

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
NOVEMBER 23, 2010 – 6:30PM**

**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:**

**PROCLAMATIONS:**

**Sheriff's Week in Cayuga County, November 7th -14th, 2010, read by Mary Jones, Clerk of the Legislature, presented by Chairman Peter Tortorici to Sheriff David Gould.**

**National Runaway Prevention Month and National Homeless Youth Awareness Month, Sarah Johnston Youth Services Director, Cayuga/Seneca Action Agency, handout on Youth Homeless and Runaway Awareness, attached to original minutes.**

**Cayuga Community Health Network Neighbors Helping Neighbors, Thursday, December 16, 2010, title read.**

**Heidi Nightengale, 2010 Altes Award for Exemplary Community Service, title read.**

**Cayuga County Salutes Matthew S. Lees, Tuesday, November 16, 2010, for Earning Eagle Scout, title read.**

**PRESENTATION:** Sue Galbraith, Taitem Consulting, re: Cayuga County Fleet Study, handout attached to original minutes.

**PRIVILEGE OF THE FLOOR:**

Peter Tortorici for Joe Wasileski, (OWLA) Owasco Watershed Lake Association, re: Owasco Lake and the problems facing it with algae, blue green algae, zebra mussels and Asian clams. Recommendations: Fix Owasco Flats so it can filter, look at all the tributaries, inter-municipal agreement on rules and regulations, and having someone test and analyze the water on a regular basis. Handout attached to original minutes.

**Terry Lattimore, member OWLA and the Town of Owasco Board. Handout attached to original minutes.**

**Jack McClain, Town of Owasco, the beaches have been closed because of the blue green algae, people want their property taxes lowered, something needs to be done. Handed out a photo album with pictures of sludge in Owasco Lake, which in**

some areas is 14 inches thick. The blue green algae is harmful to the liver, shouldn't go into the lake. The lake can be saved, you have the power to address this.

**Discussion:**

Fearon, this is a very serious problem with every body of water, Cayuga has a boil water problem, sometimes brown or green.

Lattimore, do it now, it's our future.

Tortorici, we will hold a special joint meeting on December 8, 2010 at 6:00PM, Emerson Park, with the City of Auburn and the Town of Owasco, to pass resolution. Cayuga County will put \$25,000 in the budget for monitoring Owasco Lake. We need to take care of the 50,000 residents. This will be a joint effort, Watershed Council, Soil & Water, Health Department. We need to educate the residents, get the towns and villages involved and work together. We are looking for funding, grant money and move forward.

**CCC REPORT:** Dr. Daniel Larson: attached to original minutes

**MINUTES:**

For Approval: 9-28-10, motion by Lattimore, 2nd by Pinckney, all in favor.

For Reading: 10-26-10 and 11-10-10

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

Axton, the NYSAC, Committee of Indian Affairs met in Waterloo to go over strategies on where we are, we are trying to meet more often to work on the issues that we face. There will be a Wreaths Across America ceremony on Saturday, December 11, 2010, 12PM (noon) at Veterans Memorial Park, west of the CCOB, everyone is invited.

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, the budget has been filed with the Clerk of the Legislature. There will be a special Ways and Means meeting on November 29, 2010 at 6:00PM to look at changes and recommendations to the budget, which will be voted on at the Legislature meeting on December 1, 2010, at 6:30PM. The date for the Public hearing will be December 9, 2101 at 6:30PM, December 13, 2010, at 7:00PM will be the vote on the final budget. Handout with the proposed changes attached. Home delivery meals, there has been some miss information out there, meals will continue to be delivered to seniors that qualify. The Director of Office for the Aging, Nancy Siefka will meet Monday and review. Fire Advisory Committee, would like Legislature input on what you think their roll is and what you are looking for.

**Discussion:**

Chapman, the by-laws and mission statement is on the website, I will send an e-mail.

Squires, role, advice on EMS and Fire protection. Please respond to Mr. Chapman or myself.

Tortorici, does the Fire Advisory Board have any recommendation they want to see from us?

Chapman, minor concerns, re: radios.

Lattimore, Ways & Means changes to the budget on the 29th?

Squires, Ways & Means will propose changes, then you will vote on them at the full Legislature meeting on the 1st, it's hard to keep track of the changes without the account numbers, I have the forms and will get the account numbers, it will save time.

Lattimore, if we want to change the size of the Legislature, where should we go, Government Operations?

