACCEPT A QUOTE FROM OP TECH FOR THE ABATEMENT OF THE
BOILER ROOM AT THE HARDENBURG BUILDING 8 DILL STREET
AUBURN NY. AND TRANSFER OF FUNDS.**

BY: MR. AXTON, Chairman, Public Works Committee, and

MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, during an investigation to place a generator in the boiler room of the Hardenburg Building asbestos containing material (ACM) was found in the boiler and on the floor of the room; and

WHEREAS, four firms give quotes for the removal of the boiler and clean the floor of ACM., Summit Environmental, \$16,850.00, MARCOR \$14,700.00, ERSI \$28,000.00 and Op Tech \$12,600.00; and

WHEREAS, the Cayuga County Legislature did not budget for any asbestos removal in the Buildings and Grounds budget, therefore let it be

RESOLVED, that the funds for the asbestos removal will come from Buildings accounts A16224 54178 \$1,000.00; A16224 54109 \$100.00; A16224 54075 \$200.00; A16224 54068 \$300.00; A16224 54026 \$2,000.00; A16224 54023 \$4,000.00; A16224 54001 \$1000.00; A16234 54012 \$4000.00 and A16214 54012 \$3000.00 to be transfer to Buildings and Grounds account A16224 54176 in the amount of \$15,600.00 for the removal and project monitoring; let it be further

RESOLVED, that the Superintendent of Buildings and Grounds be authorized to awarded the job to Op Tech at a cost not to exceed \$12,600.00; let it be further

RESOLVED, that our Compliance Officer AECC Group do the project/air monitoring at a cost not to exceed \$3,000.00; let it be further

RESOLVED, that the Superintendent of Buildings and Grounds be authorized to submit the proper forms for payment to implement the intent of this resolution; let it be further

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

Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 409-10

8/24/2010 Bldgs HPO masonry

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO
ADVERTISE FOR SEALED BIDS FOR THE MASONRY REPAIR OF THE
HISTORIC POST OFFICE 157 GENESEE STREET, AUBURN NEW YORK**

BY: MR. Axton, Chairman, Public Works Committee, and

MR. Palermo, Chairman, Ways & Means Committee.

WHEREAS, the stone and brick work of the Historic Post Office is in need of repair, and

WHEREAS, Resolution 411-09 set up Capital H project Number 9-2 to accommodate this design and repair, and

WHEREAS, the design and repair Drawings/specification are ready to go out for bids, therefore let it be

RESOLVED, that the Clerk of the Cayuga County Legislature is authorizing to advertise for sealed bids for the masonry repair of the Historic Post Office 157 Genesee Street, Auburn New York and to implement the intent of this resolution.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 410-10
8-24-10 HWYALTFUELPUTKrev
AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO
PURCHASE AN ALTERNATIVE FUEL PICK UP TRUCK

BY: David Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, in the 2010 Highway Department budget, funds were budgeted for equipment at a cost of \$327,000 in account DM51302 52002; and

WHEREAS, the Highway Department has a need to replace a pick- up truck; and

WHEREAS, Cayuga County is dedicated to the pursuit of cleaner and more efficient vehicles in the county fleet; and

WHEREAS, Clean Communities of CNY would reimburse the cost of Compressed Natural Gas (CNG) retrofit portion of the truck costing \$18,050; now therefore be it

RESOLVED, the Highway Department will return a 1998 Ford Ranger to the Clerk of the Legislature for auction; and be it further

RESOLVED, the Cayuga County Legislature hereby authorizes the Highway Department to purchase a pick- up truck from state contract award #21910-PF with funds from account DM51302 52002; and be it further

RESOLVED, that the cost of the truck is not to exceed \$36,575; 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 Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor, except Palermo voting no.

RESOLUTION NO. 411-10
(8/24/10) (P&T) LICNemersonpkpavilionREV4
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO EXECUTE A LICENSE AGREEMENT BETWEEN EMERSON PARK
PAVILION, LLC. AND THE COUNTY OF CAYUGA FOR THE RESTORATION
AND RECONSTRUCTION OF THE EMERSON PARK PAVILION.

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo Means Committee

WHEREAS, Fred L. Emerson donated the property known as Emerson Park to the County of Cayuga in June of 1944, and

WHEREAS, the Fred L. Emerson Foundation approached the Cayuga County legislature in advance of the 100th anniversary of the construction of the Emerson Park Pavilion; and

WHEREAS, the Emerson Foundation, in partnership with the Cayuga County Legislature desires to undertake a project for the restoration and reconstruction of the historic Emerson Park Pavilion; and

WHEREAS, the Emerson Foundation presented to the Cayuga County Legislature a preliminary design plan for the project, which the Legislature approves; and Whereas, the Emerson Foundation created an Emerson Park Pavilion, LLC. for the purpose of completing the project, now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the attached License Agreement between Emerson Park Pavilion, LLC. and the County of Cayuga.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 412-10

8/24/10 SHR – Renew Rochester Psych Agmnt.

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO RENEW THE AGREEMENT
WITH THE COUNTY OF MONROE FOR SECURITY SERVICES FOR
INMATES HOUSED AND TREATED AT ROCHESTER PSYCHIATRIC
CENTER FORENSIC UNIT**

By: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee
MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, Cayuga County has the periodic need to have Cayuga County Jail Inmates treated and housed at the Rochester Psychiatric Unit in Monroe County, as these services are not available in Cayuga County; and

WHEREAS, the Monroe County Sheriff provides security services at the aforesaid Unit and the County of Cayuga has an existing Agreement dated January 1, 2006 under section 508 of the Correction Law which expires December 31, 2010; and

WHEREAS, the County of Monroe has submitted a renewal Agreement for the aforesaid security services and the County of Cayuga is desirous of renewing said Agreement with the County of Monroe for a period of five years at the rate of \$140.00 per day per inmate; and

WHEREAS, sufficient funds have been appropriated in the 2011 Sheriff's Custody Division Budget Line A31504 54036 designated "Doctors and Hospitals" to pay for these services; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to effect the renewal of this Agreement for the period of January 1, 2011 through December 31, 2015; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make payment pursuant to the terms of the Agreement and to make the journal and accounting entries necessary to accomplish the same.

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton, Fearon and Mahunik, all in favor.

Motion by Palermo to go into Executive Session, at 7:25PM, 2nd by Pinckney, re: The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, and Real Property. Asked to come in Tom Squires, County Administrator, Fred Westphal, County Attorney and Jim Orman County Treasurer, all in favor.

Motion by Cuddeback to come out of Executive Session at 8:25PM, 2nd by Petrus, all in favor.

No action taken.

Resolution Defeated**(DEFEATED)**

Motion by Palermo to include Harry Fowler Jr. in the resolution, 2nd by Mills. Defeated by roll call vote, Noes – Lattimore, Axton, Petrus, Pinckney, Fearon, Mitchell, Barski, Sincebaugh and Tortorici. Ayes – Palermo, Chapman, Mills and Aikman. Excused Mahunik. Vote – 565/268/49

Resolution as originally presented, Defeated by roll call vote. Noes – Lattimore, Axton, Petrus, Pinckney, Fearon, Mitchell, Cuddeback, Barski, Sincebaugh and Tortorici. Ayes – Palermo, Chapman, Mills and Aikman. Excused Mahunik. Vote – 565/268/49

RESOLUTION NO. 413-10

08/24/10 prop.repurchasegott2

AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT PROPERTY OWNED BY CAYUGA COUNTY

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04: and

WHEREAS, the County Treasurer has received an offer to repurchase which was approved by the Ways and Means Committee and to be considered by the County Legislature, in accordance with said policies and procedures; and

WHEREAS, the representative for Ms. Gott is arranging for all payments required by County rules to be paid and the monies for the delinquent taxes are being held by the Treasurer until satisfaction of all of the terms and conditions approval of the sale by the Legislature; and

WHEREAS, the County Treasurer conditionally recommends approval of the following:

Town of Sennett Tax Map No. 116.12-1-31 Purchaser – Helen Debra Gott \$20,064.34 NOW, THEREFORE BE IT

RESOLVED, that the recommendations of the Ways and Means Committee set forth above are hereby conditionally approves and the County Treasurer and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales once all conditions set forth in the County rules and procedures are satisfied; and be it further

RESOLVED, that until all payments required by County rules to be paid are paid and all of the County rules and procedures are satisfied, the property shall not be returned to Ms. Gott.

RESOLUTION NO. 414-10**08/24/10 prop.repurchase**

AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT PROPERTY OWNED BY CAYUGA COUNTY

By: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04: and

WHEREAS, the County Treasurer has received an offer to repurchase which was approved by the Ways and Means Committee and to be considered by the County Legislature, in accordance with said policies and procedures; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

WHEREAS, the County Treasurer recommends approval of the following:

Town of Ledyard Tax Map # 182.13-1-24.113 Purchaser – Tracy Leffingwell
\$18,955.72

Town of Springport Tax Map #140.08-1-22.2 Purchaser – Tracy Leffingwell
\$46,293.19

NOW, THEREFORE BE IT RESOLVED, that the recommendations of the Ways and Means Committee set forth above are hereby approved and the County Treasurer and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.

Signed by Palermo, Cuddeback, Fearon, Mills and Petrus, all in favor, except Palermo voting no.

Motion by Palermo to adjourn at 8:31PM, 2nd by Cuddeback, all in favor.

Motion by Lattimore to approve minutes of 8-24-10 on 10-26-10, 2nd by Pinckney, all in favor.

**MINUTES
SPECIAL MEETING
COMMITTEE OF THE WHOLE
TUESDAY, AUGUST 31, 2010, 6:30 PM
160 GENESEE ST, 6TH FLOOR, CHAMBERS,
AUBURN, NY 13021**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:30PM.

ROLL CALL: Sheila Smith, Deputy Clerk of the Legislature, all Legislators present, except excused, Palermo, Mitchell and Sincebaugh.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

CHAIRMAN TORTOTICI: Introductory Remarks, attached to original minutes, recognized the following people:

Bill Morgan, Scipio Springs Dairy, Union Springs

Lyn O'Dell, Willet Dairy, Locke

Ted and Kelly O'Hara, Oakwood Dairy LLC, Auburn

Connie and John Patterson, Patterson Farms, Auburn

Richard Talcott, Ashland Farm, Aurora

Doug Young, Spruce Haven Farm, Union Springs

Dirk Young, Twin Birch Farm,

IDA Agency

CCPUSA members

DEDA board

Paul Ryerson, Senator Nozzolio Office

Dave Bottar, Executive Director CNY Regional Planning Board

Bill Speck, Superintendent of BOCES

Justin Miller, IDA Bond Attorney

Gary Finch, Assemblyman

PRESENTATIONS:

Stephen Lynch, Director Planning and Economic Development, handout attached to original minutes.

Frank Howe, Economic Development Planner on Cayuga Renewable Energy Biogas Energy Pipeline Project, handout attached to original minutes.

Dave Bottar, Executive Director CNY Regional Planning Board, handout attached to original minutes.

Bill Speck, Superintendent BOCES, handout attached to original minutes.

Doug Young, Spruce Haven Farm, Union Springs, handout attached to original minutes.

Discussion:

Mills, the food waste, where will it come from?

Doug Young, Spruce Haven Farm, we use from Lays Potato Chips, but there are a number of manufactures that have food waste, ample supply.

Aikman, question to the farmers, why did you do this and do you have extra biogas?

Connie Patterson, Patterson Farms, we have gone from 100 cows to 1,000 and I found the order offensive, so I was on a mission to do something about the smell. The first thing I did was work with Soil & Water and they put a lagoon in and a separator and when you heated the solids the smell was gone. We went with a mixed digester so you can add food waste, and does what we want it to do, it does smell, but it's not offensive. I believe we need to do something to make the energy worth something, because it's not economical.

John Patterson, Patterson Farms, I operate the digester, I want to do what's right for the environment, before the digester I received a lot of calls because of the odor. Economically, with the electricity I can put out about 180k and hour with 25% food waste.

Axton, the food source, could it run out, and would it turn into a commodity.

Doug Young, Spruce Haven Farm, the DEC has said that would no longer haul and organic waste into land-fills in a few years, if that happens there will be a lot more place that will need an alternative place to get rid of their waste.

Axton, whole new area of recycling.

Doug Young, Spruce Haven Farm, yes.

John Patterson, Patterson Farms, Cayuga County doesn't have many large food production to use for food waste.

Question, will the County cover the cost of the scrubbers, and if so will you be responsible for the gases?

Tortorici, we will have more answers after the feasibility study is completed.

Question, who will own the carbon credits?

Doug Young, Spruce Haven Farm, it will depend on the concept, the whole picture and share the benefits.

Question, will the County also loan guarantee your collateral (USDA)?

Doug Young, Spruce Haven Farm, the plan is to get the USDA loan, they have a program.

Question, so they will collateralize your loan for you? What if there is catastrophic failure, financially, with your cows, crops, if the project folds, what is the guarantee to the public that this stream of revenue will continue and what will happen if you sell your farm?

Doug Young, Spruce Haven Farm, there is no guarantees in life, there are risks.

Question, are you going to bring bi-on technology into this project?

Doug Young, Spruce Haven Farm, they are a company that is out there, we have considered there technology.

Question, will this go to a referendum in November?

Fred Westphal Co. Attorney, it's too early.

Paul Lattimore, do you have an estimate on the study you want to do?

Steve Lynch, we are currently working on the scope of services that we need, we will be working with engineers to get cost estimates, we're working on that now, don't have numbers yet.

Sjana McClure-Berry, are you going to have to float bonds for this?

Frank Howe, Economic Development Planner, we don't know yet, there are grant programs, loan guarantees, and it is our hope that is how it will be funded, we will be as cost effective as we can.

Question, one of the slides stated that this type of project would generate 20 million dollars worth of jobs, do you have a percentage

Frank Howe, Economic Development Planner, if you're talking about the labor costs associated with this that was 1,516 employees in 2007, with a payroll of 22 million, that is not just the Dairy farms.

Question, what percentage is off shore?

Frank Howe, Economic Development Planner, I don't know.

Question, what about private investment.

Frank Howe, Economic Development Planner, I don't think I have talked about private investment, but I sure the dairy farmers could break that down for you; a good deal of it is their own money. The goal is to be open and honest as to how these projects are to be funded.

Lattimore, thanked everyone for their hard work, need to help the farmers maintain and grow. This helps the watershed issue by keeping the nutritional level down and keeping it out of the lakes.

Mills, the biogas creates electricity, heat and a bi-product called bio-methane, that apparently needs to be scrubbed, can that be converted to natural gas, compressed gas?

Doug Young, Spruce Haven Farm, yes, methane is what natural gas is.

Mills, sounds like there will be a lot of trucking involved in this, food waste, fossil fuel be used on the farms, is there any thought of converted the trucks to compressed natural gas, and have a compressing station at the IDA site.

Doug Young, Spruce Haven Farm, yes.

Mills, a lot of buses coming out of BOCES, could just pull around and fill up their busses with the compressed natural gas, is there enough to go around?

Doug Young, Spruce Haven Farm, it's very feasible, CENTRO has 2/3 of their busses set up for natural gas, the gas we will be producing will fit right into their systems.

Mills, use on farm equipment.

Doug Young, Spruce Haven Farm, yes, it works best on equipment that runs every day, all day.

Mills, is it possible to compress right on your farm?

Doug Young, Spruce Haven Farm, yes, but has to scrubbed to remove the co₂, and it's better to scrub the co₂ in larger volumes, so it would be more cost effective at the IDA site.

Mills, will there be an excess of gas?

Doug Young, Spruce Haven Farm, there is a large supply of natural gas in the United States, it is one of the cleanest forms of energy we can use, environmental good, and there will be a transformation from diesel fuel to natural gas in a few years. Now is a very good time to set up an infrastructure to develop renewable natural gas, because natural gas has to go up or oil has to go down.

Chapman, do you have a time table?

Steve Lynch, it depends on how good we are at putting together the final cost analyses for the technical study, securing the funding. Technical study should take more than 6 to 8 months.

Chapman, methane is highly corrosive, have you experienced any problems?

John Patterson, Patterson Farms, yes some.

Chapman, have you had to replace equipment more often because of this?

John Patterson, Patterson Farms, we have an earlier digester, and the newer ones have less problems with corrosion, they are a lot better than mine.

Fearon, food residuals, seasonal area, need steady supply. We may have a cheese factory and we have the wine industry.

Dirk Young, Twin Birch Farm, dairy manure is really good buffering material when it come to co-co-digesting other materials, keeps the ph stable.

Fearon, the cheese process is good.

Dirk Young, Twin Birch Farm, yes, good by-product.

Lattimore, if Indian Point closes, it supplies NYC with 1/3 of its energy, if that happens energy cost will go way up.

Pinckney, crops, is corn effective.

Doug Young, Spruce Haven Farm, yes, Germany uses corn silage works very well. The question isn't how much you need, and what can you help pay the farmers to do it. Our job is to collect surplus energy and make it available to society, year around energy.

Question, waste water treatment plants, can this be used with human waste, and maybe people could pay their taxes with cow manure, if there was a way to use human waste, food waste and animal waste.

Dirk Young, Twin Birch Farm, we have looked at a lot of materials, manure is better, human waste is a lot different than dairy, we have not looked at that.

Question, but it would produce methane?

Dirk Young, Twin Birch Farm, yes, but it would be very diluted.

Question, are there people on line that have showed interest in the IDA site?

Steve Lynch, yes.

Question, when the trench is open for the 40 mile pipeline, is there any chance of subleasing that trench for internet or other utilities?

Tortorici, that is part of what we want to look into, fiber optics or internet and as we look at where the pipeline is we will look at where business may want to be. I think there will be a lot of benefits.

Question, if the food stream into these digester is going to be unlimited, will there be regulations and will the lagoons be lined, because they are not.

Doug Young, Spruce Haven Farm, there is a State law that limits it to 50% by volume so we wouldn't even approach that, because we want to make sure that we have enough residual fiber to have bedding for the cows. Lagoons are already regulated by the state, USDA, Cayuga County has a good clay base so you don't have any loss.

Lattimore, how are we doing on the County digester?

Cuddeback, we are progressing.

Question, because of the Public Power local law that we have in place that enables us to do a lot of this things, this is the goal of this project and the goal of the agency other benefits will come from this, it will benefit a lot of communities that don't have it and the heat that comes off it is a important part of this, if we can sell it.

Question, agricultural is a giant in Cayuga County's industrial world, it's not just the dairy farms, and 30 years ago in Cayuga County farming was an 88 million dollar business, that's a big business.

Tortorici, the digester that we have on County House Rd. it is the first one of its kind in the United States and hopefully will produce energy for our campus on County House

Rd. and may be power that is left over that may be yielded by CCPUSA. There is a lot of land out there that could be utilized. This is the time, it's all about energy right now, USDA is helping us to identify grants that might work for us, and this is a project that definitely has merit.

Question, we have heard that the pipeline is corrosive, I wondering how you are going to voice this to the properties owners.

Doug Young, Spruce Haven Farm, its natural gas.

Question, but it will cross property owners land.

Doug Young, Spruce Haven Farm, there is right of ways, and most people have natural gas running to their houses. There is equipment that can install a 12 inch gas pipeline 1,200 ft., underground without disturbing the soil and come up where you want it.

Lattimore, certain industries don't want to have any carbon footprint, I think this will be very helpful.

Doug Young, Spruce Haven Farm, Wal-Mart has a corporate policy that they are going to use 100% renewable energy and zero waste and there is no way they can do that without this kind of project.

Question, what is the probability that you won't do eminent domain?

Doug Young, Spruce Haven Farm, I don't think we will because CCPUSA has a right of way.

Justin Miller CC IDA Bond Attorney, largely the area the pipeline would in the County rights of way and would be using County roads and other Town roads, would be unlikely to use eminent domain.

Question, would our electric rates be reduced?

Doug Young, Spruce Haven Farm, it has the potential to reduce the energy costs in Cayuga County, but that remains to be seen, but at the very least it would stabilize it.

Question, will all county residence pay for the maintenance on this pipeline.

Doug Young, Spruce Haven Farm, that would not be the case, everything would be paid for through the generation and sale energy, hopefully the taxpayers wouldn't have any long term burden.

Tortorici, if we bring in business they will have to pay for energy and that would be revenue, like gas and electric. We would like to take advantage in Cayuga County with having renewable energy. Everything that is cost driven behind this project will have revenue behind it that will hopefully pay for it. We are not going to make decision here that is going to put the County Taxpayers on the hook.

Tortorici, we will get more answers as we move forward with the feasibility study.

Lattimore, you're going to pay for it one way or another, NYSEG is thinking of putting an infrastructure down the same property lines as we are. The property owners are going to be disturbed by us or NYSEG and the cost will be passed on to the taxpayers, so this is a win win for the taxpayers.

Answer, the rate payer will be paying for it, not the taxpayers, a portion of the kilowatt hour will be used to maintain that pipeline. It is a public power system so you all have stock in it.

Question, by bringing the gas into the IDA site, you now have a place to sell the heat, when you generate electricity with natural gas or biogas you're only like 35 or 40% efficient, unless you can sell the heat. The heat sale is another source of revenue to help maintain the system. If you generate on the farm, like John, he's buying electricity for 15 cents and selling his excess for 3 cents even if they do run the line down what do you

think the farmers are going to get out of it. You bring it into the IDA site; you have the sale of heat, all in one place.

Tortorici, this meeting was to get this off the ground to proceed with the technical analyses so we can have more meetings, keep people up to date on where we are on this project. Thank you all for participating.

Motion to adjourn by Mills at 8:27PM, 2nd by Petrus, all in favor.

Motion by Lattimore to approve minutes of 8-31-10 on 10-26-10, 2nd by Pinckney, all in favor.

**MINUTES
SPECIAL LEGISLATURE MEETING
THURSDAY, SEPTEMBER 9, 2010, 6:00 PM
160 GENESEE ST, 6TH FLOOR, CHAMBERS,
AUBURN, NY 13021**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, AT 6:00PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislator's present, except Mills excused and Lattimore absent.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

RESOLUTIONS:

RESOLUTION NO. 415-10

Date: 9/9/10 hwybidsltshedCAPH10-04 rev3

**AUTHORIZATION TO ACCEPT BID, TO ENTER AGREEMENT TO REPAIR
STORAGE STRUCTURE, AND TO ESTABLISH CAPITAL "H"
[PROJECT NO. 10-04 (SALT STORAGE SHED)].**

BY: David Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Highway Department currently shares a salt storage facility with the Town of Ira; and

WHEREAS, the structure had a damage evaluation completed by EJ Construction for a fee of \$10,000; and

WHEREAS, Resolution 55-10, adopted on, January 26, 2010, authorized the advertising for bids for a Highway materials; and

WHEREAS, bid packets were developed and advertised for the repairs of a salt storage structure and opened on August 25, 2010 with the following results:

| Bidder | Sub-contractor | Price |
|-----------------------------|--------------------------|---------------------------------------|
| Secor Building Solutions | None | \$161,746.51 (wood structure) |
| Park Lane Construction | None | \$157,533.00 (wood structure) |
| EJ Construction Group, Inc. | Calhoun Super Structures | \$133,751.00 (replace fabric roof) |

; and

WHEREAS, the proposed structure repairs provided by Secor Building Solutions best meets the specifications and needs of the Town of Ira and Cayuga County; and

WHEREAS, the total cost of this project will not exceed \$171,746.51, be it

RESOLVED, that the Cayuga County Legislature hereby establishes Capital H Account No. 10-04 (salt shed) in the amount of \$171,746.51; the source of said funds is the Insurance Recovery in the amount of \$113,976.00, and the remainder to be split in half from the Town of Ira and Cayuga County, be it

RESOLVED, Cayuga County's share of \$ 28,885.26 (including incidentals) is to be transferred from Account D51101 51105 (seasonal employees) to Capital H #10-04 and be it

RESOLVED, that the Cayuga County Legislature does hereby accept the bid from Secor Building Solutions for \$ 161,746.51 for salt storage structure repairs; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature and the Highway Superintendent is hereby authorized and directed to enter into and execute any and all contracts necessary to execute the repairs to the County and Town of Ira's Salt Storage Structure; and be it further

RESOLVED, that the Cayuga County Treasurer is authorized and directed to make the necessary journal and accounting entries required to implement the intent of this resolution; and be it further

RESOLVED, that the Highway Superintendent is authorized to have repairs made to the salt storage structure to be shared with the Town of Ira utilizing the funds in account D51101 51105.