Tortorici, any vote after the Public Hearing has to be in writing.

Westphal, Mr. Squires will help you out with that.

**CHAIRMAN'S REPORT:** Peter Tortorici, handout of meetings that I have attended, attached to original minutes. The Wladis Firm has been very helpful with grants. Today was the ground breaking for the Dr. Joseph F. Karpinski Sr. Education Center, at the Ward O'Hara Museum, I would like to thank Dr. Karpinski for his \$15,000 contribution and Legislator Daniel Sincebaugh for his advocacy for maintaining the County's contribution in the budget.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga-Cortland Workforce Investment Board:**

Sarah J. Johnston, Director of Youth Services (Cayuga/Seneca Community Action Agency, Inc.)

6992 State St. Road, Auburn, NY - term: 7/1/10 thru 6/30/13 (replaces Theresa A. Walsh)

**Cayuga County Parks Commission:**

Jim Young, 4549 State Rte. 34B, Union Springs, NY 13160, term – 1-1-2011 to 12-31-2014

Gino Alberici, 58 Adams Ave., Auburn, NY 13021, term – 1-1-2011 to 12-31-2014

Sam Giangreco, 81 N. Lewis St., Auburn, NY 13021, term – 1-1-2011 to 12-31-2014

Daniel Schuster, 123 E. Genesee St., Auburn, NY 13021, term – 1-1-2011 to 12-31-2014

**Cayuga County Records Advisory Committee:**

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

Hon. George Fearon, 5641 State Rte. 90N, Cayuga, NY 13034, term 9-1-10 to 9-30-2012

**Motion for all appointments by Lattimore, 2nd by Axton, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from the Town of Sterling, thanking the Cayuga County Department of Planning, Steve Lynch and Geoff Milz for their help in completing the towns Comprehensive Plan.

2. Received a copy of the budget for the Town of Brutus and their annual report of indebtedness and exemption report.

3. Received a letter from the Office of General Services Procurement Services Group (OGS), they now have a web site for contracts for Fuel Oil, Gasoline, Diesel Engine Fuel and/or Liquid Propane, site – [www.3.ogs.state.ny.us/psgfiledrequirements/default.aspx](http://www.3.ogs.state.ny.us/psgfiledrequirements/default.aspx)

4. Received a thank you letter from Cayuga/Seneca Community Action Agency, Inc. for the County's help with recognizing National Domestic Violence Awareness Month in Auburn.

5. Received a letter from Ray Lockwood, President Cayuga County Farm Bureau, re: budget cuts to the Soil and Water Conservation District.

6. Received a letter from the Port Byron Central School District, re: Wreaths Across America Project 2010, a ceremony will take place at noon on December 11, 2010

at the Veterans Memorial Park located on Genesee St. west of the County Office Building, all Legislators are invited.

Motion by Cuddeback to waive reading of the communications, request by Palermo to read aloud #1, all in favor.

Chairman Tortorici, read #1 in full.

## **RESOLUTIONS:**

### **RESOLUTION NO. 504-10**

**11-23-10 AuditNovember 2010.doc**

#### **AUTHORIZING THE COUNTY TREASURER TO PAY NOVEMBER 2010 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on November 23, 2010 audit claims against the County of Cayuga in the aggregate sum of \$2,698,299.38, therefore be it

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

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

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

### **RESOLUTION NO. 505-10**

**11-23-10 AuditNovember 2010.doc**

#### **AUTHORIZING THE COUNTY TREASURER TO PAY NOVEMBER 2010 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on November 23, 2010 audit claims against the County of Cayuga in the aggregate sum of \$39,150.00 (BOE), 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 Signed by Palermo, Axton, Cuddeback, Mahunik and Mills, all in favor.

### **RESOLUTION NO. 506-10**

**11.23.10**

#### **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:

**October 2010**

Electric (Gas)	\$ 110.39
Telephone:	\$ 17,957.69
Total:	\$ 18,068.08

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

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

**RESOLUTION NO. 507-10**

**11.23.10**

**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:

October 2010	\$372.76
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RESOLVED, that said payments be part and partial payment of the full audit of this Board.

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

**RESOLUTION NO. 508-10**

**11-23-10 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 \$5,017.00 covering the period through 10/29/10 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. 509-10****11.23.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES**

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

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

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

**October 2010**

First Niagara	\$ 150.94
AmExpress	\$ 6,035.93
Sunoco	\$
Walmart	\$
Exxon	\$ 128.38
Total:	\$ 6,315.25

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

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

**RESOLUTION NO. 510-10****11.23.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.**

BY: Hon. Christopher Palermo, Ways &amp; 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:

**October 2010**

Copier Leases and Maintenance:	\$ 9,997.33
Postage Leases:	\$ 478.00
Total:	\$10,475.33

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

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

**RESOLUTION NO. 511-10****(11/23/10) COA-CAPH11PAYREV****AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. CHRISTOPHER PALERMO, Chairman, Ways &amp; 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 #02-2STERLING NATURE CENTER TRAIL COMPLETION**

Gary's Equipment INVOICE #15950	5,682.00
<b>Total</b>	<b>5,682.00</b>

**Project #05-1 Safety Building Renovations**

Premier Printing Inc INVOICE : Dated 10/7/10	30.26
Fiscal Advisors & Marketing Inc. INVOICE : 12868	170.00
Moody's Investors Service INVOICE : F1768000-000	110.00
<b>Total</b>	<b>310.26</b>

**Project #06-5 HEATING MODIFICATION TO THE CAYUGA COUNTY OFFICE BUILDING HEATING SYSTEM**

Premier Printing Inc INVOICE : Dated 10/7/10	169.50
Fiscal Advisors & Marketing Inc. INVOICE: 12868	952.00
Moody's Investors Service INVOICE : F1768000-000	616.00
<b>Total</b>	<b>1,737.50</b>

**Project #07-5 TYLER SOFTWARE**

PSTek, Inc INVOICE: 10/4/10	2,000.00
<b>Total</b>	<b>2,000.00</b>

**Project #08-1(RENOVATION & CONSTRUCTION AT MENTAL HEALTH FACILITY AT 146 NORTH STREET)**

Premier Printing Inc INVOICE : Dated 10/7/10	1,579.96
Moody's Investors Service INVOICE : F1768000-000	5,742.00
Fiscal Advisors & Marketing Inc. INVOICE: 128688,874.00	
Atlantic Testing Laboratories INVOICE: 63810	1,596.36
Atlantic Testing Laboratories INVOICE: 63809	3,240.25
Friendly Service Lock and Alarm INVOICE: 1928	123.75
Friendly Service Lock and Alarm INVOICE: 1911	34.75
AAA Contracting Inc. APPLICATION # 5	36,326.00
FAHS Construction Group APPLICATION # 11	105,106.86
Siracusa Mechanical Inc. APPLICATION # 9	54,094.44
Gray Management Systems Bill # 15	13,865.00
East Coast Electric LLC APPLICATION # 9	36,832.26
Green Plumbing Inc. APPLICATION # 10	12,204.00
C & S Companies INVOICE: 0822774	25,000.00
<b>Total</b>	<b>304,619.63</b>

**Project #08-2EMERSON PARK PAVILION RENOVATIONS**

Lowe's INVOICE: 56053	158.00
Erie Materials INVOICE: 699023-EA	1,139.30
Lowe's INVOICE: 22503	310.98
<b>Total</b>	<b>1,608.28</b>

**Project #10-1MERIDIAN ENVIRONMENTAL RESTORATION**

C & S Engineers INVOICE: 0122036-2	492.65
C & S Engineers INVOICE: 0122531	1,355.00
<b>Total</b>	<b>1,847.65</b>

**Project #10-2POST FRAME BUILDING PROJECT (SHERIFF'S DEPT)**

HEPINVOICE: 12-100410-0020	6,051.72
HEPINVOICE: 12-101210-0026	3,199.90
HEPINVOICE: 12-100610-0026	146.81
HEPINVOICE: 12-102010-0014 <b>credit</b>	-386.28
Cayuga County SWCD INVOICE: 201140	161.90
IRR Supply Centers INVOICE: 47092599-00	165.37
Lowe's INVOICE: 56586	93.00
Lowe's INVOICE: 22411	1.82
Lowe's INVOICE: 22412	43.68
Auburn Armature INVOICE: 447435-00	36.27
Auburn Armature INVOICE: 448919-00	6.90
Fingerlakes Construction Co., Inc. APPLICATION # 3	32,404.50
Fingerlakes Construction Co., Inc. APPLICATION # 4	6,009.70
Fingerlakes Construction Co., Inc. APPLICATION # 5	6,076.30
Nucor Steel Auburn Inc INVOICE: 500336	40.63
Lowe's INVOICE: 56566	128.79
Nucor Steel Auburn Inc INVOICE: 500328	24.63
IRR Supply Centers INVOICE: 47091878-00	9.48
Callahan Masonry Supply Inc. INVOICE: 400169	1,116.00
William Quigley INVOICE: 1010361	42.00
William Quigley INVOICE: 1010377	40.00
<b>Total</b>	<b>55,413.12</b>