Motion by Axton, 2nd by Pinckney, all in favor.

Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Palermo, Fearon, Mahunik and Petrus.

**RESOLUTION NO. 416-10
AMNBNDRSL366-05**

**CAYUGA COUNTY, NEW YORK
September 9, 2010**

A special meeting of the County Legislators of Cayuga County, New York was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on September 9, 2010, at 6:00 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici, Chair
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman
Steven Cuddeback
George Fearon
Patrick Mahunik
Francis Mitchell
Christopher Palermo
Ann Petrus
Paul Pinckney
Daniel Sincebaugh

There were Absent: (County Legislators)

Timothy Lattimore
Roger Mills

Also Present:

Tom Squires
Fred Westphal
George Wethey
Mary Jones
Sheila Smith

RESOLUTION NO. 416-10

**AMENDING BOND RESOLUTION OF CAYUGA COUNTY, NEW YORK,
ADOPTED ON SEPTEMBER 9, 2010 AMENDING AND RATIFYING BOND
RESOLUTION NO 366-05 ADOPTED ON JULY 26, 2005 RELATING TO A
CAPITAL IMPROVEMENT PROJECT FOR THE PUBLIC SAFETY BUILDING.
(2/3)**

Offered by Legislator David Axton, who moved for adoption, and Legislator Paul Pinckney, who second its adoption, to wit:

WHEREAS, by Resolution No. 366-05 adopted on July 26, 2005 (the “2005 Resolution”), the County Legislators of the County authorized a certain capital improvement project for the Public Safety Building (the “Project”) and further authorized the issuance of up to \$401,000 serial bonds and notes to finance the Project; and

WHEREAS, the 2005 Resolution designated that the period of probable usefulness for the Project as 15 years but limited the amortization period of the proposed bonds and notes to 5 years; and

WHEREAS, the County Legislators now desire to ratify and amend the 2005 Resolution to extend the permitted amortization period of the proposed bonds and notes from 5 years to no more than 15 years.

NOW, THEREFORE BE IT RESOLVED ON SEPTEMBER 9, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislators), AS FOLLOWS:

Section 1. The 2005 Resolution is hereby ratified and amended to extend the permitted amortization period of the proposed bonds and notes relating to the Project from 5 years to no more than 15 years.

Section 2. The faith and credit of said County of Cayuga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such matter, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 4. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest pay-

ment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 6. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 7. The following additional matters are hereby determined and declared:

(a) Pursuant to the Local Finance Law, the period of probable usefulness of the Project is 15 years; and

(b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.

(e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.

(f) The bonds authorized herein are not being issued for an assessable improvement.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This Resolution shall become effective immediately. The County Clerk is hereby directed to cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

Motion by Cuddeback, 2nd by Sincebaugh, all in favor.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon and Petrus.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on September 9, 2010, the result of which vote was as follows:

| | |
|---------------------|-----|
| Peter Tortorici | yes |
| Cynthia Aikman | yes |
| David Axton | yes |
| Stephen Barski | yes |
| Michael Chapman | yes |
| Steven Cuddeback | yes |
| George Fearon | yes |
| Patrick Mahunik | yes |
| Francis Mitchell | yes |
| Christopher Palermo | yes |
| Ann Petrus | yes |
| Paul Pinckney | yes |
| Daniel Sincebaugh | yes |

Absent:

| | |
|-------------------|----|
| Timothy Lattimore | No |
| Roger Mills | No |

DATED: September 9, 2010

CERTIFICATE

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

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on September 9, 2010, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this _____ day of _____, 2010.

Susan M. Dwyer, County Clerk

[SEAL]

NOTICE OF BOND RESOLUTION

The resolution, a summary of which is published herewith, was adopted on September 9, 2010. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Cayuga County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Susan M. Dwyer, County Clerk

SUMMARY OF BOND RESOLUTION

Pursuant to Resolution No. 366-05 adopted on July 26, 2005 (the "2005 Resolution") the County Legislators of the County of Cayuga (the "County") authorized a certain capital improvement project for the Public Safety Building (the "Project") and further authorized the issuance of up to \$401,000 serial bonds and notes to finance the Project. On September 9, 2010 the County Legislators of the County adopted an Amending Bond Resolution which ratified and amended the 2005 Resolution to extend the permitted amortization period of the proposed bonds and notes from 5 years to no more than 15 years. Under the Local Finance Law, the Project has a period of probable usefulness of 15 years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

Tortorici, last week we had a had a special Committee Meeting of the Whole, re: Biogas, I would like to get a motion to move forward with an RFQ and RFP for this project for the end of the month.

Motion by Axton to move forward with RFQ and RFP, 2nd by Pinckney, all in favor.

Motion by Pinckney to go into Executive Session at 6:05PM re: matters leading to the appointment of a particular person or corporation, and matters leading to the discipline of a particular person, 2nd by Chapman, all in favor.

Motion by Cuddeback to come out of Executive Session at 9:13PM, 2nd by Mitchell, all in favor. No action taken.

Motion by Cuddeback to adjourn at 9:13PM, 2nd by Fearon, all in favor.

Motion by Lattimore to approve minutes of 9-9-10, on 10-26-10, 2nd by Pinckney, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
SEPTEMBER 28, 2010 – 6:30PM**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:30PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislator's present.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PROCLAMATION'S:

United Way Day in Cayuga County, Wednesday, September 15, 2010

Constitution Week, September 17 through the 23, 2010

Chamber of Commerce Week, September 13 through the 17, 2010,

Titles read by Mary Jones, Clerk of the Legislature.

National Preparedness Month (September 2010) and Community Awareness Day (September 21, 2010), Read in full by Mary Jones Clerk of the Legislature, presented by Chairman Tortorici to Brian Dahl Director Emergency Management Office.

PUBLIC BE HEARD:

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

Peter Tortorici, for City Councilor Gilda Brower, re: Certificate of Support, attached to original minutes. **Motion was made by Mills to approve Chairman to sign letter of support, 2nd by Sincebaugh, all in favor.**

Tim Lattimore for Sandy Gilliland, re: Constitution Week, presented a certificate of award to Chairman Peter Tortorici for his outstanding work.

MINUTES: For Approval: 7-27-10, Spec. Meet. 8-3-10 and 8-12-10, Motion by Lattimore to approve minutes, 2nd by Pinckney, all in favor.

For Reading: 8-24-10, Spec. Meet. Of the Whole 8-31-10 and Spec. Leg. Meet. 9-9-10

CCC REPORT: Dr. Daniel Larson: **attached to original minutes.**

Motion by Fearon to go into Executive Session at 6:57PM, re: financial history of a particular corporation, 2nd by Lattimore, all in favor.

Motion by Pinckney to come out of Executive Session at 7:05PM, 2nd by Lattimore, all in favor. No action taken.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Sincebaugh, I received a positive review from a constituent re: the DMV office.

Axton, this past Saturday a ribbon cutting ceremony was held for the Haiti Island Bridge opening, thank you to all for your support.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, preliminary budget should be ready by October and draft will be presented to Clerk of the Legislature. Departments look good, but there is always big ticket items, won't be easy. Medicaid and retirement costs are up, doesn't included additional salaries or fringes. We will have difficult decisions ahead, vacancies occur, need to redistribute work, keep open and fill part-time, consolidate work functions. The more employees, the more expenses. The rates on the bonds are 3.2% to 3%, for the Radio Project, 11-12 years combined with the Mental Health Project and bring to 18 years for borrowing at a good rate. Retro payments have been made, it went well, thank you to the Treasurer's Office, Human Resources and Payroll for all their help. Lag will start on the 1st of October for 20 pay periods. Employment and Training received an JVSE award for serving Veterans, 1 of 7 that were awarded across New York State.

Lattimore, is revenue down?

Squires, we are ahead of the game, within ½% on sales tax, a lot of state aid is delayed, they are slowly catching up.

Fearon, we don't know what the state is going to do.

Mills, we ar up \$300,000 iin sales tax, 6.57 million for Mental Health Project does that complete it?

Squires, yes.

Mills, we are under budget?

Squires, yes,

Mills, retro payments made from salary adjustment account?

Squires, used all of it or darn close.

Mitchell, drew 3,115,000 on salary adjustment account.

Squires, we budgeted \$300,000 and carried over \$385,000 from 2009 to 2010 budget.

Mitchell, \$385,000 had budget impact, not accurate for appropriated fund balance.

Squires, no balance of significance.

Mills, not filling, positive sweep into provision for salary adjustment account.

Squires, yes, we won't have a provision for salary adjustment account in 2011, no retro pay.

Mills, retirement up 1 ½% even though we alimented 60 positions?

Squires, factored into next year, rates went from 11% to 16%.

Fearon, compare with last year budget numbers.

Cuddeback, this should be brought up at Ways & Means budget committee.

Sincebaugh, department heads and union need to work together to make cost cutting decisions to prevent layoffs, restructure.

Axton we do this a union discussions.

Chairman Peter Tortorici, NUCOR Steel donated rebar for the Sheriff's building, thank you.

Resolution JP-1 moved by Cuddeback, 2nd by Pinckney.

RESOLUTION NO. 417-10**9/28/10 SHR-NucorRebarDonation****AUTHORIZING THE CAYUGA COUNTY SHERIFF'S OFFICE TO ACCEPT A DONATION OF REINFORCING BAR FROM NUCOR STEEL AUBURN, INC.**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, Fingerlakes Construction is in the process of constructing a Post Frame Building at the Cayuga County Public Safety Building to be utilized by the Sheriff's Office for storage, evidence processing and personnel training; and

WHEREAS, Nucor Steel Auburn, Inc. has generously proposed to donate 189 pieces of 40' #4, 60-grade, reinforcing bar that will be used to strengthen the concrete floor that will be poured in the Post Frame Building; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes the Cayuga County Sheriff's Office to accept the donation of the reinforcing bar from Nucor Steel Auburn, Inc.; and it is further

RESOLVED, that the Cayuga County Legislature and the Cayuga County Sheriff's Office sincerely appreciates the kindness exhibited by Nucor Steel Auburn, Inc. and commends this charitable deed, as well as the openhandedness Nucor has graciously extended to companies and organizations in Cayuga County.

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, and Mahunik, all in favor.

CHAIRMAN'S REPORT: two handouts are on your desks, Washington DC trip and the Owasco Lake Watershed Management Council, please read them. Handouts attached to original minutes.

APPOINTMENTS AND RE-APPOINTMENTS:**Cayuga County Records Advisory Committee: (PULLED)**

Hon. Peter Tortorici, 19 Union St., Auburn, NY, 13021, **Legislative Appt.**, term – ex-officio

Hon. George Fearon, 5641 State Rte. 90N, Cayuga, NY 13034, **Legislative Appt.**, term – ex-officio

William Hulik Jr., 3 Horan Ave., Auburn, NY 13021, term – 9-1-10 to 9-30-2012

Sheila Tucker, 5680 Silver St. Rd., Auburn, NY 13021, term – 9-1-10 to 9-30-2012

Mary Ann Marr, 3118 Canoga Rd., Seneca Falls, NY 13148, term 9-1-10 to 9-30-2012

Jodie Nickerson, 160 Genesee St., Auburn, NY 13021, term 9-1-10 to 9-30-2012

Lisa Scialdone, 160 Genesee St., Auburn, NY 13021, term 9-1-10 to 9-30-2012

(PULLED)**Mental Health Subcommittee**

Michael Greene, 6948 Owasco Road, Auburn. Term: 9/28/10-12-31-12

OPWDD Subcommittee

Kelly Jean Shanahan, 13 Cottage St., Apt. 1, Auburn Term: 1-1-10-12-31-13

Angie Wawrzaszek, 2593 Sloan Rd., Auburn Term: 1/1/10-12/31/13

Dana Mandel, PT, 8842 Route 90, King Ferry Term: 1/1/10-12/31/13

APPOINTMENTS AND RE-APPOINTMENTS CON'T:

OFA Advisory Board

| | |
|--|-----------------------|
| Darwin Parker, PO Box 901, Weedsport | Term: 1/1/10-12/31/15 |
| Mary Alice Stetz, 1440 Tollgate Rd, Moravia | Term: 1/1/10-12/31/15 |
| Richard Fernquist, 14954 West Bay Rd, Sterling | Term: 1/1/10-12/31/15 |
| Mary Ann Kolo, 319 North Marvine Ave., Auburn | Term: 1/1/10-12/31/15 |

Motion by Lattimore to approve appointments of Mental Health, OPWDD and OFA Advisory Board, 2nd by Petrus, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received the 2010 equalization rates from the State of New York.
2. Received a thank you letter from the American Red Cross for hosting blood drives.
3. Received a copy of a resolution passed by the Niagara County Legislature on 9-7-2010, re: Urging Attorney General Andrew M. Cuomo to Fulfill Previous Promises and Join Multi-State Lawsuit Demanding Stronger Action to Prevent Asian Carp Infestation of Great Lakes Waterways.
4. Received a notice from the Town of Sterling Zoning Board of Appeals they will hold a Public Hearing on Thursday, 9-9-2010 at 7:00PM at the Sterling Town Hall. Motion by Lattimore to waive reading of communications, Fearon asked that everyone pay attention to number 3, Asian Carp Infestation of the Great Lakes Waterways, all in favor.

RESOLUTION NO. 418-10

09-28-10 AuditSept 2010.doc

AUTHORIZING THE COUNTY TREASURER TO PAY SEPTEMBER 2010

AUDIT OF CLAIMS

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on September 28, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,926,678.08, therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 17, 2009.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 419-10

09.28.10

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

By: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

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

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

August 2010

| | |
|----------------|--------------|
| Electric (Gas) | \$ 843.69 |
| Telephone: | \$ 18,957.09 |
| Total: | \$ 19,800.78 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 420-10

09.28.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

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

August 2010

\$150.25

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 421-10

9-28-10 OFAseniornutrition 9-10

REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and Mr. Christopher Palermo, Chair of Ways and Means Committee.

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$5,573.00 covering the period through 8/27/10 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 422-10

09.28.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

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

August 2010

| | |
|---------------|-------------|
| First Niagara | \$ 0 |
| AmExpress | \$ 4,678.18 |
| Sunoco | \$ 158.67 |
| Walmart | \$ 0 |
| Exxon | \$ 51.61 |
| Total: | \$ 4,888.46 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 423-10

09.28.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Christopher Palermo, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

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

August 2010

| | |
|--------------------------------|-------------|
| Copier Leases and Maintenance: | \$11,040.97 |
| Postage Leases: | \$ 478.00 |
| Total: | \$11,518.97 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 424-10

(9/28/10) COA-CAPH9PAYREV2

AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.

BY: MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

Project #08-1 (North Street Mental Health Renovations)

| | |
|--|-------------------|
| FAHS Construction Group – GC Application # 9 | 223,382.00 |
| East Coast Electric LLC – Electrical Application # 7 | 141,139.28 |
| Green Plumbing Inc. – Plumbing Application # 8 | 24,176.00 |
| Siracusa Mechanical Inc – HVAC Application # 7 | 48,944.00 |
| Grainger – Invoice 9328555173 | 457.20 |
| Grainger – Invoice 9327112935 | 59.58 |
| NYSEG – Invoice 000020043472 | 9,435.04 |
| Gray Management Systems – Bill # 13 | 15,084.75 |
| Subtotal | 462,677.85 |

Project #10-03 (Emergency Communication Project)

| | |
|--|------------------|
| Gilberti Stinziano Heintz & Smith – Invoice #CAYUS02 55298 | 1,239.82 |
| Action Reporting Services – Invoice # 19178 | 309.90 |
| Spectra Environmental Group Inc – Invoice 8791 | 14,048.96 |
| Subtotal | 15,598.68 |

Project #08-02 (Emerson Park Pavilion Renovations)

| | |
|-------------------------|---------------|
| Lowes – Invoice # 56289 | 44.13 |
| Lowes – Invoice # 56023 | 305.58 |
| Subtotal | 349.71 |

Project #07-05 (TYLER SOFTWARE)

| | |
|--|-----------------|
| Toski, Schaefer & Co. – Invoice 6/8/10 | 6,947.50 |
| Tyler Industries – Invoice # 163896 | 2,200.00 |
| Subtotal | 9,147.50 |

Project #03-07 (AERIAL PHOTOGRAPHY PHASE 4)

| | |
|--|-----------------|
| Waypoint Technology Group – Invoice 205582 | 9,285.00 |
| Subtotal | 9,285.00 |

Project #10-01 (MERIDAN ENVIRONMENTAL RESTORATION PROJECT)

| | |
|--|-----------------|
| C & S Engineers # 1937 – Invoice # 0122036 | 3,726.35 |
| Subtotal | 3,726.35 |

GRAND TOTAL **500,785.09**

And be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 425-10
9/28/10 RP corrtxrollSept10
AUTHORIZING CORRECTION OF TAX ERRORS
IN THE TOWN OF FLEMING:

BY: Christopher Palermo, Chairperson, Ways & Means Committee.

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2010 Tax Roll, and;

WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; now therefore be it

RESOLVED, that the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the change set forth hereafter; and be it further

RESOLVED, that the County Treasurer is authorized and directed to correct the 2010 County and Town Tax Roll; and be it further

RESOLVED, that a corrected tax statement shall be prepared, or a refund of any overpayment of taxes be made, as is applicable; and be it further

RESOLVED, that the 2010/2011 School Tax Roll shall also be corrected as follows:
Town of Fleming: Tax Map # 143.00-1-16.16 This parcel was incorrectly assessed as having a residence when in fact it is vacant farmland. The parcel also applied and qualified for an agricultural exemption. This parcel should have the assessment lowered to 21,840 land and total and have an agricultural exemption in the amount of 14,586 applied to the 2010 School tax billing. The 2010 final assessment roll should be adjusted to reflect these corrections.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 426-10

(09/28/2010) rpsdeletparcelandbills

RESOLUTION TO DELETE SUFFIX PARCEL AND RELATED TAXBILLS

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, Cayuga County has foreclosed on tax map number 165.00-1-45.22-6 by action known as Index Number 09-1417 and dated June 22, 2010, hence nullifying previously filed tax liens; and

WHEREAS, this tax map number is a suffix and pertains to the value of a structure only; and

WHEREAS, upon investigation the structure no longer is in existence;

WHEREAS, there is a 2010 County/Town tax bill and a 2010 Moravia School tax bill unpaid; therefore be it

RESOLVED, that tax map 165.00-1-45.22-6 be deleted from the 2010 final assessment roll; and also be it

RESOLVED, that the 2010 County tax bill pertaining to tax map number 165.00-1-45.22-6 be deleted; and also be it

RESOLVED, that the 2010 Moravia School bill be deleted.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 427-10
(09/28/2010) rpsadoptequalizationrates
TO ADOPT EQUALIZATION RATES FOR THE APPORTIONMENT
OF THE 2011 COUNTY TAX LEVY

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, it is recommended that the following equalization rates, which have been set by the NYS Board of Real Property Services for the City of Auburn and the several Towns, be adopted for the 2011 Cayuga County tax levy.

| | | | |
|-------------------|--------|--------------------|--------|
| City of Auburn | 100.00 | Town of Moravia | 100.00 |
| Town of Aurelius | 88.00 | Town of Niles | 65.00 |
| Town of Brutus | 96.00 | Town of Owasco | 84.00 |
| Town of Cato | 100.00 | Town of Scipio | 93.00 |
| Town of Conquest | 82.00 | Town of Sempronius | 24.00 |
| Town of Fleming | 42.00 | Town of Sennett | 100.00 |
| Town of Genoa | 100.00 | Town of Springport | 82.00 |
| Town of Ira | 100.00 | Town of Sterling | 100.00 |
| Town of Ledyard | 100.00 | Town of Summerhill | 100.00 |
| Town of Locke | 100.00 | Town of Throop | 100.00 |
| Town of Mentz | 75.00 | Town of Venice | 100.00 |
| Town of Montezuma | 95.00 | Town of Victory | 100.00 |

Now, therefore, be it

RESOLVED, that the above equalization rates be fixed, determined, approved and adopted as the percentages on which the assessed value of the real property in the several tax districts of Cayuga County bear to the full value thereof, and that the equalization of the real property for the purpose of appropriating the amount to be levied and raised by taxes for County purposes for the year 2011 be obtained and made on the basis of such percentages.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 428-10
(June 22, 2010) HS Child Welfare Placement Services 2009
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH MULTIPLE SERVICE AGENCIES (LISTED) FOR THE PROVISION OF CHILD WELFARE PLACEMENT SERVICES

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide appropriate "child placement services" for children placed in foster care and at times this includes placement in a residential treatment center (RTC); and

WHEREAS, Human Services has successfully contracted with the listed agencies to provide these services in the past; and

WHEREAS, the RTC per diem rate schedule is established and set by NYS Department of Social Services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts for the time period of July 1, 2010 – June 30, 2011 with the following agencies:

- | | |
|---------------------------------------|-------------------------------------|
| Anderson School, Inc. | Kids' Peace |
| Baker Victory Services | Kinship Family & Youth Services |
| Berkshire Farm Center & Services | LaSalle School |
| Cayuga Home for Children | Liberty Resources |
| Charlton School | Lincoln Hall |
| Children's Home of Jefferson County | Northeast Parent and Child Society |
| Children's Home of Poughkeepsie | Oswego Opportunities, Inc. |
| Children's Home of Wyoming Conference | Parsons Child & Family Center |
| Crestwood Children's Center | St. Anne's Institute |
| Elmcrest Children's Center | St. Catherine's Center for Children |
| Gateway Logview | St. Coleman's |
| George Junior Replublic | St. Joseph's Villa |
| Glove House | Toomey Residential & Comm. Serv. |
| Hillside Children's Center | Vanderheyden Hall |
| Hopevale, Inc. | Salvation Army/Friendship House |
| House of Good Shepard | |

and be it further

RESOLVED, that payment for these services at the current state approved rates be charged to account #A61234 54000, account #A61094 54000, and account #A61194 54000 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 429-10