**Project #10-03 Emergency Communication Project**

Spectra Environmental Group Inc. Note: Forward payment to Gilberti, Stinziano Heintz & Smith INVOICE: 8857	24,152.64
Community Newspaper Invoice: 42	57.00
Frederick R. Westphal Staples Order he paid for	55.11
The Citizen INVOICE: 425976	50.99
Motorola INVOICE: 41148837	456,253.00
Gilberti, Stinziano Heintz & Smith INVOICE: CAYU02-55298	19,316.79
Premier Printing Inc INVOICE : Dated 10/7/10	1,247.02
Moody's Investors Service INVOICE : F1768000-000	4,532.00
Fiscal Advisors & Marketing Inc. INVOICE: 12868	7,004.00
<b>TOTAL</b>	<b>512,668.55</b>

**Grand Total** **885,886.99**

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. 512-10**  
**(11/23/2010) rps corroferror2500RPSrev**  
**AUTHORIZING THE CAYUGA COUNTY TREASURER TO MAKE REFUNDS**  
**OR CORRECTIONS OF REAL PROPERTY TAXES IN THE**  
**AMOUNT OF \$2,500 OR LESS**

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS the Real Property Tax Law allows this County Legislature to delegate to the County Treasurer responsibility for making corrections and refunds of Real Property Taxes where the amount involved does not exceed \$2,500; and

WHEREAS so delegating that responsibility will create greater efficiency and save money because the simpler process will take less time of County personnel; now, therefore be it

RESOLVED that pursuant to Sections 554 and 556 of the New York State Real Property Tax Law, this Cayuga County Legislature hereby authorizes the County Treasurer for the County of Cayuga to perform the duties for refunds or corrections of taxes as provided in said Sections, where the recommended refund or correction is \$2,500 or less; and be it further

RESOLVED that action by the County Treasurer is to be based on a sworn affidavit by the local assessing authority (Town Assessor) and the written report and recommendation of the Cayuga County Director of Real Property Tax Services; and be it further

RESOLVED that the Director of Real Property Services will submit a monthly reporting for the precluding month, to the Legislative Ways and Means committee, containing township, parcel, and ownership information, the reason for the correction, along with the dollar amount of the correction or refund.

RESOLVED that this Resolution shall take effect immediately and is effective during the calendar year 2011.

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

**RESOLUTION NO. 513-10 (11/23/2010)**  
**rpsCCCapportioncostres**  
**AUTHORIZE DIRECTOR OF REAL PROPERTY SERVICES TO APPORTION**  
**COMMUNITY COLLEGE COSTS FOR TAX PURPOSES**

BY: Christopher Palermo, Chairman, Ways & Means Committee

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

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

City of Auburn	138,768.85
Town of Moravia	88,094.03
Town of Aurelius	24,294.08
Town of Niles	22,698.90
Town of Brutus	35,801.07
Town of Owasco	32,730.11
Town of Cato	35,356.73
Town of Scipio	14,238.98

Town of Conquest	20,654.24
Town of Sempronius	33,183.58
Town of Fleming	12,881.65
Town of Sennett	24,315.69
Town of Genoa	55,956.54
Town of Springport	25,872.74
Town of Ira	17,946.57
Town of Sterling	26,077.83
Town of Ledyard	8,329.33
Town of Summerhill	68,016.10
Town of Locke	69,408.08
Town of Throop	27,146.51
Town of Mentz	13,104.47
Town of Venice	4,403.71
Town of Montezuma	7,353.24
Town of Victory	9,912.50
<b>Total</b>	<b>816,545.53</b>

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

**RESOLUTION NO. 514-10**  
**(11/23/2010) rpsOmittedtaxes2011**

**AUTHORIZING THE LEVY OF OMITTED TAXES**

BY: Christopher Palermo, Chairman, Ways & Means Committee

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

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

RESOLVED, the following omitted taxes in the amount of **\$22,667.48** shall be levied against the property owners in their respective Towns who are liable for said tax; and be it further