(September 28, 2010) HS Fill HS Examiner SCU

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL A FULL-TIME HUMAN SERVICES POSITION (81.4% FUNDED) IN THE SUPPORT COLLECTION UNIT OF HUMAN SERVICES

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, there will be a Full-Time Human Services Examiner position vacancy (position control #002187) in the Support Collection Unit of Human Services due to resignation effective October 1, 2010; and

WHEREAS, this position assists in the recovery of child support payments and is reimbursed at 81.4% State and Federal funding, and the local share is further reduced by additional funds from the Child Support Incentive; and

WHEREAS, this position is budgeted for in the 2010 Human Services' Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Full-Time Human Services Examiner vacancy in the Support Collection Unit of Human Services and any fill behind that may occur, in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission. Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 430-10**(Sept. 28, 2010) HS Fill Case Supervisor Grade B Child Welfare****AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL A CASE SUPERVISOR, GRADE B VACANCY IN THE CHILD WELFARE UNIT**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, there is a Case Supervisor, Grade B vacancy in the Child Welfare Unit of Human Services due to retirement effective September 24, 2010; and

WHEREAS, this position supervises a team of caseworkers in the foster care/preventive unit and this work is mandated by the State and reimbursed at minimum 75% state and federal; and

WHEREAS, this is a funded position in the Human Services Department's 2010 budget; NOW, THEREFORE BE IT

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 431-10**(September 28, 2010) HD Amend Health Budget 2010 PHC****AUTHORIZING THE COUNTY TREASURER TO AMEND THE 2010 CAYUGA COUNTY HEALTH DEPARTMENT BUDGET/TRANSFER FUNDS.**

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

Christopher Palermo, Chairman of the Ways and Means Committee

WHEREAS, after the submission of the 2010 Health Department Budget, it has been determined that additional funding is needed related to providing services for physically handicapped children (account #40464 54059); and

WHEREAS, funds are available in the Professional Services line of Public Health (account #40104 54059) of the 2010 Health Department Budget; NOW, THEREFORE, BE IT

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

| Account Numbers | Increase | Decrease |
|----------------------------|----------|----------|
| A40104 54059 Public Health | | \$5,000 |
| A40464 54059 PHC Program | \$5,000 | |

and be it further

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 432-10

**(September 28, 2010) HD Transport PHC (Additional Providers)
TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH A&E TRANSPORT SERVICES, INC. AND FIRST TRANSIT
FOR TRANSPORTATION OF PHYSICALLY HANDICAPPED CHILDREN
DURING 2010-2011 SCHOOL YEAR**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department is responsible under SED 4410 to insure that children are transported to their authorized special education placement and to provide payment for such transportation; and

WHEREAS, we have two pre-school students to be transported each to locations that are not part of the transportation bid just awarded; and

WHEREAS, the Committee for Pre-School Special Education has authorized transportation for these two pre-school students, one attending a placement in Oswego and one attending a placement in Cortland; and

WHEREAS, A&E Transport Services, Inc. has agreed to transport the one preschool student to Oswego for \$230 per day, and First Transit will transport the one preschool student to Cortland for \$100 per round trip or \$50 per one way; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to contract with A&E Transport Services, Inc. and First Transit for the transportation of two pre-school students for the school year 2010-2011; and be it further

RESOLVED, that payment for these services will be charged to Account #A40454 54306 of the 2010 Health Department Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 433-10

**(September 28, 2010) HD Drinking Water Enhancement 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN
AGREEMENT WITH THE STATE TO PARTICIPATE IN THE 100% STATE
FUNDED DRINKING WATER PROGRAM ENHANCEMENT GRANT AND TO
AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE 2007
HEALTH DEPARTMENT BUDGET TO ACCEPT FUNDING**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has received approval for a 100% funded Drinking Water Program Enhancement Grant in the amount of \$114,593 for the period April 1, 2010 to March 31, 2011; and

WHEREAS, to accomplish this purpose we must enhance our investigations, enforcement, and emergency response; assure compliance with Subpart 5 of the State Sanitary Code; utilize the State's database; provide technical advice and guidance to system operators and homeowners; and implement the Safe Drinking Water Act programs and regulations; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the State to participate in the 100% State-funded Drinking Water Program Enhancement Grant and to authorize them to sign all subcontracts relative to meeting obligations incurred by this grant; and be it further

RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department's 2010 Budget and make the necessary journal and accounting entries as follows:

| | |
|--|-----------|
| Increase Appropriation Account #A40304 54000 | \$114,593 |
|--|-----------|

| | |
|--|-----------|
| Increase Revenue Account #A40300 43430 | \$114,593 |
|--|-----------|

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 434-10

**(September 28, 2010) HD HRI Integrated Cancer Serv 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
CONTRACT WITH HRI TO CONTINUE THE INTEGRATED
CANCER SERVICES PROGRAM**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Health Department's Integrated Cancer Services Program is partially funded by federal funding through Health Research, Inc.; and

WHEREAS, we have again been offered federal funding for this program through Health Research, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Health Research, Inc. to accept federal funding for participation in the Integrated Cancer Services Program in the amount of \$25,783 for the period of June 30, 2010 through June 29, 2011; and be it further

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2010 Budget in the following manner:

| | |
|---|----------|
| Increase Appropriation Account #40234 54000 | \$25,783 |
|---|----------|

| | |
|---------------------------------------|----------|
| Increase Revenue Account #40230 43423 | \$25,783 |
|---------------------------------------|----------|

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 435-10

**(September 28, 2010) HD Early Intervention Admin Grant 2010-11
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THE STATE TO ACCEPT 100% FUNDED EARLY
INTERVENTION ADMINISTRATION GRANT**

BY: Ann Petrus, Chairman of Health & Human Services Committee

Christopher Palermo, Chairman of Ways & Means Committee

WHEREAS, the State of New York has made money available to county government for the purpose of meeting their administrative responsibilities in local oversight and

implementation of the Early Intervention Program (a state-mandated program) for the period October 1, 2010 through September 30, 2011 in the amount of \$56,587; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with the State to accept funding to offset our costs for administrative responsibilities in local oversight and implementation of the Early Intervention Program; and be it further

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries in the 2010 Health Department Budget as follows and to accept any additional COLA funds relative to this program:

| | | |
|---------------------------------------|-------|----------|
| Increase Appropriation Account A40264 | 54000 | \$56,587 |
| Increase Revenue Account A40260 | 43426 | \$56,587 |

and be it also

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 436-10

Date of Meeting: 9/28/10 nhadjstslry

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

BY: Christopher Palermo, Chairman, Ways and Means Committee
Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Sue Ann Bard has agreed to assist the Nursing Home on a temporary basis while the person in that position is out on a medical leave of absence; and

WHEREAS, Ms. Bard has served the county in other positions for over 25 years; Now be it therefore

RESOLVED, that Ms. Bard be hereby placed on the fourth step of the salary plan of this particular position of Supervising Nurse at Cayuga County Nursing Home because of her experience and expertise; and be it further

RESOLVED, that Ms. Bard continue on the fourth step of Supervising Nurse pursuant to the Cayuga County Compensation Plan, Part II should this temporary appointment continue in 2011.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 437-10

Date of Meeting: 9/28/10 nhamnd2010bdgt

AUTHORIZING THE TREASURER OF CAYUGA COUNTY TO AMEND THE BUDGET OF THE CAYUGA COUNTY NURSING HOME TO REFLECT THE EFFECT OF ADDITIONAL REHABILITATION SERVICES.

BY: Christopher Palermo, Chairman, Ways and Means Committee
Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, the Cayuga County Nursing Home has contracted with Select Rehabilitation to provide services at the facility; and

WHEREAS the arrangement will generate more revenue and expenses than anticipated in the development of the 2010 budget; and

WHEREAS the budget needs to be amended to reflect those changes; Now therefore be it

RESOLVED that the Treasurer of Cayuga County be authorized to amend the budget of the Nursing Home by increasing a revenue line E45000 41614 Medicare part A by \$185,000; and be it further

RESOLVED that the Treasurer increase expenditure line E45184 54000 Rehab Services by \$185,000.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 438-10

Date of Meeting: 9/28/10 nhpshbld

AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR A SNOW PUSH BLADE AT THE NURSING HOME.

BY: Ann Petrus, Chairman, Health & Human Services Committee
Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, a snow push blade is needed for snow removal at the Nursing Home , and

WHEREAS, quotes have been received from vendors who sell such equipment; and,
WHEREAS, four (4) firms responded with proposals; and,
WHEREAS, the following proposals were received:

Monroe Tractor for \$3,750;
Admar Supply Co for \$4,100;
Anderson Equipment Co for \$ 4,260; and,
Tracey Road Equipment for \$ 3,650; and

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation and delivery; and

WHEREAS, the proposal submitted by Tracey Road Equipment meets anticipated requirements; now therefore be it,

RESOLVED, that the proposal be awarded to Tracey Road Equipment for \$ 3,650 (Three thousand six hundred fifty dollars).

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 439-10

Action 09/28/10 MHallynGrant9.10

AUTHORIZING THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES TO ACCEPT A GRANT FROM THE ALLYN FOUNDATION

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and
Hon. Christopher Palermo, Chair Ways and Means Committee.

WHEREAS, the Community Mental Health Center of Cayuga County has been awarded a grant from the Allyn Foundation in the amount of \$10,000 specifically for the purchase of play and adult therapy supplies and equipment, and

WHEREAS, in order to carry out the terms of this grant, the 2010 Mental Health Department budget must be amended so as to provide the appropriations and revenues necessary to implement the grant; now therefore, be it

RESOLVED, that the Director of Community Mental Health Services be authorized to accept these funds; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries and to amend the Mental Health Department's 2010 budget in the following manner;

| | | |
|--------------------------|---------------------|-----------|
| Add account A43100-42705 | Gifts and Donations | \$10,000 |
| Add account A43102-52015 | Grant Expenditures | \$10,000. |

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 440-10

Action 09/28/10 MH BHCN Hrs 9.10

ADJUSTING THE HOURS OF A NURSING POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and Hon. Christopher Palermo, Chair Ways and Means Committee.

WHEREAS, there is one remaining Behavioral Health Care Nurse position working forty (40) hours per week in the Mental Health Department, and

WHEREAS, we have determined that the position would better serve the department working thirty-five (35) hours a week as does the majority of the departmental staff; and

WHEREAS, the position #4972 is reflected in the 2010 County Budget at forty hours weekly; now therefore, be it

RESOLVED, that position #4972 be assigned to work 35 hours per week effective October 4, 2010 with a salary adjustment to reflect this change, and be it further

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries to accomplish this.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 441-10

Action: Sept 28,2010 MHBudAdjustGavras9.10

AMENDING THE MENTAL HEALTH 2010 BUDGET TO INCREASE STATE AID FUNDING FOR E. JOHN GAVRAS CENTER

BY: Ms. Ann R. Petrus, Chairperson, Health and Human Services Committee Mr. Christopher M. Palermo, Chairperson, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center receives 100 percent Federal and State Aid funding for programs to serve adults, children, and families with disabilities who reside in Cayuga County; and

WHEREAS, additional state aid has been allocated to E. John Gavras Center as an adjustment to 2008 funding and received by the County in 2010 , and

WHEREAS, these 100% state funds were not anticipated in the 2010 budget and it is now necessary to reflect those dollars to allow the County to make payment to E. John Gavras Center; now, therefore, be it

RESOLVED, that 2010 budget be modified as follows:

| | | |
|---------------------------------------|------------|----------|
| Increase line A43520-43507, MH-Gavras | Revenue by | \$ 6,555 |
| Increase line A43524-54341 Gavras | Expense by | \$ 6,555 |

and be it further

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 442-10
(09-21-10) CC-Records Advisory Committee
AUTHORIZES CAYUGA COUNTY CLERK TO REVISE RECORDS
ADVISORY COMMITTEE GUIDELINES

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee

MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee

WHEREAS, the Cayuga County Legislature, by Resolution #366-02 adopted on 7/23/2002 created the Cayuga County Records Advisory Committee; and

WHEREAS, the Cayuga County Legislature, by Resolution #444-02 adopted on 9/24/02 revised the Cayuga County Records Advisory Committee to include the appointment of the County Historian to the committee; and

WHEREAS, the Cayuga County Clerk, Susan Dwyer, who is the Records Management Officer for Cayuga County and the members of the Cayuga County Records Advisory Committee are requesting a revision to the guidelines set forth in the original resolution in regard to frequency of meetings and length of terms served by committee members, now, therefore be it

RESOLVED, that the guidelines be changed to read: (changes in bold)

2. There shall be seven (7) persons on the committee, who shall be appointed by the Cayuga County Legislature. Committee members shall serve a two year term. The positions on the Committee shall not carry a stipend or salary.

3. The Committee shall meet at least four (4) times a year or more frequently if needed

and be it further

RESOLVED, that these changes in guidelines be adopted by the Cayuga County Legislature.

Signed by Fearon, Aikman, Chapman, Barski, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik and Petrus, all in favor.

RESOLUTION NO 443-10
September 28, 2010 PB_designateCCCVB_asTPA_2011
DESIGNATE THE CCCVB AS THE CAYUGA COUNTY TOURISM
PROMOTION AGENCY (“CCTPA”) FOR NEW YORK STATE GRANT
FUNDING FOR THE 2011 PROGRAM YEAR AND DESIGNATING THE
PROGRAM DIRECTOR

BY: Mr. Roger Mills, Chair, Planning and Economic Development

WHEREAS, the Cayuga County Convention and Visitors Bureau (“CCCVB”) is the not-for-profit corporation designated by the Cayuga County Legislature to develop and implement a comprehensive tourism promotion and marketing program for the County; and

WHEREAS, an agency must be designated by resolution of the Cayuga County Legislature as the “Cayuga County Tourism Promotion Agency” or “CCTPA” for the specific purpose of making application to and receiving grants from most New York State grant programs; NOW THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature, that the Cayuga County Convention and Visitors Bureau is hereby designated as the Cayuga County Tourism Promotion Agency (“CCTPA”) and is authorized to make application to receive grants on behalf of Cayuga County pursuant to the New York State Tourism Act for the 2011 Program Year; and be it further

RESOLVED, that Meg Vanek, Executive Director of the Cayuga County Convention and Visitors Bureau is hereby designated as the Program Project Director.

Signed by Mills, Fearon, Aikman, Mahunik, Lattimore, Pinckney and Sincebaugh, all in favor.

RESOLUTION NO. 444-10

September 28, 2010 PB_MerBwnField_Consultant

RESOLUTION AUTHORIZING AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH C&S ENGINEERS, INC. FOR ENVIRONMENTAL ENGINEERING SERVICES ASSOCIATED WITH THE MERIDIAN ENVIRONMENTAL RESTORATION INVESTIGATION PROJECT (THE PROJECT), UTILIZING EXISTING ENVIRONMENTAL RESTORATION PROGRAM INVESTIGATION GRANT FUNDS IN CAYUGA COUNTY CAPITAL H ACCOUNT NO. 10-1.

BY: Mr. Roger Mills, Chair, Planning and Economic Development Committee
Mr. Christopher M. Palermo, Chair, Ways and Means Committee

WHEREAS, Cayuga County foreclosed on the site of a former gasoline service station in the Village of Meridian via a Treasurer’s Tax Deed dated April 14, 2000; and

WHEREAS, Cayuga County received a State Aid Contract from New York State for Clean Water/Clean Air Bond Act funding via an Environmental Restoration Program Investigation Grant on March 26, 2009; and

WHEREAS, New York State Department of Environmental Conservation approved Cayuga County’s Remedial Investigation/Alternatives Analysis Work Plan (RI/AAWP) and New York State Department of Health approved the same work plan on December 16, 2009; and

WHEREAS, Cayuga County established Capital H Account No. 10-1 for the Meridian Environmental Restoration Project with adoption of Resolution 97-10 on February 23, 2010; and

WHEREAS, Cayuga County has executed a contract for environmental engineering services related to the Project with C&S Engineers, Inc. in the amount of \$39,270.00 under the authority of Resolution #253-04 approved by the County Legislature on May 25, 2004; and

WHEREAS, the County wishes to amend the C&S Engineers, Inc. contract from the current not to exceed award of \$39,270.00 to a new contract limit of \$50,000.00, not including testing and drilling costs, of Environmental Restoration Program grant funds to be paid to C&S Engineers, Inc. through Capital H Account No. 10-1 at no additional cost to Cayuga County; now THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature hereby authorizes the Chairman of the Legislature to execute the documents necessary to amend the C&S Engineers, Inc. contract as stated herein, subject to the condition that the Environmental Restoration Investigation Project can be completed within the established Capital H Account No. 10-1 budget; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Mills, Aikman, Fearon, Lattimore, Mahunik, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Mills and Petrus, all in favor.

RESOLUTION NO. 445-10

September 28, 2010 PB_Tank_Lead_Removal_MerBwnField

AUTHORIZING THE AWARD OF BIDS FOR REMOVAL OF FUEL TANKS, PUMPISLAND AND LEAD CONTAMINATED SOIL FROM THE COUNTY OWNED BROWNFIELD IN MERIDIAN, AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO CONTRACTS AND EXPEND THE REQUIRED FUNDS NECESSARY FOR SAME.

BY: Roger Mills, Chair, Planning & Economic Development Committee

Christopher M. Palermo, Chair, Ways and Means Committee

WHEREAS, C&S Engineers, Inc. has prepared an Interim Data Report for the Meridian Brownfield Site Investigation (The Report), which provides sufficient information to determine the scope of Interim Remedial Measures for the site, the purpose of which is to remove the pollution sources from the site; and

WHEREAS, the Report includes two Interim Remedial Measures (1) Removal of three to four underground fuel storage tanks and the former pump island; and (2) excavation of the former battery/battery acid disposal area containing lead contaminated soils; and

WHEREAS, funding for this project has been awarded through an Environmental Restoration Program Grant from New York State Clean Water/Clean Air Bond Act funding and has been allocated to Capital H No. 10-1 via Resolution 97-10 on February 23, 2010, NOW THEREFORE BE IT

RESOLVED, that the Cayuga County Legislature authorizes the award of bids and the expenditure of funds from Capital H #10-1 for the costs associated with the removal of tanks, pump island area and lead contaminated soil as defined in The Report, so long as such expenditures are within the budget of the Environmental Restoration Program Investigation Grant; and be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute any contracts required for removal of the tanks, pump island and lead contaminated soil defined in The Report; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Mills, Aikman, Fearon, Lattimore, Mahunik, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Mills and Petrus, all in favor.

RESOLUTION NO. 446-10
(9/28/10) P&T Seasonal Positions Amend 9 10
AMENDING RESOLUTION 406-10 AUTHORIZING THE HIRING OF
SEASONAL STAFF FOR THE PARKS & TRAILS DEPARTMENT
FOR THE 2010 FALL SEASON

By: By: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Resolution 406-10 authorized The Parks and Trails Department to hire seasonal staff for the fall season, and

WHEREAS, that resolution called for three (3) building maintenance mechanic's at \$11.50/hour, and

WHEREAS, the Park Maintenance Supervisor has determined that one more building maintenance mechanic is required to insure that the necessary work is completed; now, therefore, be it

RESOLVED, that the Park Maintenance Supervisor is hereby authorized to hire one additional building maintenance mechanic, for a total of four (4); and be it further

RESOLVED and understood that the funding for the above-stated positions shall not cause The Parks and Trails Department Budget Account #A71101-51002 to exceed the 2010 budgeted for seasonal employees of \$117,037.

Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 447-10
(9-28-10) P&TMGRSecurityTransfer 9 10
APPROVING AN INCREASE OF \$983.28 TO 2010 CURRENT BUDGET
AMOUNT OF ACCOUNT #A71100-42459 MISCELLANEOUS REVENUE AND A
\$983.28 INCREASE TO ACCOUNT #A71101-51002 EMERSON PARK SALARIES
PT TO COVER THE COST OF ADDITIONAL SECURITY TO COVER THE
EXTENDED 2010 SEASON OF THE MERRY-GO-ROUND PLAYHOUSE

By: David R. Axton, Chairman, Public Works

Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, Merry-Go-Round Playhouse (MGR) continued its extended season in 2010; and

WHEREAS, this change has made it necessary to have additional security at Emerson Park; and

WHEREAS, the Public Works Committee in 2009 ruled that MGR should pay for this additional security; and

WHEREAS, the Park Maintenance Supervisor has determined the cost of the additional security will be \$983.28; and

WHEREAS, MGR agreed to issue a check for \$983.28 which will be deposited in the Emerson Park Miscellaneous Revenue Account #A71100-42459; now, therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to increase the 2010 current budget amount of account #A71100-42459 Miscellaneous Revenue by \$983.28 and increase account #A71101-51002 Emerson Park Salaries PT by the same \$983.28 to cover the cost of additional security to cover the extended 2010 season of the Merry-Go-Round Playhouse. This adjustment is to take place only after receipt of the check from the Merry-Go-Round Playhouse.

Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 448-10

(9/28/10) PT Montezuma Transfer 9 10

AUTHORIZING THE COUNTY TO TRANSFER OWNERSHIP OF A PARCEL (PARCEL # 85.00-1-24) OF LAND IN THE TOWN OF MONTEZUMA, TO THE TOWN OF MONTEZUMA AND AUTHORIZING THE CHARIMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE DOCUMENTS.

By: Mr. David Axton, Chairman, Public Works

Mr. Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, Resolutions 312-05 and 466-09 authorized Cayuga County to accept three parcels of land acquired from NYSDOT to satisfy an alienation of parkland that occurred when NYSDOT replaced the bridge on Whitebridge Road; and

WHEREAS, one of the parcels, Parcel Number 85.00-1-24, was acquired to complete a planned park in the Town of Montezuma; and

WHEREAS, the Town of Montezuma has requested we turn this parcel over to the town as originally planned, and

WHEREAS, The Town of Montezuma stated their desire to develop the parcel into a formal park; and

WHEREAS, the local legislator and the Parks Commission supports the transfer; now, therefore, be it

RESOLVED, that Cayuga County is hereby authorized and directed to transfer a parcel of land, commonly known as tax map number 85.00-1-24, which parcel is located in the Town of Montezuma, consisting of approximately 23.7 acres of land to the Town of Montezuma pursuant to section General Municipal Law 72-h and County Law section 215; and be it further

RESOLVED, that the transfer is subject to the Town of Montezuma using the parcel's as parkland with any and all members of the public being permitted access to the parcel; and be it further

RESOLVED, that the parcel will continue to be used for park purposes and the parkland use shall not be diverted to non-park use; and be it further

RESOLVED, if the Town of Montezuma desires or undertakes to alienate the parcel as to a non- park purpose or desires or undertakes to restrict access to the parcel to members of the public that, in that event, the parcel shall revert to the County of Cayuga; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents required to implement this resolution. Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell and Pinckney, all in favor.

RESOLUTION NO. 449-10

9/28/10 Bldgs Awarding HVAC upgrade 911 Center Rev3

AWARDING THE BID FOR THE 911 CENTER HVAC UPGRADE.