Town	Amount	Town	Amount
Cato	\$2,070.31	Fleming	\$1,434.67
Genoa	\$1,009.17	Ledyard	\$6,750.84
Niles	\$1,861.84	Sennett	\$6,983.26
Sterling	\$1,949.06	Summerhill	\$ 510.99
Venice	\$ 97.34	<b>Total</b>	<b>\$22,667.48</b>

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

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

**RESOLUTION NO. 515-10**  
**(November 23, 2010) rptscorrtxrollNov10rev**  
**AUTHORIZING CORRECTION OF TAX ERRORS IN THE**  
**TOWN OF VENICE AND CATO:**

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 Rolls be corrected as indicated below:

**Town of Venice: Tax Map # 207.00-1-29.1.** This parcel was incorrectly assessed as having a completed residence when in fact it was only partially complete. The assessment should be changed to 52,100 for land and 150,000 total assessment. The 2010 County/Town tax billing should be adjusted to reflect this.

**Town of Cato: Tax Map # 65.12-1-11.** This parcel was incorrectly assessed as having a residence when in fact it is a vacant parcel. The assessment should be changed to 30,000 land and total. The 2010 School Tax bill should be corrected and the 2010 Final assessment roll should be adjusted to reflect this correction.

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

**RESOLUTION NO. 516-10**  
**11/23/10 TRE replace2printers**  
**AUTHORIZING PURCHASE OF TWO HIGH CAPACITY PRINTERS**

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, the current IBM printers used by the Treasurer's Data Processing Department for the preparation of County, Village and School Tax bills are included in the lease that will expire in December 2010 and therefore need to be replaced (due to the critical nature of tax bill printing, two high capacity printers, with maintenance contracts, are needed): and

WHEREAS, these printers are also used for payroll and health insurance reporting, and

WHEREAS, funding for these printers is available in the 2010 Data Processing Budget, therefore, be it

RESOLVED, that the County Treasurer is authorized to transfer \$1,700.00 from A16804 54067 (Seminars and Conferences) to A16802 52000 (Equipment), and \$3,050 from A16804 54067 (Seminars and Conferences) to A16804 54045 (Machines Maintenance) for the service contract on these printers, and be it further.

RESOLVED, that the County Treasurer is hereby authorized to purchase two HP 9040dn Printers for the total cost of \$10,816.00, to be charged to A16802 5200 and the service contract for \$3,032.00 to be paid from A16804 54045.

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

**RESOLUTION NO. 517-10**  
**11/23/10 TRE CloseTrust&Agency Funds**  
**AUTHORIZING THE TREASURER TO CLOSE VARIOUS**  
**TRUST & AGENCY FUNDS**

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, the Trust & Agency funds listed below have been held on deposit for a protracted period of time with no activity, and

WHEREAS, it is the recommendation of the County Treasurer to close these accounts, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to close these accounts and transfer the balance totaling \$10,739.65 to the General Fund and record this as a refund of prior years' expenditures.

**TRUST & AGENCY FUNDS TO BE CLOSED**

Account T-17065	Medical Student Scholarship Fund	\$9,000.00
Account T-17068	Laboratory Grants	\$1,739.65

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

**RESOLUTION NO. 518-10**  
**11-23-10 COL UNDTAKCO.OFF 2011**  
**ANNUAL RESOLUTION APPROVING AND FIXING UNDERTAKING FOR**  
**COUNTY OFFICIALS PURSUANT TO STATUTE.**

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

WHEREAS, the Public Officers Law, the County Law, the Social Services Law and other statutes of the State of NY provide that certain officials and employees of the County shall have an official undertaking which shall be to the effect that he/she will faithfully discharge the duties of his/her office and promptly account for and pay over all moneys or property received by him/her as such officer or in default thereof, that the party executing such undertaking will pay all damages, cost and expenses resulting from such default (hereafter "the undertaking"); and

WHEREAS, subsection 2 of section 11 of the Public Officers law provides that a blanket undertaking may be used in place of a person specific undertaking and the County has historically availed itself of that option; and

WHEREAS, the County regularly maintains Public Employee Dishonesty Coverage (including faithful performance of duty) with a \$500,000 limit per employee and a \$1,000 deductible; Now, therefore, be it

RESOLVED, that this County Legislature confirms that its Public Employee Dishonesty Coverage which covers all county employees and officers (including, but not limited to, those required by law to have an undertaking) written by its current insurance Company (or similar renewal thereof) in the amount of \$500,000 coverage (\$1,000 deductible) is hereby fixed and approved as sufficient and proper undertaking to satisfy the requirements of all of said statutes above referred to; and be it further