BY: Hon. Mr. Axton, Chairman, Public Works Committee, and

Hon. Mr. Cuddeback, Chairman Judicial & Public Works Committee, and

Hon. Mr. Palermo, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 351-10 authorized to go out for bid for the modification of the 911 center HVAC system upgrade; and

WHEREAS, Bids have been received for this project; and

WHEREAS, this is a life safety issue and no funds were budgeted for this project.

WHEREAS, LeClaire-Fleming Mechanical Contractors Inc. is the lowest responsible bidder with the amount of \$21,703.00 ; now therefore be it

RESOLVED, that the funds for the HVAC project will come from Contingency Account A10164 54000 in the amount 22,703.00 for the project and unforeseen issues and be transferred to account A30204 54012; and be it further

RESOLVED, that the Cayuga County Legislature award the 911 center HVAC upgrade bid to LeClaire-Fleming Mechanical Contractors Inc. At a cost of \$21,703.00; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds monitor the upgrade and approve all payments before the 911 department processes them to implement the intent of this resolution; 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 Axton, Barski, Cuddeback, Mitchell, Aikman, Petrus, Sincebaugh, Palermo, Fearon and Mahunik, all in favor.

RESOLUTION NO. 450-10

9/28/10 Bldgs Awarding Masonry contract HPOrev

AWARDING THE BID FOR MASONRY REPAIR OF THE HISTORIC POST OFFICE 157 GENESEE STREET AUBURN NY.

BY: Hon. Mr. Axton, Chairman, Public Works Committee, and

Hon. Mr. Palermo, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 249-09 authorized going out for bids for projects in the downtown complex and,

WHEREAS, Resolution 411-09 awarded project design to Larson Design Group and established Capital H Project 09-02 for the Old Historic Post Office windows, roof and wall; and

WHEREAS, Resolution 409-10 authorized to advertisement for bids for the Masonry repair of the walls; and;

WHEREAS, Lupini Construction Inc of New York Mills, New York is the lowest responsible bidder with the amount of \$126,800.00; now therefore be it

RESOLVED, that the funds for the masonry repair will come from account A10164 54000 in the amount of \$139,400.00 and be transferred to Capital "H" account 09-02 for scheduled and unforeseen repairs; and be it further

RESOLVED, that the Cayuga County Legislature to award the masonry repair to Lupini Construction Inc. at a cost not to exceed \$126,800.00; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution; be it further

RESOLVED, that the Superintendent of Buildings and Grounds and Larson Design monitor the masonry project and approve all payments to implement the intent of this resolution; and be 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 Axton, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 451-10

Date: September 28, 2010 hwyfilledMEO

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A
MEDIUM MOTOR EQUIPMENT OPERATOR POSITION WITHIN THE
HIGHWAY DEPARTMENT**

BY: Hon. David Axton, Chairman, Public Works Committee

Hon. Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, a current Medium M.E.O. position was vacated on June 29, 2010; and
WHEREAS, this Medium M.E.O. position is critical to the operation of the highway
department; and

WHEREAS, this position (Position Control #2475) has been budgeted for the entire
year; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position and
be it further

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

Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon,
Mahunik and Petrus, all in favor.

RESOLUTION NO. 452-10

Date: September 28, 2010 hwychipexcavincbdgt

**AUTHORIZING THE HIGHWAY SUPERINTENDENT TO AMEND THE
HIGHWAY BUDGET DUE TO CHIPS INCREASE AND RECEIVE BIDS FOR A
HYDRAULIC EXCAVATOR**

BY: David Axton Chairman, Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, \$2,313,929 was budgeted in Revenue Account D50100 43505 for the
Consolidated Highway Improvement Program (CHIPs) for 2010; and

WHEREAS, the State has officially notified the County was allotted \$2,700,681.39
in CHIPs funding, an increase of \$386,752.39; and

WHEREAS, the CHIPs program is a reimbursement program that requires the funds
first be spent on projects with a 10 year or greater life expectancy such as paving, bridge
rehabilitation or equipment purchases before application for reimbursement can be made;
and

WHEREAS, the Highway department is in need of a new hydraulic excavator, a
versatile, multi-purpose piece of equipment for all types of highway work; paving, and
culvert pipe; and

WHEREAS, the Highway department is currently seeking to advertise and receive
bids for a hydraulic excavator; and

WHEREAS, Account DM51302 52002 is the appropriations account that is used for
the expenditure of the Equipment (machinery) purchases, D51104 54089 for Pipe, and
D51134 54099 for Paving and all are qualified CHIPs expenditure; now therefore be it

RESOLVED, that the County Highway Superintendent be and is hereby authorized
and directed, as specified in Section 133 of the Highway Law to advertise and receive sealed
bids for a hydraulic excavator; and be it further

RESOLVED, that the appropriations accounts be correspondingly increased to reflect the increase in revenues by the following amounts to allow and authorize the Highway Superintendent to fully utilize the CHIPs funds:

| Account | Original Amount | New Amount | Increase |
|-----------------------|-----------------|----------------|--------------|
| DM51300 43505 - | \$ 0.00 | \$264,000.00 | \$264,000.00 |
| D50100 43505- | \$2,313,929.00 | \$2,436,681.39 | \$122,752.39 |
| REVENUE INCREASE | | | \$386,752.39 |
| DM51302 52002 - EQUIP | \$ 327,000.00 | \$ 527,942.00 | \$200,942.00 |
| D51104 54089 - PIPE | \$ 45,000.00 | \$ 60,000.00 | \$ 15,000.00 |
| D51134 54099 - PAVING | \$1,250,000.00 | \$1,420,810.39 | \$170,810.39 |
| EXPENSE INCREASE | | | \$386,752.39 |

and be it further

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

Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 453-10

Date: September 28, 2010 hwysnowcontract2010-11

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND HIGHWAY SUPERINTENDENT TO ENTER INTO A ONE YEAR AGREEMENT FOR SNOW AND ICE REMOVAL

BY: David Axton Chairman, Public Works Committee
 Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the towns within Cayuga County provide snow and ice removal for the county; and

WHEREAS, the current agreement was for one year and expires on June 30, 2010; and

WHEREAS, the county and towns desire to continue this operating procedure; and

WHEREAS, town and county officials met and discussed the contract, and agreed upon a 3% increase plus salt index adjustment for 2010-11, and to negotiate annually the remaining seasons; now therefore be it

RESOLVED, to authorize the Chairman of the Legislature and the Highway Superintendent to enter into agreement with municipalities within the county to provide snow and ice removal for Cayuga County; be it further

RESOLVED, the County Attorney is to review agreement before signing; and be it further

RESOLVED, a 3% raise plus salt index adjustment for the 2010-2011 season is to be provided to the towns.

Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 454-10**9/28/10 ShrModify Capital "H" #10-02rev****MODIFYING THE CAYUGA COUNTY SHERIFF'S OFFICE CAPITAL "H" PROJECT # 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) TO INCLUDE THE BUILD UP OF THE CONSTRUCTION SITE AND MATERIALS FOR THE FINISHING OF THE BUILDING**

BY: HON. MR. STEVEN E. CUDDEBACK, Chairman, Public Safety Committee, and HON. MR. CHRISTOPHER M. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, Resolution #JP 218-10 authorized the County Treasurer to create the Cayuga County Sheriff's Office Capital "H" Project# 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) in an amount not to exceed \$115,200.00 and to source the funding of this project by a transfer from two separate Inmate T Accounts as follows:

\$24,000 – T Account 92 - (SCAAP) State Criminal Alien Assistant Program

\$91,200 – T Account 77 - Inmate Phone Account

WHEREAS, this resolution did not include any provision for the build-up of the ground site and did not include any funding to finish the interior and the exterior of the building; now therefore let it be

RESOLVED, that the Cayuga County Treasurer increase the Cayuga County Sheriff's Office Capital "H" Project # 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) by \$40,000.00 to include Site Work by Cayuga County Soil and Water of \$13,890.00 and \$26,110.00 for materials to finish the interior and exterior of the Post Frame Building; and let it be

RESOLVED, that in order to carry out the Project, the County Treasurer is hereby authorized to transfer the sum of \$40,000.00 from the following account:

\$40,000 – T Account 77 - Inmate Phone Account: and that it be further

RESOLVED, that any funds remaining at the end of this project should be returned to the Inmate T Account 77, due to the Trust nature of the funding; and let it be further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 455-10**9/28/10 SHR-Purchase a Mobile Command Post****AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A MOBILE COMMAND POST LEVERAGED THROUGH THREE OFFICE OF HOMELAND SECURITY GRANTS.**

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher M. Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, presently has been granted three Office of Homeland Security Grants which stipulate funding the purchase of a Mobile Command Post and the Sheriff's Office has been encouraged by the Office of Homeland Security to leverage the following three Grants to purchase large dollar items as per the attached e-mail; and

WHEREAS, the Cayuga County Sheriff's Office has \$42,500.00 from the 2008 State Law Enforcement Terrorism Prevention Program(SLETPP) Grant, \$46,500.00 from the 2006 State Law Enforcement Terrorism Prevention Grant and \$100,000.00 from the 2009 Stonegarden Grant, totaling \$189,000.00 allocated for this purpose; and

WHEREAS, there are sufficient funds in the Sheriff's 2010 Law Enforcement Grant Expenditure Budget Line A31104 52244 to purchase the Mobile Command Post; and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase the Mobile Command Post for a cost not to exceed \$189,000.00 and it is further

RESOLVED, that the purchase of this Mobile Command Post will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 456-10

9.28.10 911 NEC Contractrev

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A CONTRACT WITH NEC TO PROVIDE THE MICROWAVE FOR NEW EMERGENCY COMMUNICATIONS SYSTEM.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County has completed the bid process for the microwave portion of the Emergency Communications project; and

WHEREAS, whereas NEC has provided the lowest cost to perform the necessary services; and

WHEREAS, the cost to perform the services is not to exceed \$1.88 million; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract with NEC for the amount not to exceed \$1.88 million; and be it further

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

Signed by Cuddeback, Mitchell, Aikman, Petrus, Sincebaugh, Palermo, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 457-10

9/28/10 PSAP ftESDfillrev

AUTHORIZATION TO FILL A VACANT EMERGENCY SERVICES DISPATCHER POSITION

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has a vacant Full-Time Emergency Services Dispatcher position; and

WHEREAS, the Cayuga County E-911 Center had a resignation and it is necessary to select a candidate and fill the Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the position (#001912) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher position from the existing Civil Service list; and be it further

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

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 458-10

9.28.10 911COPSgrantawardrev

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO ACCEPT MONIES THROUGH THE COPS TECHNOLOGY PROGRAM TO BE USED SOLELY FOR THE NEW EMERGENCY COMMUNICATIONS SYSTEM.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Congressman Arcuri allocated \$300,000 to Cayuga County for their new Emergency Communications System; and

WHEREAS, the money was funded through the COPS Technology Program; and

WHEREAS, the Cayuga County E-911 Administrator completed all necessary applications and to ensure the grant guidelines were met; and

WHEREAS, the Cayuga County E-911 Administrator received an award letter for the approval of the funding in the amount of \$300,000 to be used towards the new Emergency Communications System (copy attached); and

WHEREAS, the monies are to be paid after submittal of documents for Grant approved expenditures from Capital "H" Account Number 10-03 ; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to accept the grant award; and be it further

RESOLVED, that appropriate expenditures from the Emergency Communications System shall be invoice to the Grant administrator; and be it

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

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 459-10

(September 28, 2010) SHR-Dr.LangbartInd.Cont.

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE CAYUGA COUNTY SHERIFF TO ENTER INTO A CONTRACT WITH DR. MITCHELL LANGBART TO PROVIDE PSYCHIATRIC SERVICES TO THE INMATES HOUSED AT THE CAYUGA COUNTY JAIL

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and

Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, Dr. Mitchell Langbart is presently a part-time employee with Cayuga County Mental Health who provides psychiatric services to the inmates housed at the Cayuga County Jail; and

WHEREAS, it has been determined that it would be beneficial to the County of Cayuga and the Cayuga County Sheriff's Office to enter into a contract with Dr. Langbart as an Independent Contractor for the psychiatric services he renders at the Cayuga County Jail; now, therefore be it

RESOLVED, that the Chairman of the Legislature and the Cayuga County Sheriff's Office enter into a contract with Dr. Mitchell Langbart that shall commence September 29, 2010 and shall terminate upon 30 days written notice by either party to the other party; and be it further

RESOLVED, that Dr. Langbart shall be compensated at the regular hourly rate of \$150, not to exceed \$22,050 per year, and an on-call daily fee of \$54, not to exceed \$19,764; and be it further

RESOLVED, that these expenses be paid out of Sheriff's 2010 Custody Professional Services Budget Line A31504 54059.

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 460-10
COUNTY OF CAYUGA, NEW YORK**

September 28, 2010

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on September 28, 2010, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter A. Tortorici, Chair
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman
Steven Cuddeback
George Fearon
Patrick Mahunik
Christopher Palermo
Timothy Lattimore
Roger A. Mills
Francis Mitchell
Ann Petrus
Paul Pinckney
Daniel Sincebaugh

There were Absent: (County Legislators)

NONE

Also Present:

Thomas Squires, County Administrator
Frederick Westphal, County Attorney
Mary Jones, Clerk of the Legislature
Sheila Smith, Acting Deputy Clerk
Denise Stayton, E-911 Administrator

The following resolution was offered by Steven Cuddeback , who moved its adoption, and second by Christopher Palermo to wit:

RESOLUTION 460-10
9.28.10 e911rdoprjctfnlscpng
RESOLUTION ISSUING A FINAL SCOPING DOCUMENT FOR THE
PROPOSED CAYUGA COUNTY EMERGENCY
COMMUNICATIONS PROJECT.

BY: Hon. Steven Cuddeback, Chair Judicial and Public Safety
 Hon. Christopher Palermo, Chair Ways and Means

WHEREAS, the Legislature of the County of Cayuga (“County”) has previously identified the need and benefits associated with updating the current radio system infrastructure; and

WHEREAS, it is estimated that, should the County proceed with the Emergency Communications Project (“the Project”), the costs of the project may be in the vicinity of \$17,022,383.00 and may require the issuance of bonds to finance same; and

WHEREAS, the new system, if approved, will also require the construction of additional radio towers within the county,

WHEREAS, the Legislature of the County of Cayuga is an involved agency for the review of this Project as the legislature will have to appropriate funding for same and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the proposed Project has been designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on May 25, 2010 the County declared its intent to be lead agency for review of this Project and directed that other potentially involved agencies be notified in accordance with SEQRA; and

WHEREAS, pursuant to SEQRA, on May 25, 2010, such agencies were notified of the County’s intent to act as lead agency; and

WHEREAS, no involved agency other than the County sought to act as lead agency; and

WHEREAS, by resolution dated June 30, 2010, the County was established as lead agency; and

WHEREAS, the County thoroughly considered the action as that term is defined by SEQRA, and independently evaluated the long form Environmental Assessment Form prepared for the Project together with the County’s knowledge of the area surrounding the project and such further information as is available to the County; and

WHEREAS, on June 30, 2010, the County considered 6 NYCRR 617.3(g) and other appropriate factors and resolved that the segmentation of obtaining prime contractors and sub contractors and consideration of approvals related to bonding for the project (the “Design Project”) for purposes of SEQRA review at that time was appropriate and permissible, citing the reasons therefor; and

WHEREAS, the County determined that the Design Project was not likely to result in a significant impact on the environment and issued a “negative declaration” for that portion of the proposed action; and

WHEREAS, on June 30, 2010 the County also determined that the remainder of the proposed action may include the potential for at least one significant adverse environmental impact; and, accordingly the County made a positive declaration of significance; and

WHEREAS, the County determined that the Project, including construction of a number of new towers and refurbishing of existing towers, constitutes an action described in one or more of the categories contained in 6 NYCRR 617.10(a)(1) through (a)(4), and accordingly, resolved that a generic environmental impact statement is appropriate to assess the Project's environmental impacts; and

WHEREAS, the County filed, published and circulated the negative declaration and the positive declaration in accordance with SEQRA; and

WHEREAS, the County prepared and circulated to potentially interested and involved agencies a draft scoping document for the Project in accordance with 6 NYCRR 617.8 and made the draft scoping document publicly available; and

WHEREAS, the County published notice of a public scoping session in The Citizen on August 6, 2010; and

WHEREAS, the County conducted a public scoping hearing on August 16, 2010, and accepted written comments on the draft scoping document from August 9 through September 7, 2010; and

WHEREAS, no public comments were received on the draft scoping document; and

WHEREAS, prior to the expiration of 60 days since the submittal of a draft scoping document, the County has prepared and thoroughly reviewed a proposed final scope that addresses each requirement contained in 6 NYCRR 617.8(f); and

NOW, THEREFORE BE IT RESOLVED ON SEPTEMBER 28, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK AS FOLLOWS:

RESOLVED, that the County hereby adopts the proposed final scope as the Final Scoping Document (copy attached); and, it is further

RESOLVED that the County accordingly directs that a draft generic environmental impact statement be prepared consistent with the Final Scoping Document; and it is further

RESOLVED that the County directs the County Attorney to take the necessary procedural steps to file and publish the positive declaration in accordance with 6 NYCRR Part 617, including providing notice to all entities identified therein, as well as take any further necessary steps in accordance with SEQRA.

Signed by Tortorici, Aikman, Axton, Barski, Chapman, Cuddeback, Fearon, Lattimore, Mahunik, Mills, Mitchell, Palermo, Petrus, Pinckney and Sincebaugh.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on September 28, 2010, the result of which vote was as follows:

| COUNTY LEGISLATOR | VOTE |
|---------------------------|-------------|
| Peter A. Tortorici, Chair | Yes |
| Cynthia Aikman | Yes |
| David Axton | Yes |
| Stephen Barski | Yes |
| Michael Chapman | Yes |
| Steven Cuddeback | Yes |
| George Fearon | Yes |
| Patrick Mahunik | Yes |
| Christopher Palermo | Yes |

| | |
|-------------------|-----|
| Timothy Lattimore | Yes |
| Roger A. Mills | Yes |
| Francis Mitchell | Yes |
| Ann Petrus | Yes |
| Paul Pinckney | Yes |
| Daniel Sincebaugh | Yes |

DATED: September 28, 2010

RESOLUTION NO. 461-10
COUNTY OF CAYUGA, NEW YORK
September 28, 2010

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on September 28, 2010, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter A. Tortorici, Chair
 Cynthia Aikman
 David Axton
 Stephen Barski
 Michael Chapman
 Steven Cuddeback
 George Fearon
 Patrick Mahunik
 Christopher Palermo
 Timothy Lattimore
 Roger A. Mills
 Francis Mitchell
 Ann Petrus
 Paul Pinckney
 Daniel Sincebaugh

There were Absent: (County Legislators)

NONE

Also Present:

Thomas Squires, County Administrator
 Frederick Westphal, County Attorney
 Mary Jones, Clerk of the Legislature
 Sheila Smith, Acting Deputy Clerk
 Denise Stayton, E-911 Administrator

The following resolution was offered by Steven Cuddeback , who moved its adoption, and second by Christopher Palermo to wit:

RESOLUTION NO. 461-10

9.28.10 e911rdprojectypIInegdcl(city)

RESOLUTION DETERMINING THAT CERTAIN IMPROVEMENTS RELATED TO THE PROPOSED CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT CONSTITUTE A TYPE II ACTION AND MAY BE PERMISSIBLY SEGMENTED AND ISSUING A NEGATIVE DECLARATION.

BY: Hon. Steven Cuddeback, Chair Judicial and Public Safety

Hon. Christopher Palermo, Chair Ways and Means

WHEREAS, the Legislature of the County of Cayuga ("County") has previously identified the need and benefits associated with updating the current radio system infrastructure; and

WHEREAS, it is estimated that, should the County proceed with the Emergency Communications Project ("the Project"), the costs of the project may be in the vicinity of \$17,022,383.00 and may require the issuance of bonds to finance same; and

WHEREAS, the new system, if approved, will also require the construction of additional radio towers within the county,

WHEREAS, the Legislature of the County of Cayuga is an involved agency for the review of this Project as the legislature will have to appropriate funding for same and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the proposed Project has been designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on May 25, 2010 the County declared its intent to be lead agency for review of this Project and directed that other potentially involved agencies be notified in accordance with SEQRA; and

WHEREAS, pursuant to SEQRA, on May 25, 2010, such agencies were notified of the County's intent to act as lead agency; and

WHEREAS, no involved agency other than the County sought to act as lead agency; and

WHEREAS, by resolution dated June 30, 2010, the County was established as lead agency; and

WHEREAS, the County thoroughly considered the action as that term is defined by SEQRA, and independently evaluated the Long Environmental Assessment Form prepared for the Project together with such further information as is available to the County; and

WHEREAS, on June 30, 2010 the County determined that the Project may include the potential for at least one significant adverse environmental impact; and, accordingly the County made a positive declaration of significance; and

WHEREAS, the County determined that the Project, including construction of a number of new towers and refurbishing of existing towers, constitutes an action described in one or more of the categories contained in 6 NYCRR 617.10(a)(1) through (a)(4), and accordingly, resolved that a generic environmental impact statement is appropriate to assess the Project's environmental impacts; and

WHEREAS, the Project includes certain minor improvements to existing emergency wireless communications systems related to the City of Auburn 911 Communications system, including collocation of antennas on the City of Auburn 911 Facility and the

County 911 Emergency Center, installation of associated equipment shelters and emergency backup generators for the sites, and installation of wiring at the Onondaga County 911 Center (collectively, the "Improvements"); and

WHEREAS, the Improvements constitute replacement, rehabilitation, or reconstruction of a structure and/or facility in kind, on the same site; and

WHEREAS, the County acknowledges that segmentation, as that term is used in 6 NYCRR 617.3(g) is only permissible when the circumstances warrant it and when a segmented review will be no less protective of the environment;

WHEREAS, pursuant to SEQRA, Type II actions require no SEQRA review and may properly be segmented from the remainder of the Project that is subject to SEQRA review; and

WHEREAS, the County has nevertheless examined the potential environmental impacts that may result from the Improvements, and has independently evaluated the Short Environmental Assessment Form prepared for the Improvements, together with such other information as is available to the County;

NOW, THEREFORE BE IT RESOLVED ON SEPTEMBER 28, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK, AS FOLLOWS:

RESOLVED, that, for the reasons specified in the attached Negative Declaration, the County hereby declares that the Improvements constitute a Type II action as that term is used in SEQRA as the Improvements involve replacement, rehabilitation, or reconstruction of a facility and/or structure in kind; and, it is further

RESOLVED, that the segmentation of the Improvements for purposes of SEQRA review at this time is appropriate and permissible for the following reasons:

The Improvements involve the addition of antennas to existing towers, and the addition of equipment shelters and emergency generators for backup power to facilities that already and currently operate as emergency wireless communications facilities. The Improvements will replace and update existing emergency wireless communications structures. Given the identical use of the existing facilities to the proposed Improvements, as well as the non-intrusive collocation construction required, the Improvements constitute a Type II action that may be properly segmented from the Project.

Review and approval of the Improvements at this time is no less protective of the environment because the Project, including construction of new towers and refurbishing of additional towers, is to be analyzed in a GEIS which will identify significant adverse environmental impacts, if any, and require appropriate mitigation. Notwithstanding that the Improvements are a Type II action which require no SEQRA review, the County has nevertheless fully assessed the potential for environmental impact resulting from the Improvements.

The risk that the decision as to the Improvements may be practically determinative of a subsequent action is minimal because the Improvements can be constructed, and operate permanently whether or not the Project is ultimately approved. A separate mandate to complete the Improvements exists apart from any need or rationale supporting approval of the Project. Completing the Improvements does not commit the County to any particular actions or future approvals with respect to the ultimate design, location, and nature of the remainder of the Project because the Improvements have their own separate utility, apart from any approval, design or construction of the Project.

Approval and construction of the Improvements is not related to the review, assessment and/or approval of Project. No Project activities such as new tower construction or

other activities that may have a potential significant impact will occur prior to review and approval of the already-required GEIS and issuance of findings pursuant to SEQRA, as well as any necessitated post-GEIS review for particular towers.

The danger that the Project is being broken up into two or more component parts that individually would not have as significant an environmental impact is not present because the Improvements are a Type II action which do not have environmental impact, and because the County has determined that a positive declaration is required for the Project and has required preparation of a GEIS that will examine potential impacts from the Project.

Accordingly, segmentation can be performed without running afoul of SEQRA's basic policies; and it is further

RESOLVED, that, given the Type II status of the Improvements and the assessment of potential impact performed by the County, the County finds that the Improvements will not result in any significant adverse environmental impacts and accordingly, no further SEQRA review is required. The reasons supporting such determination are set forth in the Negative Declaration attached to this resolution; and it is further

RESOLVED, that the County directs the County Attorney to take the necessary procedural steps to file and publish the negative declaration in accordance with 6 NYCRR Part 617, as well as take any further necessary steps in accordance with SEQRA; and it is further

RESOLVED, that the County approves installation of the Improvements as described herein.

Signed by Tortorici, Aikman, Axton, Barski, Chapman, Cuddeback, Fearon, Lattimore, Mahunik, Mills, Mitchell, Palermo, Petrus, Pinckney and Sincebaugh.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on September 28, 2010, the result of which vote was as follows:

| COUNTY LEGISLATOR | VOTE |
|---------------------------|-------------|
| Peter A. Tortorici, Chair | Yes |
| Cynthia Aikman | Yes |
| David Axton | Yes |
| Stephen Barski | Yes |
| Michael Chapman | Yes |
| Steven Cuddeback | Yes |
| George Fearon | Yes |
| Patrick Mahunik | Yes |
| Christopher Palermo | Yes |
| Timothy Lattimore | Yes |
| Roger A. Mills | Yes |
| Francis Mitchell | Yes |
| Ann Petrus | Yes |
| Paul Pinckney | Yes |
| Daniel Sincebaugh | Yes |

DATED: September 28, 2010

RESOLUTION NO. 462-10**9.28.10 GovOps&W&M-AppHireCountyAuditor-rev****AUTHORIZING THE HIRING OF A COUNTY AUDITOR; SETTING SALARY;
AND, AUTHORIZING CHAIRPERSON OF THE CAYUGA COUNTY
LEGISLATURE TO EXECUTE AN EMPLOYMENT AGREEMENT.**

BY: Cayuga County Legislature

WHEREAS, Local Law No. 2 for the year 2009 established the office of County Auditor; and

WHEREAS, Michele Anthony has accepted the position of County Auditor, subject to confirmation; now, therefore, be it

RESOLVED, that Michele Anthony be hired as the County Auditor; and be it further

RESOLVED, that the salary shall be set as set forth in the employment agreement, a copy of which is attached; and be it further

RESOLVED, that the appointment of Michele Anthony as the Cayuga County Auditor is subject to and contingent upon the completion of a background check by the Cayuga County Sheriff's Office and the review and acceptance of said background check by the Chairperson of the Cayuga County Legislature and the County Attorney; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign the employment agreement between the County of Cayuga and

Signed by Tortorici, Aikman, Axton, Barski, Chapman, Cuddeback, Fearon, Lattimore, Mahunik, Mills, Mitchell, Palermo, Petrus, Pinckney and Sincebaugh.

RESOLUTION NO. 463-10

September 28, 2010 PB_BioGasTechAnalysis_RFQ_P ver1

**RESOLUTION AUTHORIZING AND DIRECTING THE SOLICITATION OF
QUALIFICATIONS AND FEE QUOTES FOR A TECHNICAL ANALYSIS OF
THE CAYUGA COUNTY BIOGAS PIPELINE PROJECT THROUGH A
COMBINED REQUEST FOR QUALIFICATIONS (RFQ) | REQUEST FOR
PROPOSAL (RFP) PROCESS**

BY: Resolution submitted to the Full Legislature

WHEREAS, a Special Meeting of the Whole for the Cayuga County Legislature was held on August 31, 2010 to present a proposed Cayuga County Biogas Pipeline Project (the "Project") to the Legislature and the Public and to inform the Legislature and the Public about the Project and the potential environmental, economic and job creation benefits the Project could deliver to Cayuga County; and

WHEREAS, the Cayuga County Legislature, after reviewing the Project at the conceptual stage, believes that a comprehensive Technical Analysis ("TA") of the Project and the development of a well defined Business Model for the Project is required for the Legislature to conduct a due-diligence review of the Project, its potential benefit to Cayuga County and the return on investment it may represent for the County; and

WHEREAS, conducting the TA will require the County to identify a qualified team of individuals or firms with specific expertise in the fields of engineering, renewable energy and utilities markets and the development of public-private partnerships; and

WHEREAS, the Cayuga County Legislature wishes to identify and contract with such a team and to solicit qualifications and fee proposals through a public process consisting of an initial Request for Qualifications ("RFQ") to identify qualified teams | firms,

followed by a Request for Proposals (“RFP”) to solicit fee proposals for a well defined scope of work to be conducted under the Technical Analysis; now,

THEREFORE, BE IT RESOLVED, by the Cayuga County Legislature, as follows:

1. The Department of Planning and Economic Development is hereby authorized and directed to develop a scope of work to be conducted under the Technical Analysis and to prepare and circulate a combined RFQ|RFP solicitation to identify qualified firms to conduct the analysis and solicit specific fee quotes to identify the cost for completing the Technical Analysis;

2. The Chair of the Legislature is requested to solicit and assemble a small working team of individuals, consisting of initial project participants representing the County Legislature; technical representatives from the Cayuga County Public Utilities Services Agency (CCPUSA); the Department of Planning & Economic Development | Cayuga County Industrial Development Agency (CCPED|CCIDA); Cayuga Renewables | County Dairy Farms; and Legal Counsel representing Cayuga County and CCIDA, to have the responsibility to conduct and administer the RFQ|RFP process and to keep the County Legislature informed during the public solicitation process;

3. The Department of Planning and Economic Development is hereby authorized to seek out and apply for various local, state and federal grants and funding resources to secure funding to offset Cayuga County’s costs for the Technical Analysis and the Chair of the Legislature is hereby authorized to execute the documents and applications necessary to secure and administer such funds; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Tortorici, Aikman, Axton, Barski, Chapman, Cuddeback, Fearon, Lattimore, Mahunik, Mills, Mitchell, Palermo, Petrus, Pinckney and Sincebaugh.

Motion by Cuddeback to adjourn at 7:45PM, 2nd by Pinckney, all in favor.

Motion by Lattimore to approve minutes of 9-28-10 on 11-23-10, 2nd by Pinckney, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
OCTOBER 26, 2010 – 10:00AM
STUDENT GOVERNMENT DAY**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 10:00AM

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislator’s present, except Palermo excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

DEATHS: Robert J. “Bob” Henderson, Superintendent of Auburn Correctional Facility for 18 years. Bob known to his family as the “Warden” was a civic and community leader who served on many boards in Cayuga County such as; United Way and the American Red Cross, past president of the Auburn Rotary Club and member of the Knights of Columbus.

Deaths: Former Cayuga County Sheriff Robert Sponable, began his career as a deputy in 1949, was promoted to under-sheriff for 3 years and then elected Sheriff for 25 years before his retirement in 1991. Sheriff Sponable touched many lives and will be fondly remembered for his dedication and service to the citizens of Cayuga County.

STUDENTS ASSIGNED TO LEGISLATORS:

| Legislator | Student | School |
|------------------------------------|-------------------|-----------------|
| Peter Tortorici Chair, District 10 | Ashlee Casper | Auburn |
| Christopher Palermo, District 1 | McKenzie Williams | Jordan Elbridge |
| Michael Chapman, District 2 | Joe Soccio | Cato-Meridian |
| David Axton, District 3 | Morgan Swan | Auburn |
| Ann Petrus, District 4 | Tionni Marshall | Weedsport |
| Paul Pinckney, District 5 | Matt Henry | Union Springs |
| Roger Mills, District 6 | Morgan Laird | Auburn |
| George Fearon, District 7 | Ben Derby | Union Springs |
| Francis Mitchell, District 8 | John Slaski | Moravia |
| Steven Cuddeback, District 9 | Rachel Smith | Moravia |
| Stephen Barski, District 11 | Phillip Cooper | Auburn |
| Patrick Mahunik, District 12 | Matthew White | Auburn |
| Timothy Lattimore, District 13 | Joshua Salva | Auburn |
| Daniel Sincebaugh, District 14 | Patrick DeSantis | Tyburn |
| Cynthia Aikman, District 15 | Nikkia Borowski | Auburn |
| Mary Jones, Clk. of Legislature | Julia Myers | Weedsport |
| Fred Westphal Co. Attorney | Anthony Moore | Auburn |
| Co. Administrator Tom Squires | Abby Valentino | Auburn |

PRIVILEGE OF THE FLOOR: Terry Masterson, (CCEDA) Cayuga Economic Development Agency, Quarterly up-date. **Handout attached to original minutes**

PROCLAMATION'S:

Domestic Violence Awareness Month in Cayuga County October 2010

Disabled American Veterans Forget-Me-Not Days, September 30th to October 7th, 2010
Titles read by student Julia Myers, for Mary Jones, Clerk of the Legislature

MINUTES: For Approval: 8-24-10, Spec. Meet. Of the Whole 8-31-10 and Spec. Leg. Meet. 9-9-10, **Motion to approve minutes by Lattimore (student Joshua Salva), 2nd by Pinckney (student Matt Henry), all in favor.**
For Reading: 9-28-10

CCC REPORT: Dr. Daniel Larson: Attached to original minutes. Discussion: Pinckney, how do we compare with other close colleges?
Larson, we are leading them in growth.
Lattimore, the college is geothermal also?
Larson, yes, and we also had solar panels installed in the fall.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Sincebaugh, seasonal employees for highway resolution was pulled.
Axton, it will be brought to committee next month.
Sincebaugh, I have safety concerns with not having a wingman.
Axton, not wingman positions, part-time dispatcher's positions.
Tortorici, I would like to move that through committee, it was pulled, we will continue it at Public Works.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, Introduced Michele Anthony the new County Auditor. The 2011 budget is being finalized and will be presented to the Legislature in a special meeting sometime in the next couple of weeks. Current 2010 projections will show use of fund balance totaling \$800,000 not the 3.1 million budgeted, that is a difference of 2.3 million dollars. The bid has gone out for the towers, shelters and generators for the radio project. The Sheriff Department has received a very good review from the accreditation team, the review team is recommending accreditation from the State and should know in a month or two. The Sheriff's team worked very hard on this and should be very proud.

CHAIRMAN'S REPORT: Peter Tortorici, the BIO-Gas Digester Pipe Line Project, we do have a draft RFQ ready, as soon as it is finalized I will give a copy to all Legislators to look at. Our Watershed Council is moving forward, should have an LLC very shortly, this will be a good thing for Cayuga County Watershed. Legislator Cynthia Aikman will be honored and receive the Phyllis Goldman award at Highland Park on November 15, 2010 from 11:30AM to 1:30PM. She has been an advocate for Economic Development and job growth in our county and we appreciate your efforts. We had a Regional Planning Board Meeting at BOCES and were attended by Legislator Mills, Mitchell, Fearon, Pinckney, Petrus, and Aikman, good turn-out. It was good to see what BOCES is able to

do, they are lead solar certification, and it is the only school in New York State that is certified lead agency. We also viewed a simulcast, one from Buffalo and one from Minneapolis; it was nice not to having to drive there, we can see everything right in the classroom. The presentations by Steve Lynch, Planning Director on the BIO Gas Project along with Soil & Water on the Digester project, we have a lot of exciting projects going on in Cayuga County.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Water & Sewer Authority, Re-appointments:

Herb Marshall, 8016 Powers Rd., Port Byron, NY 13140, term – 1-1-2011 to 12-31-2013

James Taber, 1791 W. Fenesece St. Rd., Auburn, NY 13021, term – 1-1-2011 to 12-31-2013

Lester (Buddy) VanDyke, 12314 Westbury Rd., Red Creek, NY 13143, term – 1-1-2011 to 12-31-2013

Motion by Lattimore, 2nd by Barski, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from the Town of Sterling Planning Board, they will hold a Public Hearing on Monday, October 4th, 2010 at 7:00PM, Sterling Town Hall, re: Subdivision of property located on Irwin Road, Sterling NY.

2. Received a copy of a Resolution #IL-045-10 passed by the Niagara County Legislature, re: Resolution Calling on the New York State Public Service Commission to Reject Grid Rate Increase Proposal and for the Western New York Delegation to the New York State Legislature to Express Opposition to Rate Increase to Public Service Commission.

3. Received approved Resolution No. 391 from Fulton County, re: Resolution Urging NYS Public Service Commission to Reject Proposal from National Grid to Increase Residential Natural Gas and Electric Prices.

Read by student Julia Myers, for Clerk of the Legislature Mary Jones.

RESOLUTIONS:

RESOLUTION NO. 464-10

10-26-10 AuditOctober 2010.doc

AUTHORIZING THE COUNTY TREASURER TO PAY OCTOBER 2010 AUDIT OF CLAIMS

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on October 26, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,582,113.79, therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 17, 2009.

Signed by Palermo, Axton, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 465-10

10.26.10

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

By: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

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

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

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

September 2010

| | |
|----------------|--------------|
| Electric (Gas) | \$ |
| Telephone: | \$ 18,662.50 |
| Total: | \$ 18,662.50 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 466-10

10-26-10 OFAseniornutrition 9-10

REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and Mr. Christopher Palermo, Chair of Ways and Means Committee.

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$6,368.50 covering the period through 10/1/10 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Axton, Cuddeback, Fearon and Mills, all in favor.

RESOLUTION NO. 467-10

10.26.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

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

September 2010

| | |
|---------------|-------------|
| First Niagara | \$ 0 |
| AmExpress | \$ 1,726.55 |
| Sunoco | \$ 243.99 |
| Walmart | \$ 2,800.00 |
| Exxon | \$ 242.33 |
| Total: | \$ 5,012.77 |

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 468-10

10.26.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Christopher Palermo, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

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

September 2010

| | |
|--------------------------------|-------------|
| Copier Leases and Maintenance: | \$11,080.79 |
| Postage Leases: | \$ 478.00 |
| Total: | \$11,558.79 |

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 469-10

(10/ 26/10) COA-CAPH10PAY

AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.

BY: MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

Project #05-1 PUBLIC SAFETY BUILDING RENOVATIONS

| | |
|---------------------------------|--------------|
| Source Media Inc. - ADV 0181480 | 10.00 |
| Total | 10.00 |

Project #06-5 HEATING MODIFICATION TO THE CAYUGA COUNTY OFFICE BUILDING HEATING SYSTEM

| | |
|---------------------------------|--------------|
| Source Media Inc. - ADV 0181480 | 56.00 |
| Total | 56.00 |

Project #08-1 NORTH ST. - MENTAL HEALTH RENOVATIONS

| | |
|--|-------------------|
| Source Media Inc. ADV 0181480 | 525.00 |
| Green Plumbing Inc. Pay Application 9 | 30,798.00 |
| Syracusa Mechanical Inc Pay Application 8 | 73,158.29 |
| Fahs Construction Group Pay Application 10 | 233,302.77 |
| East Coast Electric LLC Pay Application 8 | 38,124.45 |
| Wayuga Community Newspapers Invoice 9/15/10 Legal Ad | 36.64 |
| Friendly Service Invoice 1902 | 75.50 |
| Friendly Service Invoice 1906 | 10.50 |
| Friendly Service Invoice 1907 | 8.25 |
| Atlantic Testing Laboratories Invoice 62302 | 1,568.00 |
| ROI Office Interiors Invoice 9713 | 11,949.47 |
| Teknion LLC Invoice 001111742 | 2,179.90 |
| Teknion LLC Invoice 001113295 | 464.16 |
| Teknion LLC Invoice 001111754 | 3,506.22 |
| Global Invoice 004336674 | 1,536.10 |
| Global Invoice 004348613 | 1,044.08 |
| Global Invoice 004336679 | 9,005.85 |
| Group Four Furniture Inc. Invoice 10026 | 17,622.00 |
| Sit On It Seating Invoice 632255-1 | 8,300.04 |
| Corcraft –Dept of Correctional Serv. Invoice 413890 | 352.00 |
| Corcraft –Dept of Correctional Serv. Invoice 413888 | 560.00 |
| Corcraft –Dept of Correctional Serv. Invoice 413889 | 11,460.00 |
| Gray Management Systems Bill # 14 | 15,964.50 |
| Total | 461,551.72 |

Project #08-02 EMERSON PARK PAVILION RENOVATIONS

| | |
|---------------------------|--------------|
| Whiting's Invoice A027085 | 65.98 |
| Total | 65.98 |

Project #09-02 OLD HISTORIC POST OFFICE WINDOWS, ROOF & WALL

| | |
|-----------------------------------|------------------|
| Larson Design Group Invoice 46360 | 18,254.21 |
| Total | 18,254.21 |

Project #10-02 POST FRAME BUILDING PROJECT (SHERIFF'S DEPT) ALL

| | |
|---|-----------------|
| Lowe's Invoices # 56288 | 95.61 |
| Lowe's Invoices # 67678 | 22.80 |
| Lowe's Invoices # 056261 | 59.19 |
| Nucor Steel Auburn Inc. Invoice # 500321 | 277.44 |
| IRR Supply Centers Invoices # 47090439-00 | 1,052.42 |
| IRR Supply Centers Invoices # 47090439-01 | 137.85 |
| IRR Supply Centers Invoices # 47090439-02 | 103.07 |
| MAS Engineering Invoice # 10199 | 500.00 |
| Lowe's Invoices # 56274 | 50.07 |
| Lowe's Invoices # 42567 | 6.53 |
| Lowe's Invoices # 56454 | 19.92 |
| MAS Engineering Invoice # 10265 | 250.00 |
| Total | 2,574.90 |

Project #10-03EMERGENCY COMMUNICATION PROJECT

| | |
|--|-------------------|
| Wayuga Community Newspapers Invoice 9/15/10 Legal Ad | 28.78 |
| Source Media Inc. - ADV 0181480 | 414.00 |
| Total | 442.78 |
| GRAND TOTAL | 482,955.59 |

And be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 470-10**(10/26/10) rpsprobatecostofservice****PRORATE COSTS OF SERVICE PROVIDED TO TOWNS**

BY: Christopher Palermo, Chairman, Ways & Means Committee

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

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

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

RESOLVED that the Office of Real Property Services is hereby authorized to prorate the cost back to the Towns on service performed by the County in the amount of \$59,420.10 (\$35,554.75 to the Office of Real Property Services, and \$23,865.35 to the Treasurer's office.) This total is computed on one-third salary of the Supervising RPTS Specialist (\$ 54,527.75), the Sr. GIS/Tax Map Technician (\$52,136.50), and the Sr. Computer Systems Technician (\$71,596.05). This cost is then prorated back to the towns by the number of parcels per town; and it is

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 471-10**(October 26, 2010) rptscorrtxrollOct10****AUTHORIZING CORRECTION OF TAX ERRORS IN THE TOWN OF FLEMING:**

BY: Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2010 Tax Roll, and;

WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; now therefore be it

RESOLVED, that the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the change set forth hereafter; and be it further

RESOLVED, that the County Treasurer is authorized and directed to correct the 2010 County and Town Tax Roll; and be it further

RESOLVED, that a corrected tax statement shall be prepared, or a refund of any overpayment of taxes be made, as is applicable; and be it further

RESOLVED, that the 2010/2011 School Tax Roll shall also be corrected as follows:

Town of Fleming: Tax Map # 130.06-1-15. This parcel was incorrectly assessed as having a residence when in fact it is vacant land. The building in question is assessed on another parcel. The assessment should be changed to 11,550 for land and total and the 2010 School tax billing should be adjusted to reflect this. The 2010 final assessment roll should also be adjusted to reflect these corrections.

Signed by Palermo, Axton, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 472-10

(October 26, 2010) HS OFA Boyle Center Lease 2010

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A LEASE AGREEMENT WITH PFI HOUSING COMPANY OF AUBURN, INC. FOR OFFICE SPACE FOR THE COUNTY'S LONG TERM CARE ACCESS OFFICE AT THE EDWARD T. BOYLE CENTER

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the County has had a five-year lease (at the Boyle Center) with PFI Housing Company of Auburn, Inc. that will be expiring in November 30, 2010; and

WHEREAS, PFI Housing has proposed a new five-year lease agreement from December 1, 2010 through November 30, 2015; and

WHEREAS, PFI Housing is proposing that the initial monthly rent will be \$938.47 for the first year and shall be increased by 2% every year after the first rent is due and payable; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature be authorized to enter into a lease agreement with PFI Housing Company of Auburn, Inc. for office space at the Edward T. Boyle Center at 149 Genesee Street, Auburn, NY to house the County's Long Term Care Access Office at the above listed rates; and be it further

RESOLVED, that the monthly lease be charged to Account # A67724 54065 – Office for the Aging (12% of cost) and Account #A60104 54065 – Human Services (88% of cost).

Signed by Petrus, Acton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 473-10 (October 26, 2010)**HS Fill HS Examiner TANF 2010****AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO FILL A VACATED HUMAN SERVICES EXAMINER POSITION IN THE TEMPORARY ASSISTANCE UNIT OF HUMAN SERVICES**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, there is presently a Human Services Examiner vacancy in the Temporary Assistance Unit of Human Services; and

WHEREAS, the Human Services Examiner in TANF determines eligibility for Public Assistance and manages a caseload of recipients receiving public assistance, food stamps and Medicaid; and

WHEREAS, this is a budgeted position in the 2010 Human Service's budget and is partially funded at approximately 75%; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Human Services Examiner position in the Temporary Assistance Unit of Human Services and any fill behinds that may occur in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.