RESOLVED, that said undertaking, which covers each and every existing employee and officer and will cover each and every employee and officer to take office or employment during the term of the undertaking shall be deemed to be so fixed and approved as sufficient and proper undertaking statutorily for said existing employees and officers as well as future employees and officers commencing their duties hereafter unless the amount of the coverage is changed (thus requiring a new resolution approving it) or this resolution is superseded by a future resolution of this body; and be it further

RESOLVED, that this resolution shall be considered adequate approval of the subject matter for the entire year of 2011 and until a future resolution concerning the subject matter is adopted; and be it further

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

**RESOLUTION NO. 519-10**

**(11/23/2010) RPS mortgagetaxpymtnov**

**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 **\$409,682.45**, the same being the net amount collected from the taxation of mortgages for the period April 1, 2010, to September 30, 2010; and

WHEREAS there is in the County Treasurer’s Account No. T-58, the amount of **\$409,682.45** 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 **\$409,682.45** to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

<b>City of Auburn</b>	86,748.33	Montezuma	3,635.17
Aurelius	16,548.54	Moravia	6,224.80
Vlg Cayuga	1,300.99	Vlg Moravia	2,356.00
Brutus	14,750.54	Niles	17,823.05
Vlg Weedsport	7,595.13	Owasco	37,970.85
Cato	13,870.35	Scipio	13,217.00
Vlg Cato	496.96	Sempronius	9,652.30
Vlg Meridian	546.85	Sennett	29,470.37
Conquest	6,459.80	Springport	12,502.24
Fleming	18,727.10	Vlg Union Springs	4,428.82
Genoa	16,433.35	Sterling	14,483.90
Ira	11,934.29	Vlg Fair Haven	10,015.82
Vlg Cato	659.74	Summerhill	5,166.38
Ledyard	11,546.01	Throop	9,994.16
Vlg Aurora	2,459.07	Venice	5,762.90
Locke	2,482.07	Victory	9,180.56
Mentz	3,228.06	Vlg Port Byron	2,010.95
<b>Grand Total</b>	<b>409,682.45</b>		

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

**RESOLUTION NO. 520-10****11/23/10 TRESellrealpropREV****AUTHORIZING THE SALE OF TAX FORECLOSED PROPERTY IN THE  
VILLAGE OF UNION SPRINGS COMMONLY KNOWN AS  
TAX MAP NO. 141.13-2-32**

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, the County conducted a public auction of tax foreclosed properties on August 25th, 2010; authorizing the Chairman of the Cayuga County Legislature to execute any and all documents required to transfer the property and forfeit the deposit; and

WHEREAS, Parcel No.26 (15 Basin St. Union Springs, Tax Map No.141.13-2-32) was sold for \$39,000; the underbid price was \$38,000.00; and

WHEREAS, the successful bidder placed a down payment of \$7,800, an administrative fee of \$200.00 and a buyers premiums of \$3,900.00; and

WHEREAS, the successful bidder has since sent a letter to the County asking for relief of his bid; and

WHEREAS, the under-bidder has declined the purchase of this property, and

WHEREAS, another bidder has offered \$30,000; now, therefore, be it

RESOLVED, the successful bidder's bid deposit shall be forfeited to the County, as per the terms of sale as set for this auction, and be it further

RESOLVED, that this property shall be sold to the current bidder for \$30,000 upon adoption of this resolution; 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 complete the transaction. Signed by Palermo, Axton, Cuddeback, Mahunik and Mills, all in favor.

**RESOLUTION NO. 521-10****(November 23, 2010) HS FSNEP Cornell Coop 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT FUNDING FOR  
THE FOOD STAMP NUTRITION EDUCATION PROGRAM (FSNEP) AND  
CONTRACT WITH CORNELL COOPERATIVE EXTENSION FOR  
SERVICES RELATED TO FSNEP**

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

Christopher Palermo, Chairman of the Ways &amp; Means Committee

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

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

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

WHEREAS, the Human Services Department relies on Cornell Cooperative Extension to assist the above noted food stamp applicants and recipients, by providing them with nutritional education in order to help them adopt a more nutritional lifestyle as well as utilize their food stamp benefits more efficiently; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept 100% federal funding for the Food Stamp Nutrition Education Program for the period October 1, 2010 through September 30, 2011 in the amount of \$101,775, and enter into a contract for the above services with Cornell Cooperative Extension; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services 2010 budget in the following manner:

Increase Expenditure Account A60704 54227	
Education Services to Recipients	\$101,775
Increase Revenue Account A60700 44670	
Education Services to Recipients	\$101,775

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

**RESOLUTION NO. 522-10**

**(November 23, 2009) HS Facilitated Enrollment**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW ITS CONTRACT WITH THE STATE TO ACCEPT FUNDING FOR THE FACILITATED ENROLLMENT GRANT**

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

WHEREAS, Cayuga County Department of Health & Human Services wishes to renew its contract with the NYS Department of Health by accepting the fifth year of funding (of the five-year award) for the purpose of managing the 100% funded Facilitated Enrollment Program for the period January 1, 2011 through December 31, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with NYS Department of Health in order to continue participation in the 100% funded Facilitated Enrollment Program and to authorize them to enter into any subcontracts necessary to implement this grant; and be it further

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

Increase Account # A60104 54265	\$149,800
Increase Account # A60100 43651	\$149,800

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

**RESOLUTION NO. 523-10****(November 23, 2010) HS CST Funds 2010****AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT FEDERAL FUNDING ATTACHED TO THE COMMUNITY SOLUTIONS FOR TRANSPORTATION GRANT**

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

WHEREAS, the Human Services Division of the Cayuga County Health & Human Services Department has been awarded (100%) federal funding attached to the "Community Solutions for Transportation Grant" in the amount of \$53,121; and

WHEREAS, this grant is used to develop transportation solutions that will meet the needs of persons eligible for federal Temporary Assistance for Needy Families (TANF) as well as persons with income levels at or below the 200% poverty level as they transition to work and retain employment; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept additional 100% federal funding attached to the "Community Solutions for Transportation Grant" in the amount of \$53,121 to be expended through June 30, 2011, and that they be authorized to enter into sub-contracts in order to implement the Grant; and be it further

RESOLVED, that the Cayuga County Treasurer make the following adjustments to the 2009 Human Services Budget to accommodate the grant:

Increase Appropriation Account #60104	54261	\$53,121
Increase Revenue Account #60100	44612	\$53,121

and be it also

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. 524-10****(November 23, 2009) HS FFFS Funding 2010****AMENDING THE HUMAN SERVICES 2010 BUDGET TO ACCEPT 100% FEDERAL FUNDING FROM THE FLEXIBLE FUND FOR FAMILY SERVICES (FFFS)**

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 received 100% Federal FFFS funding (Flexible Fund for Family Services) and of this fund \$224,197 will be used to support employment related services and supportive services for TANF eligible applicants and recipients in order to assist them to stay off of public assistance or enable them to reduce the amount of assistance they are receiving; and

WHEREAS, it is necessary to amend the 2010 Human Services Budget in order to accept this funding; NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services Department's 2010 Budget in the following manner, and make the necessary journal and accounting entries to accept the new FFFS funds:



Increase Acct. #A60602 52000	\$ 5,000
Increase Acct. #A60604 54000	\$219,197
Increase Acct. #A60600 44550	\$224,197

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into any subcontracts that are necessary to implement this grant.

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

**RESOLUTION NO. 525-10**

**(November 23, 2010) HS WRAP 2010-2011**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT 100% FUNDING FOR THE PROVISION OF SERVICES RELATED TO THE HOME ENERGY ASSISTANCE PROGRAM (HEAP) WEATHERIZATION REFERRAL AND PACKAGING (WRAP) AND CONTRACT WITH CAYUGA/SENECA**

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

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

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

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Cayuga County Human Services 2010 Budget in the following manner:

Munis

Org	Object			
A60104	54260	Increase	Appropriations	\$10,299
A60100	44610	Increase	Revenue	\$10,299

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga/Seneca Community Action Agency, Inc. for the period October 1, 2010 - September 30, 2011.