Signed by Petrus, Acton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 474-10**(Oct. 26 , 2010) HS Early Outreach HEAP/Catholic Charities 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CATHOLIC CHARITIES OF THE FINGERLAKES, INC., TO PERFORM OUTREACH ACTIVITIES FOR THE STATE MANDATED HEAP PROGRAM, AND ACCEPT EARLY OUTREACH FUNDING (100% FEDERALLY FUNDED), FOR THE PERIOD OF SEPTEMBER 1, 2010 THROUGH DECEMBER 31, 2010**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Low Income Home Energy Assistance Act of 1981 (Title XXVI of the Omnibus Budget Reconciliation Act) was signed into law to assist eligible households to meet the costs of home energy, said costs being 100% federally funded; and

WHEREAS, the State of New York will oversee the Low Income Home Energy Assistance Act of 1981 in accordance with the requirements of Section 2605 of said Act; and

WHEREAS, the Governor of the State of New York designated County Social Services Departments to carry out the purpose, functions and administration of the Low Income Energy Assistance Act of 1981 in the State of New York, which includes performing outreach activities; and

WHEREAS, in order to administer this program it is necessary to contract with outside agencies to assume responsibility for outreach activities in connection with HEAP (which includes providing and manning outreach and intake sites for regular and emergency assistance) consistent with the State Plan and regulations; and

WHEREAS, in the past we have successfully contracted with Catholic Charities of the Fingerlakes, Inc., to provide these services; and

WHEREAS, this year there is an early start-up of the program and early administrative funds in the amount of \$58,784 are available to assist counties who open the program early; and

WHEREAS, we will be receiving another administrative allocation to cover the total cost of the contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into a contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., in the amount of \$77,125; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County's Human Services 2010 Budget in the following manner:

| | |
|--|----------|
| Increase Revenue Acct. #A60100 44610 | \$58,784 |
| Increase Expenditure Acct. #A60104 54260 | \$50,784 |
| Increase Expenditure Acct. #A60102 52000 | \$ 4,000 |
| Increase Expenditure Acct. #A60104 54049 | \$ 4,000 |

and make any necessary journal and accounting entries to reflect additional HEAP funding upon receipt of notification and documentation from the County's Human Services Department without further action by the Legislature.

Signed by Petrus, Acton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 475-10

(October 26, 2010) HS Accept OCFS Funding FAR

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT \$26,500 FROM NYS OCFS FOR CHILD PROTECTIVE SERVICES' FAMILY ASSESSMENT RESPONSE (FAR) TRAINING & CONFERENCE

BY: Ann Petrus, Chairman of the Health & Human Service Committee
 Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, Chapter 452 of the Laws of 2007 authorized local departments of social services, other than in NYC, to apply to the NYS Office of Children and Family Services (OCFS) to use a family assessment and services approach for a subset of families that are reported to the Statewide Central Register for child maltreatment; and

WHEREAS, the family assessment response (FAR) is a child protective response that does not require an investigation and determination of allegations and individual culpability for families reported to the SCR. It is an alternative approach to providing protection to children by focusing on engaging families in informal and formal support services that meet their needs and increases their ability to care for their children; and

WHEREAS, the NYS Office of Children and Family Services (OCFS) has approved Human Services' application for Child Protective Services' FAR training (100% funded), so that Human Services can move forward in implementing FAR; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health and Human Services Department be authorized to accept \$26,500 from NYS OCFS for this project, contract with the American Humane Association (OCFS' training contractor for FAR), and attend a FAR training; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2010 Budget as follows:

Increase Revenue Account #A60100 43610 \$26,500

Signed by Petrus, Acton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 476-10

**(October 26, 2010) HS Employment & Training 2010-2011
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO
CONTRACTS WITH CAYUGA COUNTY EMPLOYMENT & TRAINING
DEPARTMENT FOR PROVISION OF SERVICES**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services has need to provide employment and training services to public assistance recipients to meet the obligations of the Work Requirement Program; and

WHEREAS, Human Services also has need of a Job Search Program for non-public assistance and Safety Net Food Stamp recipients; and

WHEREAS, our Human Services Division has successfully contracted with Cayuga County Employment and Training Department in the past for provision of these services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cayuga County Employment and Training to provide employment and training services to public assistance recipients for a period 10/1/10 to 12/31/2011 at a cost of \$132,500; and be it further

RESOLVED, that the charges for these services be paid out of account #A60104 54189 of the 2010 Human Services Budget; and be it also

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cayuga County Employment and Training to provide a job search program for Food Stamp recipients for the period 10/1/10 to 12/31/11 at a cost of \$22,500; and be it also

RESOLVED, that the charges for these services be paid out of account #A60104 54188 of the 2010 Human Services Budget.

Signed by Petrus, Acton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 477-10

**(October 26, 2010) HD McBee Associates, Inc 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
CONTRACT WITH MCBEE ASSOCIATES, INC. TO PROVIDE MEDICARE
REVENUE AND RECOVERY SERVICES**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Health Department has a desire to work with McBee Associates,

Inc., who will verify correct Medicare reimbursement for claims submitted by our agency for episodes beginning 10/1/08 – 6/30/10 and will also identify unpaid claims with episodes from 10/1/08 – 6/30/10; and

WHEREAS, with the complexity of Medicare PPS and the 2008 changes, most agencies miss 2% to 6% of Medicare reimbursement in claim processing; and this engagement will not only identify and recover reimbursement from Medicare, but it will also provide detailed diagnostics of our billing and offer recommendations to improve the billing process; and

WHEREAS, McBee provided revenue recovery services to more than 2,400 agencies including 16 NYS counties, and more than 99% of them have received financial benefit; and

WHEREAS, this engagement includes a comprehensive review of all paid Medicare claims for correct payment; and

WHEREAS, the fee for this project is a contingency fee of 27.3% of additional cash paid to the agency from claims re-billed as a result of McBee Associates' review of cash recovered; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized and directed to renew the contract with McBee Associates, Inc. to provide Medicare revenue and recovery services for episodes beginning 10/1/08 – 6/30/10, the fee for which is a contingency fee of 27.3% of additional cash paid to the agency from claims re-billed as a result of McBee Associates' review of cash recovered; and be it further

RESOLVED, that any additional revenue received from Medicare through this initiative will be placed in revenue account #A40120 41601, and 27.3% of the amount received through this initiative will then be put in expenditure account #A40124 54059 to pay McBee Associates for their services; and be it also

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

Signed by Petrus, Acton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 478-10
October 26,2010 nuacptdtr

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE ADMINISTRATOR OF THE NURSING HOME TO ENTER INTO AN
AGREEMENT FOR AUDITING SERVICES AT THE
CAYUGA COUNTY NURSING HOME.**

BY: Ann Petrus , Health and Human Service
Christopher Palermo, Ways and Means

WHEREAS, the Cayuga County Nursing Home is required to have a complete audit of financial records on an annual basis, and

WHEREAS, proposals were requested from firms in the region; and

WHEREAS, proposals were received from seven firms in compliance with the specifications contained in the request for proposals for three (3) years of service; and

WHEREAS, the proposals are as follows:

Testone, Marshall and Discenza for \$13,000,\$13,700, and \$14,500;

Buffington and Hoatland for \$11,900, \$12,100 and \$12,300;

Cuddy and Ward for \$13,500, \$13,900, and \$14,500;
 The Bonadio Group for \$14,000, \$14,000 and \$14,000;
 Grimaldi and Nelkin for \$15,500, \$16,300, and \$17,100;
 Green and Seifter for \$12,500, \$13,750, and \$15,125; and
 Toski, Schaeffer & Co for \$12,900, \$12,900 and \$12,900 and

WHEREAS, the proposal from Buffington and Hoatland provides the service at least cost; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to enter into an agreement with Buffington and Hoatland for \$11,900 for 2010, \$12,100 for 2011 and \$12,300 for 2012; and be it further

RESOLVED, that funds be allocated from the budget account titled Fiscal-Audit E45134 45006.

Signed by Petrus, Acton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 479-10

Action: October 26, 2010 MHBudAdjWildata10.10

AMENDING THE MENTAL HEALTH 2010 BUDGET TO INCREASE STATE AID FUNDING FOR BILLING SOFTWARE UPDATES

BY: Ms. Ann R. Petrus, Chairperson, Health and Human Services Committee

Mr. Christopher M. Palermo, Chairperson, Ways and Means Committee.

WHEREAS, the New York State Office of Mental Health has mandated extensive changes in the delivery of outpatient mental health services effective October 1, 2010; and

WHEREAS, the billing software utilized by the Mental Health Department requires substantial revisions to accommodate these State mandated changes; and

WHEREAS, the software vendor, Wildata, has performed significant customization to enable continued billing consistent with the new regulations; and

WHEREAS, the fee for the required customization is to be divided between the two counties using Wildata's software in the amount of \$10,500 per county. Inasmuch as this cost was not anticipated in the 2010 county budget, it is necessary to transfer funds. In order to pay this fee; now, therefore, be it

RESOLVED, that 2010 budget be modified as follows:

Decrease line A43100 54059, Professional Services by \$ 10,500

Increase line A43100 54019 Computer Support by \$10,500 and be it further

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

Signed by Petrus, Acton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 480-10

Action 10/26/10 MHFillSSW10.10REV

AUTHORIZE THE FILLING OF A FULL-TIME STAFF SOCIAL WORKER (CMH) POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY DUE TO A RETIREMENT

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and

Hon. Christopher Palermo, Chair Ways and Means Committee.

WHEREAS, there will be a vacant full-time Staff Social Worker (CMH) position in the Community Mental Health Center of Cayuga County as the result of a retirement from position control number 02098 effective December 31, 2010; and

WHEREAS, this position provides direct patient care to individuals with severe and persistent mental illnesses; and

WHEREAS, the incumbent will use vacation time for the month of December, and it will be necessary to provide continuity of care for patients during that time and therefore necessary to employ a replacement; and

WHEREAS, there are two vacant full time Staff Social Worker (CMH) positions reflected in the 2010 county budget in the salary amount of \$48,372 each and filling this position will have a maximum salary cost for 2010 of \$6,735; and

WHEREAS, Staff Social Worker (CMH), position control number 5148, is not currently filled and will be unencumbered on November 11, 2010; now, therefore, be it

RESOLVED, that the Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one full-time Staff Social Worker (CMH), position control number 5148, in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Acton, Barski, Mills, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 481-10

(October 26, 2010) COA MOA-CSEAFLTNGHLDY

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE NURSING HOME TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CAYUGA COUNTY CIVIL SERVICE EMPLOYEES' ASSOCIATION (CSEA)

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, prior to the ratification of the most recent CSEA Collective Bargaining Agreement, a Memorandum of Agreement (MOA) was developed and signed on October 6, 2010 by the Chairman of the Legislature, Nursing Home, and CSEA which Designates the Floating Holiday which will be the day after Thanksgiving in lieu of Election Day as a paid holiday for all bargaining unit members.

RESOLVED, that the Chairman of the Legislature and the Director of the Nursing Home enter into a Memorandum of Agreement with the Cayuga County Civil Service Employees' Association (CSEA).

Signed by Petrus, Acton, Barski, Mills, Palermo, Cuddeback and Fearon, all in favor.

RESOLUTION NO. 482-10**10-26-10 coa repeal resol 284-10****REPEALING PORTION OF RESOLUTION NO. 284-10, WHICH ESTABLISHED SUMMER HOURS OF OPERATION FOR COUNTY OFFICES FOR CALENDAR YEARS SUBSEQUENT TO THE YEAR 2010.**

By: Hon. George Fearon, Chair Government Operations Committee

Hon. Christopher Palermo, Chair Ways & Means Committee

WHEREAS, Resolution No. 284-10, in part, established summer hours for County Offices for calendar years subsequent to the 2010 calendar year; and

WHEREAS, the County Legislature desires to repeal that portion of Resolution No. 284-10 which established summer hours of operation for County Offices for calendar years subsequent to the 2010 calendar year; now therefore be it

RESOLVED, that Resolution No. 284-10 be repealed in so far as it establishes summer hours of operation for County Offices for calendar years subsequent to the 2010 calendar year.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Duceback, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 483-10**10/26/10 IT-create/fillSrCompSysTech.****AUTHORIZATION TO CREATE AND FILL THE POSITION OF SR. COMPUTER SYSTEMS TECHNICIAN IN THE INFORMATION TECHNOLOGY DEPARTMENT**

BY: Mr. George Fearon, Chairman, Government Operations

Mr. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Information Technology Department is currently without a direct supervisor due to a retirement on 9/30/10; and

WHEREAS, it is necessary to hire an employee in a supervisor capacity to oversee the day to day operations of the Information Technology Department; and

WHEREAS, there is existing money budgeted in the A16101-51000 line of the 2010 Information Technology budget, now therefore be it

RESOLVED, that the position of Sr. Computer Systems Technician be hereby created within the IT Department; and be it further

RESOLVED, that the position be placed in the Cayuga County Compensation Plan, Part I under Information Technology (37.5 hr) for CSEA employees at a Grade 30 at the below rates/steps:

| | | | | |
|----------|----------|----------|----------|----------|
| Prob | 1st Step | 2nd Ste | 3rd Step | 4th Step |
| \$53,626 | \$53,976 | \$56,102 | \$58,130 | \$60,002 |

and be it further

RESOLVED, that the County Administrator be hereby authorized to fill the position of Sr. Computer Systems Technician, in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Fearon, Barski, Lattimore, Palermo, Axton, Cuddeback, Mills and Petrus, all in favor.

RESOLUTION NO. 484-10

10/26/10 COATTYFILL/ASSTCOATTY

AUTHORIZATING THE COUNTY ATTORNEY TO FILL A VACANT ASSISTANT COUNTY ATTORNEY POSITION WITHIN THE COUNTY ATTORNEY'S OFFICE AND SETTING THE SALARY FOR THE SAME.

BY: Mr. George Fearon, Chairman, Government Operations

Mr. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, there will be one vacant position in the County Attorney's Department due to a resignation effective 10/29/10; and

WHEREAS, the position of Assistant County Attorney (position control number SYS 0037) is important to the continued operation of the office; and

WHEREAS, there is existing money budgeted in the A14201-51001 line of the 2010 County Attorney budget, now therefore be it

RESOLVED, that the salary for the Assistant County Attorney be set at \$64,741.00 for 2010 and 2011 and for the salary to be added to the 2010 and 2011 Cayuga County Compensation Plan Part IV under position control number SYS 0037; and be it further

RESOLVED, that the County Attorney is hereby authorized to fill the position of Assistant County Attorney (Position control SYS-0037), in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Fearon, Barski, Lattimore, Palermo, Axton, Cuddeback, Mills and Petrus, all in favor.

RESOLUTION NO. 485-10

10/26/10 COLstudentgovtsunset10

AUTHORIZING THE COUNTY TREASURER TO PAY THE SUNSET RESTAURANT FOR STUDENT GOVERNMENT DAY LUNCHESES.

BY: George Fearon, Chairperson Government Operations

WHEREAS, The Cayuga County Legislature will hold the annual Student Government Day on Tuesday October 26, 2010; and

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

WHEREAS, funds have been appropriated in the adopted 2010 County Budget to pay for the lunches of the students and the School Chaperones attending Student Government Day; and

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

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

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to pay the Sunset Restaurant for the Student Government Day Luncheon upon submission of an invoice certified by the Clerk of the Legislature and the Chairman of the Legislature out of account A10104-54071; and be it further

RESOLVED, that the County Treasurer make all necessary journal and accounting entries to accomplish same.

Signed by Fearon, Mitchell, Chapman, Aikman, Barski, all in favor.

RESOLUTION NO. 486-10**10/26/10 colstandardworkweek10-26-10****STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED
AND APPOINTED OFFICIALS.**

BY: George Fearon, Chairman, Government Operations Committee
Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

| Title | Name | Social Security (last 4) | Registration Number | Standard Work Day | Term Begins/Ends | Participates in Employer's Time Keeping System | Days/Month (ROA) |
|-----------------------|------------------|--------------------------|---------------------|-------------------|------------------|--|------------------|
| County Administrator: | Thomas Squires | XXXX | XXXXXXXXXX | 7 | 4/1/10-12/31/10 | Y | |
| EMS Medical Director: | Dr. Mary DiRubbo | XXXX | XXXXXXXXXX | 7 | 1/1/10-12/31/10 | N | 2.42 |

and it is further

RESOLVED, further, that the redacted copy of the resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mills and Petrus, all in favor, except Lattimore voting no.

RESOLUTION NO. 487-10

October 26, 2010 PB_Asian_Carp

RESOLUTION URGING ATTORNEY GENERAL ANDREW CUOMO TO JOIN MULTI-STATE LAWSUIT DEMANDING STRONGER ACTION TO PREVENT ASIAN CARP INFESTATION OF GREAT LAKES WATERWAYS

BY: Mr. Roger Mills, Chair, Planning and Economic Development Committee

WHEREAS, the economy of New York State is heavily reliant upon the Great Lakes; and

WHEREAS, the economic impact of sport fishing on New York counties bordering Lake Ontario, namely the Counties of Niagara, Orleans, Monroe, Wayne, Cayuga, Oswego, and Jefferson, was \$54 million in 2007, per research by Cornell University's Department of Natural Resources; and

WHEREAS, Asian carp DNA has been detected in the Great Lakes ecosystem as of January 19, 2010, due to species migration from the Mississippi River Watershed; and

WHEREAS, the Asian carp can grow to be 100 pounds and can consume massive quantities of plankton, the base of the entire Great Lakes food chain; and

WHEREAS, in addition to the clear economic impact on sport fishing, such disruption of the food chain also has a detrimental impact on the availability of clean drinking water; and

WHEREAS, the Honorable Andrew M. Cuomo, Attorney General of the State of New York, did file a brief with the United States Supreme Court supporting a multi-state lawsuit, seeking to prevent Asian carp species migration via the Chicago Sanitary and Ship Canal, on January 4, 2010; and

WHEREAS, the State of New York is, as of September 1, 2010, not a party to a revised and ongoing multi-state federal lawsuit filed by the Attorney Generals of the States of Michigan, Wisconsin, Ohio, Minnesota, and Pennsylvania, as well as the Grand Transverse Band of Ottawa and Chippewa Indians, naming the U.S. Army Corps of Engineers and the Metropolitan Water Reclamation District of Greater Chicago as defendants; and

WHEREAS, the outcome of such lawsuit may have significant impact on the economy of the Great Lakes Region, and therefore on the economy of Cayuga County; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby urge Attorney General Andrew M. Cuomo to support lawsuits against those parties responsible for the Asian carp infestation of the Great Lakes waterways; and be it further

RESOLVED, that the Cayuga County Legislature does hereby urge Attorney General Andrew M. Cuomo to, at a minimum, file an amicus brief in support of the multi-state lawsuit against the U.S. Army Corps of Engineers; and be it further

RESOLVED, that the Cayuga County Legislature calls upon the entire Western New York delegation to the New York State Legislature, and those chairmen and ranking minority members of relevant committees in the New York State Senate and Assembly, to provide such support as shall be necessary to the Office of the Attorney General in pursuit of an outcome in this matter favorable to the interests of the State of New York and Cayuga County, including disbursement of such public funds as shall be necessary to compel such outcome as in the best interests of the State of New York and Cayuga County; and be it further

RESOLVED, that Cayuga County shall forward copies of this Resolution to the Governor David A. Paterson, Attorney General Andrew M. Cuomo, Senator Charles E. Schumer, Senator Kirsten E. Gillibrand, Senator Michael Nozzolio, Senator David J. Valesky, Assemblyman Gary Finch, Assemblyman Brian Kolb, Assemblyman Robert Oaks, and all others deemed necessary and proper.

Signed by Mills, Aikman, Fearon, Lattimore, Mahunik, Pinckney and Sincebaugh, all in favor.

RESOLUTION NO. 488-10

October 26, 2010 PB_SustainableEnergyPlan

AUTHORIZING THE ADOPTION OF THE CITY OF AUBURN AND CAYUGA COUNTY COMPREHENSIVE SUSTAINABLE ENERGY AND DEVELOPMENT PLAN

BY: Roger Mills, Chair, Planning & Economic Development Committee

WHEREAS, in 2007, the City of Auburn received notification of a Quality Communities Grant Program Award in the amount of \$35,515.00 for the completion of a Comprehensive Sustainable Energy and Development Plan, for the City of Auburn and Cayuga County; and

WHEREAS, the goal of the Plan is to make significant contributions to energy conservation, resource management and environmental awareness, as well as education and research within the City of Auburn and Cayuga County; and

WHEREAS, the County was a full participant in the development of the Plan, with work including the City of Auburn and Cayuga County Summit on Developing the Vision and Plan for Sustainable Economic Development on May 31, 2008 at Cayuga Community College; and

WHEREAS, in March of 2009, the City of Auburn and Cayuga County received the final City of Auburn and Cayuga County Comprehensive Sustainable Energy and Development Plan from our consultant Larsen Engineering; and

WHEREAS, the City of Auburn completed the environmental review of the project, and issued a negative declaration pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the City of Auburn adopted the City of Auburn and Cayuga County Comprehensive Sustainable Energy and Development Plan on June 18, 2009; and

WHEREAS, Cayuga County is actively engaged in sustainable energy projects and initiatives and wishes to support and advance the City of Auburn and Cayuga County Comprehensive Sustainable Energy and Development Plan;

NOW, THEREFORE BE IT RESOLVED that the Cayuga County Legislature does hereby approve and adopt the City of Auburn and Cayuga County Comprehensive Sustainable Energy and Development Plan; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Mills, Aikman, Fearon, Lattimore, Mahunik, Pinckney and Sincebaugh, all in favor.

RESOLUTION NO. 489-10

10/26/10 P&T Ag Museum Addition Cap H 10-05 rev8

AUTHORIZING THE ACCEPTANCE OF A BID FOR THE CONSTRUCTION OF A CLIMATE CONTROLLED ADDITION TO THE WARD W. O'HARA AGRICULTURAL MUSEUM; AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE AN AGREEMENT WITH SECOR BUILDINGS SOLUTIONS AND TO SIGN AN INTER MUNICIPAL AGREEMENT WITH CAYUGA COUNTY SOIL AND WATER CONSERVATION DISTRICT TO COMPLETE THE PROJECT; AUTHORIZE THE BUILDING TO BE CALLED THE DR. JOSEPH F. KARPINSKI SR. EDUCATIONAL CENTER IN RECOGNITION OF HIS SIGNIFICANT DONATION TOWARD THE BUILDING; AND, THE ESTABLISHMENT OF CAPITAL "H" PROJECT NO. 10-05 (AGRICULTURAL MUSEUM PROJECT).

BY: George Fearon, Government Operations
David R. Axton, Public Works Committee
Christopher Palermo Means Committee

WHEREAS, the Cayuga County Parks and Trails Department has been working with the Ward W. O'Hara Agricultural Museum Board of Commissioners and the Cayuga County Legislature to generate money to construct a climate controlled educational center with a conference room, library, kitchen, office/utility room and toilets on the Ward W. O'Hara Agricultural Museum; and

WHEREAS, Resolution No.405-10 authorized the Clerk of the Cayuga County Legislature to seek and obtained sealed estimates to construct a climate controlled educational center with a conference room, library, kitchen, office/utility room and toilets on the Ward W. O'Hara Agricultural Museum ; and

WHEREAS, the following bids were received:

Fingerlakes Construction Co. construct the building for \$86,999.00; to complete the mechanicals for \$114,800.00; for a total of \$201,799.00; and
Secor Building Solutions as follows: construct the building for \$89,000.00; to complete the mechanicals for \$65,500.00; for a total of \$154,500.00

WHEREAS, the low bid is Secor Building Solutions as follows: construct the building for \$89,000.00; to complete the mechanicals for \$65,500.00; for a total of \$154,500.00; and

WHEREAS, Cayuga County Soil and Water Conservation District has agreed to work with the parks department to complete the project for an amount not to exceed the remaining \$45,585.00; and

WHEREAS, funding for the project would be as follows:

1. \$21,000.00 currently in a T29 Trust Account # T17045 for the project.
2. \$14,085.00 currently available from the Ward W. O'Hara Agricultural Museum Commission
3. \$15,000.00 in the 2010 Budget for the Ward W. O'Hara Agricultural Museum Account A71112-52000

4. Dr. Joseph F. Karpinski Sr. Foundation with \$50,000.00 to be donated in the 2010 calendar ; and

WHEREAS, The Dr. Joseph F. Karpinski Sr. Foundation has agreed to donate an additional \$50,000 in calendar year 2011 and \$50,000 in calendar year 2012 making his total contribution \$150,000; now, therefore be it

RESOLVED, that the County awards the bid for the AGRICULTURAL MUSEUM PROJECT to Secor Building Solution as follows: construct the building for \$89,000.00; to complete the mechanicals for \$65,500.00; in an amount not to exceed \$154,500.00; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an agreement with Secor Building Solutions in an amount not to exceed \$154,500.00 for the project; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign and execute an agreement with the Cayuga County Soil and Water Conservation District in an amount not to exceed \$45,585.00 for the project; and be it further.

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to establish Capital "H" Project No. 10-05 (AGRICULTURAL MUSEUM PROJECT) in the amount of \$200,085 for this project; and be it further,

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to fund the Capital "H" Project No. 10-05 as follows:

1. \$21,000 from T29 Trust Account # T17045
2. \$14,085 from the Ward w. O'Hara Agricultural Museum Commission
3. \$15,000 from the 2010 Budget for the Ward W. O'Hara Agricultural Museum Account A71112-52000
4. \$50,000 from The Dr. Joseph F. Karpinski Sr. Foundation in 2010
5. The County is to receive \$50,000 from The Dr. Joseph F. Karpinski Sr. Foundation in January 2011 and \$50,000 from The Dr. Joseph F. Karpinski Sr. Foundation in January 2012; and be it further

RESOLVED, that, consistent with County Policy in recognition and thanks for his significant contribution the building shall be named the Dr. Joseph F. Karpinski Sr. Educational Center.

Signed by Fearon, Barski, Lattimore, Palermo, Axton, Cuddeback, Pinckney, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 490-10

Date: 10/26/10 PT Budget Transfer Insurance 10 10

AUTHORIZING TRANSFER OF 2010 BUDGETARY FUNDS FROM EMERSON PARK ELECTRIC SERVICE TO LEGISLATIVE CONTRACTS INSURANCE

BY: By: David R. Axton, Chair, Public Works

Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, it has been brought to our attention that certain equipment including one pickup truck, three GEM cars, three ATV's and three John Deere Gators used only on the grounds of Cayuga County Parks must be licensed; and

WHEREAS, upon licensing these vehicles they must be insured as licensed vehicles at an annual increased cost of \$2,505 to Legislative Contracts, Insurance, Munis Account Number A10144-54131; and

WHEREAS, the 2010 Emerson Park Budget included \$36,000 in Munis # A71104.54023 for Electrical Service some of which could be used to cover this additional cost for 2010; now therefore be

RESOLVED, that the Cayuga County Treasurer be directed to transfer \$2,505 from the 2010 Budget of Emerson Park, Munis Account # A71104.54023, Electric Service, to Legislative Contracts, Insurance, Munis Account # A10144-54131.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 491-10

10/26/10 Bldgs transfer of funds rev2

AUTHORIZING THE TRANSFER OF FUNDS IN THE BUILDINGS AND GROUNDS DEPARTMENT ACCOUNTS AND AMENDING THE 2010 BUDGET.

BY: Hon. Mr. Axton, Chairman, Public Works Committee, and
Hon. Mr. Palermo, Chairman, Ways & Means Committee.

WHEREAS, the first of January 2010 we had a sewer line break at the County House Road Complex; and

WHEREAS, I was instructed by Chairman Tortorici to pay for these repair out of the Professional Service Account A16204 54059; and

WHEREAS, this account also is used to pay for our Compliance Officer and Work Place Violence Compliance with the state; and

WHEREAS, this account is now close to being depleted and we still need to pay for the work of our Compliance Officer; now therefore be it

RESOLVED, that \$10,000.00 from the Courthouse Maintenance account number A16214 54012 and \$10,000.00 from the Historic Post Office Maintenance account number A16234 54012 be transferred into Professional Services account number A16204-54509; 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 Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mills and Petrus, all in favor.

RESOLUTION NO. 492-10

10/26/10 PT SterlingNatureCentfurnace10 10Rev2

AUTHORIZING PURCHASE AND INSTALLATION OF NEW FURNACE FOR A COST OF \$2,895.00 AT THE STERLING NATURE CENTER

BY: David R. Axton, Chairperson, Public Works
Christopher Palermo, Ways and Means

WHEREAS, the current furnace at the nature center is approximately 12 years old, has had previous repairs and now the heat exchange is broken, and continued use would allow carbon monoxide to enter the air within the facility; and

WHEREAS, the facility must have heat or pipes will freeze, causing significant damage to the building; and

WHEREAS, both a contractor and staff from the county buildings and grounds department inspected the existing furnace and recommend replacement; and

WHEREAS, the new furnace can be transferred to a new building should one be built; and

Whereas, the cost of the new furnace in the amount of \$2,895.00 will be taken from the existing budget as follows:

| | |
|-----------------------------------|--------|
| A71134-54012 Building Maintenance | \$1000 |
| A71134-54022 Electric Maintenance | \$515 |
| A71134-54101 Promotion | \$580 |
| A71134-54164 Special Programs | \$800; |

; now therefore be it

RESOLVED, that the Cayuga County Parks and Trails Department is hereby authorized to replace a furnace that is inoperable and beyond repair at the Sterling Nature Center at a cost not to exceed \$2,895.00; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to transfer the following funds into the Equipment line for the Sterling Nature Center Account # A71132-52000:

| | |
|-----------------------------------|--------|
| A71134-54012 Building Maintenance | \$1000 |
| A71134-54022 Electric Maintenance | \$515 |
| A71134-54101 Promotion | \$580 |
| A71134-54164 Special Programs | \$800; |

And be it further

RESOLVED, 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 Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon and Mills, all in favor.

RESOLUTION NO. 493-10

10.26.10 Bldgs Awarding Masonry contract HPORev4

RESCINDING RESOLUTION NO. 450-10 AND AWARDING THE BID FOR MASONRY REPAIR OF THE HISTORIC POST OFFICE 157 GENESEE STREET AUBURN NY.

BY: Hon. Mr. Axton, Chairman, Public Works Committee, and Hon. Mr. Palermo, Chairman, Ways & Means Committee.

WHEREAS, the County Legislature has adopted Resolution No. 109-09 which did award the bid for the masonry repair of the Historic Post Office; and

WHEREAS, said resolution did contain a mathematical error; and

WHEREAS, Resolution No. 249-09 authorized going out for bids for projects in the downtown complex and,

WHEREAS, Resolution 411-09 awarded project design to Larson Design Group and established Capital H Project 09-02 for the Old Historic Post Office windows, roof and wall; and

WHEREAS, Resolution 409-10 authorized to advertisement for bids for the Masonry repair of the walls; and;

WHEREAS, Lupini Construction Inc of New York Mills, New York is the lowest responsible bidder with the amount of \$126,800.00; now therefore be it

RESOLVED, that Resolution No. 450-10 is hereby rescinded; and it is further

RESOLVED, that the funds for the masonry repair will come from the attached list of accounts from the Buildings and Grounds Department in the amount of 71,575.00 from balance Contingency Account A10164 54000 in the amount of \$61,565.00 for a total of \$133,140.00 and be transferred to Capital "H" account 09-02 for scheduled and unforeseen repairs; and be it further

RESOLVED, that the Cayuga County Legislature to award the masonry repair to Lupini Construction Inc. at a cost of \$126,800.00; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution; be it further

RESOLVED, that the Superintendent of Buildings and Grounds and Larson Design monitor the masonry project and approve all payments to implement the intent of this resolution; and be 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 Axton, Barski, Cuddeback, Lattimore, Pinckney, Palermo, Fearon, Mills and Petrus, all in favor, except Sincebaugh voting no.

RESOLUTION NO. 494-10

10/26/10 SHR-New World Systems Renewal

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE SHERIFF OF CAYUGA COUNTY TO RENEW A THREE-YEAR CONTRACT WITH NEW WORLD SYSTEMS TO PROVIDE RECORDS MANAGEMENT, MOBILE SERVICES AND AUTOMATIC VEHICLE LOCATOR (AVL) SERVICES.

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Road Patrol Division, utilizes New World Systems for Records Management, Mobile Services and Automatic Vehicle Locator (AVL) services; and

WHEREAS, New World Systems has submitted a renewal invoice for a three-year contract; and

WHEREAS, pricing of a three-year contract is \$14,360 for 2011, \$14,790 for 2012 and \$15,230 for 2013; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County is hereby authorized to sign the Contract Renewal with New World Systems for the total amount of \$44,380 for the period covering January 1, 2011 through December 31, 2013; and be it further

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

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton and Fearon, all in favor.

RESOLUTION NO. 495-10

Action Date 10/26/10 911INCmaintenanceagreement

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A TWO (2) YEAR RENEWAL MAINTENANCE AGREEMENT WITH 9-1-1 INC.

BY: Steven Cuddeback, Chairperson, Judicial & Public Safety Committee

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 9-1-1 Communications center utilizes hardware and software from Nine One One Inc. to receive emergency telephone calls for assistance, and display the caller’s telephone number and location information; and,

WHEREAS, it is critical that this hardware and software functions twenty-four hours per day, seven days per week without interruption or “down time”; and,

WHEREAS, Nine One One Inc. has submitted an agreement renewal for service and maintenance of their hardware and software, for a three year period, paid annually; and,

WHEREAS, there is money in the 9-1-1 Communications System Budget Account Number A30204 54019, Computer Software, specifically for this purpose; and,

WHEREAS, the software is proprietary and must therefore be maintained by the vendor Nine One One Inc.; now therefore be it,

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign the annual service and maintenance agreement with Nine One One Inc. for the amount of \$15,635.20 for the period of August 1, 2010 through July 31, 2011 and 16417.44 for the period of August 1, 2011 through July 31, 2012; and be it further

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

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton and Fearon, all in favor.

RESOLUTION NO. 496-10

(October 26, 2010) DA.ContingencyTransfer.2010

INCREASING THE DISTRICT ATTORNEY’S 2010 A11654 54059 PROFESSIONAL SERVICES ACCOUNT AND AUTHORIZING TRANSFER OF FUNDS WITHIN A11654 DISTRICT ATTORNEY CONTRACTUAL ACCOUNT, TRANSFER OF FUNDS FROM A11644 GRAND JURY CONTRACTUAL ACCOUNT, AND TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT TO PAY SAID INCREASES

By: Steven E. Cuddeback, Chairman, Judicial & Public Safety, and

Christopher M. Palermo, Chairman, Ways and Means

WHEREAS, the District Attorney has incurred \$14,400.00 for expert psychiatric and medical services from Dr. Michael J. Lynch, M.D., C.M. The expenses were incurred for the purpose of the examination and evaluation of a criminal defendant, the facts of this criminal case and the defendant’s medical & psychiatric records. These services were necessary in regard to a defendant’s claimed defense that he is not legally responsible due to a mental disease or defect; and

WHEREAS, the District Attorney has insufficient funds remaining within his A11654 54059 Professional Services line item, and

WHEREAS, the Cayuga County Legislature is desirous of providing sufficient funds to prevent the interruption of the important business of prosecuting crime in Cayuga County; now therefore, be it

RESOLVED, that the remaining \$2,782.00 shall be transferred from Grand Jury A11644 54059 Professional Services to the District Attorney A11654 54059 Professional Services, and it is further

RESOLVED, that the remaining \$2,300.00 shall be transferred from District Attorney A11654 54086 Witness and Testimony Expenses to the District Attorney A11654 54059 Professional Services, and it is further

RESOLVED, that an additional \$6,960.00 shall be transferred from the Contingency Fund into the District Attorney A11654 54059 Professional Services, and it is further

RESOLVED, the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing, and it is further

RESOLVED, that the District Attorney is hereby authorized to expend all funds in District Attorney A11654 54059 Professional Services to pay said invoice for expert services.

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton and Fearon, all in favor.

RESOLUTION NO. 497-10
COUNTY OF CAYUGA, NEW YORK
October 26, 2010

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on October 26, 2010, at 10:00 A.M.

There were present: (County Legislators)

Peter Tortorici
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman
Steven Cuddeback
George Fearon
Timothy Lattimore
Patrick Mahunik
Roger Mills
Francis Mitchell
Ann Petrus
Paul Pinckney
Daniel Sincebaugh

There were Absent: (County Legislators)

Christopher Palermo

Also Present:

Tom Squires, Fred Westphal, Mary Jones, Sheila Smith, David Gould, Sue Dwyer, Denise Stayton, Lloyd Hoskins, Ted Herrling, Mike Pawlenko, Brian Dahl, Dr. Daniel Larson, and Jon Budelmann

The following resolution was offered by Steven Cuddeback, who moved its adoption, and second by timothy Lattimore to wit:

RESOLUTION NO. 497-10

10.26.10 e911fgeisaacct

RESOLUTION DETERMINING TO ACCEPT A PROPOSED DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT IN RELATION TO THE CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT AS ADEQUATE WITH RESPECT TO ITS SCOPE AND CONTENT FOR THE PURPOSE OF COMMENCING PUBLIC REVIEW PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

BY: Hon. Steven Cuddeback, Chair Judicial and Public Safety
Hon. Christopher Palermo, Chair Ways and Means

WHEREAS, the Legislature of the County of Cayuga (“County”) has previously identified the need and benefits associated with updating the current radio system infrastructure; and

WHEREAS, it is estimated that, should the County proceed with the Emergency Communications Project (“the Project”), the costs of the project may be in the vicinity of \$17,022,383.00 and may require the issuance of bonds to finance same; and

WHEREAS, the new system, if approved, will also require the construction of additional radio towers within the county,

WHEREAS, the Legislature of the County of Cayuga is an involved agency for the review of this Project as the legislature will have to appropriate funding for same and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the proposed Project has been designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on May 25, 2010 the County declared its intent to be lead agency for review of this Project and directed that other potentially involved agencies be notified in accordance with SEQRA; and

WHEREAS, pursuant to SEQRA, on May 25, 2010, such agencies were notified of the County’s intent to act as lead agency; and

WHEREAS, no involved agency other than the County sought to act as lead agency; and

WHEREAS, by resolution dated June 30, 2010, the County was established as lead agency; and

WHEREAS, the County thoroughly considered the action as that term is defined by SEQRA, and independently evaluated the long form Environmental Assessment Form prepared for the Project together with the County’s knowledge of the area surrounding the project and such further information as is available to the County; and

WHEREAS, the County previously considered 6 NYCRR 617.3(g) and other appropriate factors and resolved that segmentation of obtaining prime contractors and sub contractors and consideration of approvals related to bonding for the project (the “Design Project”) and of certain minor improvements to existing emergency wireless communications systems related to the City of Auburn 911 Project (the “Improvements”) for purposes of SEQRA review was appropriate and permissible, citing the reasons therefor; and

WHEREAS, the County determined that the Design Project and the Improvements were not likely to result in a significant impact on the environment and issued a “negative declaration” for each action; and

WHEREAS, on June 30, 2010 the County determined that the remainder of the proposed action may include the potential for at least one significant adverse environmental impact; and, accordingly the County made a positive declaration of significance; and

WHEREAS, the County determined that the Project, including construction of a number of new towers and refurbishing of existing towers, constitutes an action described in one or more of the categories contained in 6 NYCRR 617.10(a)(1) through (a)(4), and accordingly, resolved that a generic environmental impact statement is appropriate to assess the Project’s environmental impacts; and

WHEREAS, the County filed, published and circulated the negative declarations and the positive declaration in accordance with SEQRA; and

WHEREAS, the County prepared and circulated to potentially interested and involved agencies a draft scoping document for the Project in accordance with 6 NYCRR 617.8 and made the draft scoping document publicly available; and

WHEREAS, the County published notice of a public scoping session in The Citizen on August 6, 2010; and

WHEREAS, the County conducted a public scoping hearing on August 16, 2010, and accepted written comments on the draft scoping document from August 9 through September 7, 2010; and

WHEREAS, prior to the expiration of 60 days since the submittal of the draft scoping document, the County prepared and thoroughly reviewed a proposed final scope addressing each requirement contained in 6 NYCRR 617.8(f); and

WHEREAS, on September 28, 2010, the County adopted the proposed final scope and directed that a draft generic environmental impact statement (“DGEIS”) be prepared consistent with that Final Scoping Document; and

WHEREAS, the Final Scoping Document was filed, published and circulated in accordance with SEQRA; and

WHEREAS, a proposed DGEIS has been prepared for the Project; and

WHEREAS, the County has thoroughly reviewed the proposed DGEIS, and considered the final scope and the standards contained in 6 NYCRR 617.9 to determine whether to accept the proposed DGEIS as adequate with respect to its scope and content for purpose of commencing public review.

NOW, THEREFORE BE IT RESOLVED ON OCTOBER 26, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK AS FOLLOWS:

RESOLVED, that, based on the County’s review of the proposed DGEIS, and its consideration of the final scope prepared for the Project and the standards contained in 6 NYCRR 617.9 and 617.10, the proposed DGEIS is accepted as adequate with respect to its scope and content for the purpose of commencing public review; and, it is further

RESOLVED that, pursuant to 6 NYCRR 617.9(a)(3), the County hereby establishes a comment period of 30 days, commencing with the first filing and circulation of the notice of completion of the DGEIS and ending on Monday, November 29, 2010. During the public comment period, written comments will be received by the County as lead agency until 5:00 pm on November 29, 2010. Comments should be addressed to: Fred Westphal, 160 Genesee Street, Auburn, NY 13021; and it is further

RESOLVED, that due to the county-wide scope of the Project, a public hearing on the DGEIS will be conducted, said hearing to be held on November 18, 2010 at 7 pm at the 6th Floor Chamber of the County Offices at 160 Genesee Street, Auburn, NY 13021; and, it is further

RESOLVED that the County directs the County Attorney to take the necessary procedural steps to prepare, file and publish the Notice of Completion of a DGEIS and a Notice of Hearing in accordance with 6 NYCRR 617.9 and 617.12, including providing notice to all entities identified therein, and directs that the DGEIS be immediately filed, circulated and made available for copying in accordance with 6 NYCRR Part 617; and it is further

RESOLVED that the County directs that the DGEIS, in its entirety, be immediately filed and otherwise made available for public review at the Seymour Public Library, 176 Genesee Street, Auburn, NY 13021 and at the following website: <http://co.cayuga.ny.us/radio-project.html>; and it is further

RESOLVED, that this resolution shall take effect immediately.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on October 26, 2010, the result of which vote was as follows:

| COUNTY LEGISLATOR | VOTE |
|---------------------------|-------------|
| Peter A. Tortorici, Chair | Yes |
| Cynthia Aikman | Yes |
| David Axton | Yes |
| Stephen Barski | Yes |
| Michael Chapman | Yes |
| Steven Cuddeback | Yes |
| George Fearon | Yes |
| Patrick Mahunik | Yes |
| Christopher Palermo | Excused |
| Timothy Lattimore | Yes |
| Roger A. Mills | Yes |
| Francis Mitchell | Yes |
| Ann Petrus | Yes |
| Paul Pinckney | Yes |
| Daniel Sincebaugh | Yes |

DATED: October 26, 2010

**RESOLUTION NO. 498-10
COUNTY OF CAYUGA, NEW YORK
October 26, 2010**

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on October 26, 2010, at 10:00 A.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici
 Cynthia Aikman
 David Axton
 Stephen Barski
 Michael Chapman
 Steven Cuddeback
 George Fearon
 Timothy Lattimore
 Patrick Mahunik
 Roger Mills
 Francis Mitchell
 Ann Petrus
 Paul Pinckney
 Daniel Sincebaugh

There were Absent: (County Legislators)

Christopher Palermo

Also Present:

Tom Squires, Fred Westphal, Mary Jones, Sheila Smith, David Gould, Sue Dwyer, Denise Stayton, Lloyd Hoskins, Ted Herring, Mike Pawlenko, Brian Dahl, Dr. Daniel Larson, and Jon Budelmann

The following resolution was offered by Steven Cuddeback, who moved its adoption, and second by Timothy Lattimore to wit:

RESOLUTION NO. 498-10**10.26.10 e911rdprojecttypIInegdcl(city)REV**

RESOLUTION DETERMINING THAT CERTAIN IMPROVEMENTS RELATED TO THE PROPOSED CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT CONSTITUTE A TYPE II ACTION AND MAY BE PERMISSIBLY SEGMENTED AND ISSUING A NEGATIVE DECLARATION.

By: Hon. Steven Cuddeback, Chair Judicial and Public Safety
 Hon. Christopher Palermo, Chair Ways and Means

WHEREAS, the Legislature of the County of Cayuga (“County”) has previously identified the need and benefits associated with updating the current radio system infrastructure; and

WHEREAS, it is estimated that, should the County proceed with the Emergency Communications Project (“the Project”), the costs of the project may be in the vicinity of \$17,022,383.00 and may require the issuance of bonds to finance same; and

WHEREAS, the new system, if approved, will also require the construction of additional radio towers within the county,

WHEREAS, the Legislature of the County of Cayuga is an involved agency for the review of this Project as the legislature will have to appropriate funding for same and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the proposed Project has been designated as a Type I Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on May 25, 2010 the County declared its intent to be lead agency for review of this Project and directed that other potentially involved agencies be notified in accordance with SEQRA; and

WHEREAS, pursuant to SEQRA, on May 25, 2010, such agencies were notified of the County’s intent to act as lead agency; and

WHEREAS, no involved agency other than the County sought to act as lead agency; and

WHEREAS, by resolution dated June 30, 2010, the County was established as lead agency; and

WHEREAS, the County thoroughly considered the action as that term is defined by SEQRA, and independently evaluated the Long Environmental Assessment Form prepared for the Project together with such further information as is available to the County; and

WHEREAS, on June 30, 2010 the County determined that the Project may include the potential for at least one significant adverse environmental impact; and, accordingly the County made a positive declaration of significance; and

WHEREAS, the County determined that the Project, including construction of a number of new towers and refurbishing of existing towers, constitutes an action described in one or more of the categories contained in 6 NYCRR 617.10(a)(1) through (a)(4), and accordingly, resolved that a generic environmental impact statement is appropriate to assess the Project’s environmental impacts; and

WHEREAS, the Project includes certain minor improvements to existing emergency wireless communications systems related to the City of Auburn 911 Communications system, including collocation of antennas on the City of Auburn 911 Facility and the County 911 Emergency Center, installation of associated equipment shelters and emergency backup generators for the sites, and installation of wiring at the Onondaga County 911 Center (collectively, the “Improvements”); and

WHEREAS, the Improvements constitute replacement, rehabilitation, or reconstruction of a structure and/or facility in kind, on the same site; and

WHEREAS, the County acknowledges that segmentation, as that term is used in 6 NYCRR 617.3(g) is only permissible when the circumstances warrant it and when a segmented review will be no less protective of the environment;

WHEREAS, pursuant to SEQRA, Type II actions require no SEQRA review and may properly be segmented from the remainder of the Project that is subject to SEQRA review; and

WHEREAS, the County has nevertheless examined the potential environmental impacts that may result from the Improvements, and has independently evaluated the Short Environmental Assessment Form prepared for the Improvements, together with such other information as is available to the County;

NOW, THEREFORE BE IT RESOLVED ON OCTOBER 26, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK, AS FOLLOWS:

RESOLVED, that, for the reasons specified in the attached Negative Declaration, the County hereby declares that the Improvements constitute a Type II action as that term is used in SEQRA as the Improvements involve replacement, rehabilitation, or reconstruction of a facility and/or structure in kind; and, it is further

RESOLVED, that the segmentation of the Improvements for purposes of SEQRA review at this time is appropriate and permissible for the following reasons:

a. The Improvements involve the addition of antennas to existing towers, and the addition of equipment shelters and emergency generators for backup power to facilities that already and currently operate as emergency wireless communications facilities. The Improvements will replace and update existing emergency wireless communications structures. Given the identical use of the existing facilities to the proposed Improvements, as well as the non-intrusive collocation construction required, the Improvements constitute a Type II action that may be properly segmented from the Project.

b. Review and approval of the Improvements at this time is no less protective of the environment because the Project, including construction of new towers and refurbishing of additional towers, is to be analyzed in a GEIS which will identify significant adverse environmental impacts, if any, and require appropriate mitigation. Notwithstanding that the Improvements are a Type II action which require no SEQRA review, the County has nevertheless fully assessed the potential for environmental impact resulting from the Improvements.

c. The risk that the decision as to the Improvements may be practically determinative of a subsequent action is minimal because the Improvements can be constructed, and operate permanently whether or not the Project is ultimately approved. A separate mandate to complete the Improvements exists apart from any need or rationale supporting approval of the Project. Completing the Improvements does not commit the County to any particular actions or future approvals with respect to the ultimate design, location, and nature of the remainder of the Project because the Improvements have their own separate utility, apart from any approval, design or construction of the Project.

d. Approval and construction of the Improvements is not related to the review, assessment and/or approval of Project. No Project activities such as new tower construction or other activities that may have a potential significant impact will occur prior to review and approval of the already-required GEIS and issuance of findings pursuant to SEQRA, as well as any necessitated post-GEIS review for particular towers.

e. The danger that the Project is being broken up into two or more component parts that individually would not have as significant an environmental impact is not present because the Improvements are a Type II action which do not have environmental impact, and because the County has determined that a positive declaration is required for the Project and has required preparation of a GEIS that will examine potential impacts from the Project.=

f. Accordingly, segmentation can be performed without running afoul of SEQRA's basic policies; and it is further

RESOLVED, that, given the Type II status of the Improvements and the assessment of potential impact performed by the County, the County finds that the Improvements will not result in any significant adverse environmental impacts and accordingly, no further SEQRA review is required. The reasons supporting such determination are set forth in the Negative Declaration attached to this resolution; and it is further

RESOLVED, that the County directs the County Attorney to take the necessary procedural steps to file and publish the negative declaration in accordance with 6 NYCRR Part 617, as well as take any further necessary steps in accordance with SEQRA; and it is further

RESOLVED, that the County approves installation of the Improvements as described herein.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on October 26, 2010, the result of which vote was as follows:

| COUNTY LEGISLATOR | VOTE |
|---------------------------|-------------|
| Peter A. Tortorici, Chair | Yes |
| Cynthia Aikman | Yes |
| David Axton | Yes |
| Stephen Barski | Yes |
| Michael Chapman | Yes |
| Steven Cuddeback | Yes |
| George Fearon | Yes |
| Patrick Mahunik | Yes |
| Christopher Palermo | Excused |
| Timothy Lattimore | Yes |
| Roger A. Mills | Yes |
| Francis Mitchell | Yes |
| Ann Petrus Yes | |
| Paul Pinckney | Yes |
| Daniel Sincebaugh | Yes |

DATED: October 26, 2010

Chairman Tortorici, had all students stand and be recognized.

Legislator Sincebaugh, dates Legislature meetings are broadcast need to be put on County website

Motion by Fearon to do a sample roll call vote to adjourn for the students, 2nd by Pinckney, all in favor.

Sample roll call vote to adjourn, Ayes – Chapman, Axton, Petrus, Pinckney, Mills, Fearon, Cuddeback, Barski, Aikman, Tortorici. Noes – Lattimore, Mahunik, Mitchell, Sincebaugh. Excused – Palermo. Approved – 623/201/58

Motion by Lattimore to approve minutes of 10/26/10 on 12/20/10, 2nd by Pinckney, all in favor.

MINUTES
SPECIAL LEGISLATURE MEETING
WEDNESDAY, NOVEMBER 10, 2010, 6:00 PM
160 GENESEE ST, 6TH FLOOR,
CHAMBERS, AUBURN, NY 13021

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:00PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except Aikman arriving at 6:09PM and Fearon arriving at 6:40PM and Palermo excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

TOPIC: Medicaid Compliance, by Mary Raymond Attorney at Law, Corporate Compliance Program Training, handout attached to original minutes.

RESOLUTIONS:

Motion by Tortorici to amend Resolution, 2nd by Fearon, 1st Resolved shall consist of 7 members and 4th Resolved that Michele Anthony is hereby appointed, all in favor. Motion as amended, all in favor.

RESOLUTION NO. 499-10

11.10.10 coamedcomplrev1.

RESOLUTION WHICH AUTHORIZES LEGISLATORS TO ADOPT A COMPLIANCE PLAN AND PROGRAM, DESIGNATE A CORPORATE COMPLIANCE OFFICER, AND APPOINT A COMPLIANCE COMMITTEE

WHEREAS, the Cayuga County Legislature ("Legislature") is committed to preventing fraud, waste, abuse and improper conduct in Medicare, Medicaid, and other health care programs; and

WHEREAS, the Legislature seeks to ensure that Cayuga County entities, including but not limited to the Health Department, Human Services, Nursing Home, and Community Mental Health Center, consistently comply with applicable federal and state laws and regulations relating to its professional, business and billing activities; and

WHEREAS, the Legislature desires to adopt a compliance plan and program, designate a corporate compliance officer, and appoint a compliance committee to implement said program; and

WHEREAS, the Legislature has received and examined proposed Corporate Compliance Plans to be incorporated into and made a part of the Compliance Program to be developed by the Compliance Committee; and

WHEREAS, the Legislature deems it to be in the best interests of Cayuga County to take these actions;

NOW, THEREFORE, BE IT

RESOLVED, that the Compliance Committee shall consist of 7 members: a County Compliance Officer, one Associate Compliance Officer from each of the entities and representatives from the County Administrator’s Office, Human Resources and Finance. The Corporate Compliance Officer shall serve as the Chair of the Committee. The Chair of the Committee may, at his/her discretion, request the presence of other persons as the issues before the Committee may dictate. The Committee will meet on the call of the Committee’s Chair; provided, however, that meetings will be held at least quarterly.

RESOLVED, that the Compliance Committee shall, in accordance and consistent with the County’s mission and resources, undertake such responsibilities as set forth in each entity’s Corporate Compliance Plan and other such duties as the Legislature may from time to time request.

RESOLVED, that the members of the Compliance Committee are hereby authorized and directed to take such actions as may be reasonably necessary to facilitate the completion of such tasks, including the prompt development and implementation of a comprehensive Compliance Program, in accordance with these Resolutions and each entity’s Corporate Compliance Plan. Such actions must be consistent with the County’s mission.

RESOLVED, that Michele Anthony is hereby appointed as the Corporate Compliance Officer. The Compliance Officer’s primary responsibilities shall be those set forth in the Corporate Compliance Plans and other such duties as the Legislature may from time to time request. Notwithstanding the foregoing, the Compliance Officer may seek the assistance of the Compliance Committee or others in discharging such responsibilities and may delegate certain functions as is necessary and appropriate.

RESOLVED, that in order to ensure that Cayuga County’s workforce, Legislative members, Board of Health members, contractors, vendors, and agents act with integrity and in a manner designed to further the County’s philosophy of providing high quality of care and services to the individuals participating in its programs, the Corporate Compliance Plans, as appended to these Resolutions, are hereby adopted.
Signed by all Legislators, except excused Palermo.

RESOLUTION NO. 500-10

Action Date 11/23/10 911 purchtowers

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO SIGN A CONTRACT WITH SABRE COMMUNICATIONS
CORPORATION FOR THE PURCHASE OF TOWERS FOR THE NEW
CAYUGA COUNTY RADIO SYSTEM.**

BY: Steven Cuddeback, Chairperson, Judicial & Public Safety Committee

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County is in the process of upgrading its Emergency Communications System; and

WHEREAS, new towers are required as part of the site plans; and;

WHEREAS, Cayuga County send out requests for proposals and the responses have been received and reviewed; and

WHEREAS, Sabre Communications Corporation responded with the lowest bid and were compliant with all bid specifications; and

WHEREAS, there is money in the Capital H 10-03 Emergency Communications Project for this purpose; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a contract with Sabre Communications Corporation in the amount of \$197,717.00 for the purchase of towers; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Axton and Fearon, all in favor.

RESOLUTION NO. 501-10

Action Date 11/23/10 911 purchshelters

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO SIGN A CONTRACT WITH SABRE COMMUNICATIONS
CORPORATION FOR THE PURCHASE OF EQUIPMENT SHELTERS FOR
THE NEW CAYUGA COUNTY RADIO SYSTEM.**

BY: Steven Cuddeback, Chairperson, Judicial & Public Safety Committee

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County is in the process of upgrading its Emergency Communications System; and

WHEREAS, new Shelters are required as part of the site plans; and;

WHEREAS, Cayuga County send out requests for proposals and the responses have been received and reviewed; and

WHEREAS, Sabre Communications Corporation responded with the lowest bid and were compliant with all bid specifications; and

WHEREAS, there is money in the Capital H 10-03 Emergency Communications Project for this purpose; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a contract with Sabre Communications Corporation in the amount of \$561,777 for the purchase of shelters; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Axton and Fearon, all in favor.

RESOLUTION NO. 502-10

Action Date 11/23/10 911 purchgenerators

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO SIGN A CONTRACT WITH CUMMINS NORTHEAST, INC FOR THE
PURCHASE OF GENERATORS FOR THE NEW CAYUGA COUNTY RADIO
SYSTEM.**

BY: Steven Cuddeback, Chairperson, Judicial & Public Safety Committee

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County is in the process of upgrading its Emergency Communications System; and

WHEREAS, new generators are required as part of the site plans; and;

WHEREAS, Cayuga County send out requests for proposals and the responses have been received and reviewed; and

WHEREAS, Cummins Northeast, Inc. responded with the lowest acceptable bid and were compliant with all bid specifications; and

WHEREAS, there is money in the Capital H 10-03 Emergency Communications Project for this purpose; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a contract with Cummins Northeast, Inc. in the amount of \$269,119.14 for the purchase of generators; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Axton and Fearon, all in favor.

Motion by Cuddeback to go into Executive Session at 7:00PM, re: Pending Litigation, 2nd by Sincebaugh, also asked to come in, Philip Spellane and Joe Picciotti from Harris Beach and Tom Squires and Fred Westphal.

Motion by Cuddeback to come out of Executive Session at 8:46PM, 2nd by Fearon, all in favor, no action taken.

Motion by Petrus to adjourn at 8:47PM, 2nd by Fearon, all in favor.

Motion by Lattimore to approve minutes of 11-10-10 on 12-20-10, 2nd by Pinckney, all in favor. **Wednesday, November 10, 2010** **Wednesday, November 10, 2010**

**MINUTES
SPECIAL LEGISLATURE MEETING
TUESDAY, NOVEMBER 16, 2010, 6:30 PM
160 GENESEE ST, 6TH FLOOR,
CHAMBERS, AUBURN, NY 13021**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:30PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except excused Palermo, Chapman, Pinckney. Arriving at 6:33PM Mahunik and Sincebaugh arriving at 7:23PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

Squires, overview of Emerson Park Pavilion Renovations

March 2010, Emerson Foundation version of what the pavilion could be

April, 2010, Frank Burns Saratoga Associates is brought in

May 2010, Presentation by Saratoga Associates on the vision of Emerson Park Pavilion

August 2010, an RFP was sent out to 140 vendors within a 75 mile radius to create a business model to generate revenue to sustain the pavilion. We received 5 back, one withdrew, interviewed four and this is where we are at.

Frank Burns, Saratoga Associates, recommendation for Catering and Hospitality Management Services for Emerson Park Pavilion, handout attached to original minutes.

Jamie Ciaschi, President/GM, H and J Hospitality, DBA Joe's Restaurant, power point presentation, handout attached to original minutes.

Motion by Axton, 2nd by Cuddeback to bring resolution to the floor.

Discussion:

Axton, will you use local vendors, a lot of local vendors would be effected by this, I need personal assurance that you will utilize them.

Ciaschi, yes, will embrace folks in the community.

Lattimore, Sean Lattimore, Springside Inn is a relative of mine, supposedly your operation is going to bring business from other counties.

Ciaschi, marketing plan, Syracuse, Skaneateles, reach out to neighboring communities.

Lattimore, revenue for the county.

Tortorici, it's in the contract.

Duckett, we bring in about \$70,000 now.

Squires, proposal is 12% of the gross food and beverage sales, estimate 1 million to 1.5 million.

Mills, 3 proposals, there is a range in percentage of sales did you evaluate that?
Burns, yes, I am confident he has the capability to generate 1 million to 1.5 million in revenue, in a 3 year period.

Mahunik, how do you embrace the local vendors and assure us that won't bring your vendors from out of Ithaca.

Ciaschi, everything is competitive, if price is competitive I would rather use the local vendors, it's good business.

Squires, you are involved with local agencies?

Ciaschi, yes, Chamber of Commerce, host events, I would join your local Chamber of Commerce.

Mahunik, we prefer local vendors, you say \$15,000 on marketing, how.

Ciaschi, I spend that now, I use radio, it's the largest audience, people listen and go to the web site. I have my own marketing person, save a lot that way.

Duckett, we do about 85 events and bring in about \$70,000.

Mahunik, what do you propose?

Ciaschi, about 130 events, with the renovations it can be year round, 1 million in revenue, 3 year 1.5 million. Market pavilion not Joe's restaurant.

Mahunik, but they don't know you, are you going to drive locals away, I don't want to compromise Cayuga County residents.

Ciaschi, Emerson Park Pavilion is under-utilized, bring in out of town bus groups, they stay overnight, this will benefit hotels and other restaurants and help economy.

Mahunik, large scale events, you have 55 employees, how will you handle both places?

Ciaschi, we have on call staff, bring in 25 to 30 extra for big events.

Mahunik, we have the great race, tournaments, holidays, this is going to impact all local vendors

Squires, don't know the numbers yet, more of a regional facility, help the hotels.
Tortorici, whoever comes in you're going to have to ask the same questions or leave it the way it is.

Burns, whoever it is, it will be competition, competition is good.

Aikman, will you have conflicts with your other businesses.

Ciaschi, this will be a dedicated staff, I have enough resources.

Aikman, the RFP, certain state requirements, bidder that provides less impact.

Westphal, there is room to maneuver.

Fearon, I don't have the answer, but local vendors should be able to meet or beat prices of out of town vendors.

Lattimore, flexibility in building, I don't want the price to be a hurdle.

Andriene Zornow, Catering Director, very flexible, we have budgets to work with from, some people don't care about cost and some have a limited budget, we work with them all.

Mills, the facility won't be ready until 2012, what will you be doing in the interim?

Ciaschi, we have a pre-opening plan, will sit with the county, see what is important, take over scheduling, get the licensing and permits.

Mills, catering and restaurant?

Ciaschi, more of a banquet facility.

Mills, Italian Restaurant theme for Emerson Park?

Ciaschi, no, there will be a wide range of menu choices.

Mahunik, ball park figure, average for plate.

Ciaschi, \$5.00 up to \$100.00 per plate, average about \$30.00.

Mahunik, are you familiar with the county market?

Ciaschi, we will work on that.

Aikman, contract for 3 years, design process is that a problem?

Ciaschi, no, we are fortunate to be able to help design.

Axton, yearly minimum, rent \$50,000, in case something happened and you can't fulfill contract.

Ciaschi, yes.

Axton, become a good member of the community.

Ciaschi, yes.

Lattimore, utilities?

Duckett, about \$6,000 for gas, \$18,000 for electric, meters would have to be separated.

Lattimore, they would pay the utilities?

Ciaschi, yes.

Tortorici, it's in the contract.

Sean Lattimore, owner of Springside Inn, handout attached to original minutes.

Bernie Simmons, owner of Balloons Restaurant, I have been in the business for 20 years, I run a restaurant and catering business, a large part is at the pavilion. I ran a restaurant at the pavilion for 2 years. Through the process we were told \$80.00 per plate, he says \$30.00 average per plate. We heard they were bring the Ithaca Market to Cayuga County. 130 events, average 150 people per event equals \$19,500.00, round off to \$20,000 equals \$600,000.00. We are talking about 1.5 million, where does the other \$900,000.00 come from. Be realistic, it may take more than 3 years, look at the economy, my restaurant is up, our catering is down, where is his revenue coming from. A lot of his revenue is from his restaurant, don't rush into this, you have a year to a year and a half, take your time, go to his restaurant. You need more information, capable people in Cayuga County.

Motion by Mahunik to table, 2nd by Sincebaugh, defeated by majority vote, Noes – Axton, Petrus, Mills, Fearon, Mitchell, Cuddeback, Aikman, and Tortorici. Ayes – Lattimore, Mahunik, Barski and Sincebaugh. Escused Palermo, Chapman and Pinckney. Vote – 485/195/202

Discussion Con't:

Axton, Emerson Park Pavilion has not been sustained and we will have the same problem no matter what caterer we choose, I support this, I have to do what I think is right.

RESOLUTION:

RESOLUTION NO. 503-10

**(11.16.10) Leg awardemersonpkpavilionrfp
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH HAND J
HOSPITALITY, INC., DBA: JOE'S RESTAURANT, CATERING BY
JOE'S FOR CATERING AND HOSPITALITY MANAGEMENT
SERVICES FOR EMERSON PARK PAVILION**

BY: Hon. David R. Axton, Chairperson Public Works Committee

Hon. Christopher Palermo, Chairperson Ways and Means Committee

WHEREAS, the Emerson Foundation and the County of Cayuga anticipate partnering for the renovation, reconstruction and capital improvement of the Emerson Park; and

WHEREAS, Resolution No. 368-10 authorized the Clerk of the Cayuga County Legislature to advertise for interested parties to submit proposals for catering and hospitality management services for Emerson Park Pavilion; and

WHEREAS, proposals deemed to have merit were reviewed by the Pavilion Advisory Committee, a committee consisting of representatives of the Cayuga County Legislature, the Emerson Foundation and engaged consultants and recommendations were made and submitted to the Public Works Committee, the New York State Office of Parks Recreation and Historic Preservation and ultimately the Cayuga County Legislature; and

WHEREAS, the Cayuga County Legislature believes that H and J Hospitality, Inc., dba: Joe's Restaurant, Catering by Joe's has the requisite qualifications for catering and hospitality management services for Emerson Park Pavilion; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to enter into negotiations with H and J Hospitality, Inc., dba: Joe's Restaurant, Catering by Joe's for catering and hospitality management services for Emerson Park Pavilion; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby and directed to execute an agreement, after completion of negotiations, with H and J Hospitality, Inc., dba: Joe's Restaurant, Catering by Joe's for catering and hospitality management services for Emerson Park Pavilion.

Signed by Axton, Cuddeback, Mitchell, Fearon, Mills and Petrus.

Passed by majority vote, Ayes – Axton, Petrus, Mills, Fearon, Mitchell, Cuddeback, Aikman and Tortorici. Noes – Lattimore, Chapman, Barski and Sincebaugh. Excused Palermo, Chapman and Pinckney. Vote – 485/195/202

Tom Squires, County Administrator, Tentative Budget Presentation, handout attached to original minutes.

Discussion:

Mitchell, where did balance come from?

Squires, end of 2010.

Lattimore, 5 full time and 2 part time positions, down 82 positions. Consolidated highway, selling Nursing Home, this board needs to put some skin in the game. Onondaga County just reduced their board by 2, what would it take to reduce this board by 10, 1 north, 1 south, 1 east and 1 west, \$500,000 budget reduce by 10.

Mills, have to be full time work 30hrs a week.

Lattimore, need to put skin in the game.

Mills population is down and has shifted, we may need to readjust districts.

Tortorici, need census information, not for tonight.

Fearon, sales tax distribution is complicated.

Squires, we have control of it, city has pre-emption right, we give them ½ outside city and share ½ with Towns and Villages.

Fearon, wage increases, why some higher than others.

Squires, Veterans, convert part time to full time, a lot of paperwork involved, getting Veterans off Medicaid and into Veterans benefits.

Fearon, did some of the people get automatic increases, I want percentages.

Marinelli, yes, they increased already 2.25%, this is in addition.

Mitchell, salary adjustment, \$100,000 difference, where is the budget sweep.

Marinelli, each department \$250,000.

Mitchell, consecutive?

Squires, yes this is the first year, I plan on increasing.

Mitchell, \$350,000 to \$500,000 better.

Mills, should get lower and lower as we get leaner and leaner.

Axton, looking into starting Centro Authority?

Westphal, you can't, once you opt in, you can't opt out.

Axton, lifetime contract?

Westphal, yes, but I can look into again.

Tortorici, distribution of sales tax, city pre-empt they collect their own.

Westphal, business outside city but have a city zip code, letter from the state they are looking into this.

Tortorici, can we look into this more.

Squires, yes.

Mills, 1 million for CHHA, we have already received \$1000,000.

Squires, yes, it is not a revenue right now, it's an expenditure, deposit still need certificate of need transfer.

Mills, retirement, fund increase?

Marinelli, long term 30%.

Squires, fiscal year is different, and how much money do we hang onto.

Mills, we don't want any problems in the future.

Squires, 2006 decrease and 2007 increase of 7%.

Fearon, sales tax 100%, state gets ½, we get ¼ Towns and villages 25% period.

Motion by Cuddeback to adjourn at 8:47PM, 2nd by Mitchell, all in favor, except Sincebaugh voting no.