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

**RESOLUTION NO. 526-10****(November 23, 2010) HD Fill PT PHN CHS****AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL ONE PART-TIME PHN VACANCY AT COMMUNITY HEALTH SERVICES**

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

Christopher Palermo, Chairman of the Ways &amp; Means Committee

WHEREAS, as the County staff left in the CHHA operation are now able to be reassigned to their role in Public Health; and

WHEREAS, a Supervising Public Health Nurse (SPHN) and a Public Health Nurse (PHN) who were home care staff have now transitioned; and

WHEREAS, now that this bumping has occurred, it is the appropriate time to fill the nursing staff positions needed to work in the Department; and

WHEREAS, with this part-time PHN fill we will be able to retain a trained Public Health staff who plans to retire on November 27, 2010; and

WHEREAS, the plan is to fill this part-time position (control #003913) that is funded in the 2010 budget and unfund one full-time PHN position (control #002029) in the proposed 2011 budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health &amp; Human Services be authorized to fill the Part-Time PHN vacancy in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission and any fill behind that may occur.

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

**RESOLUTION NO. 527-10****(November 23, 2010) HD PHP Grant 2010 (Amendment)****AMENDING RESOLUTION #386-10 IN ORDER TO ACCEPT AN ADDITIONAL \$14,065 FROM HEALTH RESEARCH, INC. (HRI) FOR THE PUBLIC HEALTH PREPAREDNESS GRANT FOR H1N1**

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

Christopher Palermo, Chairman of the Ways &amp; Means Committee

WHEREAS, the Health Department has been awarded additional funding within the Public Health Preparedness (PHP) Grant to include an H1N1 allocation of \$14,065 making the HRI contribution to the 2010-2011 Public Health Preparedness Grant \$73,337 along with \$23,626 from the State OHS (Office of Homeland Security), resulting in the total PHP Grant award to be \$96,963; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health &amp; Human Services be authorized to accept \$14,065 (H1N1 Allocation of the Public Health Preparedness Grant) from HRI ; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all the necessary journal and accounting entries and to amend the Health Department's 2010 budget in the following manner:

Increase Revenue Account #A40250 43425 \$14,065

Increase Appropriation Account #A40254 54000 \$14,065

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

**RESOLUTION NO. 528-10**

**(Nov. 23, 2010) HD Extend CHHA Service Contracts 2011**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO EXTEND CHHA SERVICE CONTRACTS THROUGH 2011 OR UNTIL THE TRANSFER OF THE CERTIFICATE OF NEED**

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

WHEREAS, the management-transfer between CHHA and Lifetime Care is expected to take place in 2011; and

WHEREAS, in order to maintain specific patient services as usual during this time of transition and through the transfer of the Certificate of Need, it is necessary for the CHHA to extend these service contracts; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized and directed to extend all CHHA service contracts (as listed below) under their current terms until the transfer of the Certificate of Need:

Adirondack Physical Therapy & Occupational Therapy, LLC

Barrette, Mary Lou, Registered Dietician

Cayuga Health Association

Clark, Elaine, Physical Therapist

Cooney, Michelle, Physical Therapist

Daley, Linda, Physical Therapist

E. John Gavras Center (Physical Therapy, Occupational Therapy, & Speech Therapy)

Feyerabend, Catherine, Occupational Therapist

Green, Sue, RN (Wound Care)

Jablonski, Kim, Physical Therapist

Mandel Therapy (Physical Therapy, Occupational Therapy, & Speech Therapy)

McGonagle, Linda, Physical Therapist

Melfi, Kelly, Occupational

Northbrook Heights Home for Adults, Inc. (HHA, PCA, HMKR, HSKP)

Staffings Healthcare Systems, Inc. (RN, LPN, HHA)

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

**RESOLUTION NO. 529-10**

**(Nov. 23, 2010) HD HRI Additional Funding Breast Health 2010-11**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO AMEND THE 2010-2011 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 \$2,988 bringing the total amount of the contract to \$28,771 for the period June 30, 2010 – June 29, 2011; 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 \$2,988 for the period of June 30, 2010 through June 29, 2011 making the total contract amount \$28,771; 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	\$2,988
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Increase Revenue Account #40230 43423	\$2,988
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Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback and Fearon, all in favor.

**RESOLUTION NO. 530-10**

**DATE: 11/23/10 OFAamendbudgetNov10rev**

**AUTHORIZING THE AMENDMENT OF THE 2010 CAYUGA COUNTY OFFICE FOR THE AGING BUDGET/TRANSFER FUNDS.**

BY: Ms. Ann Petrus, Chairman of the Health & Human Services Committee

Mr. Chris Palermo, Chairman of the Ways and Means Committee

WHEREAS, after the submission of the 2010 Office for the Aging Budget, it has been determined that additional funding is needed for the provision of services in Travel in County Account A67734 54083 to provide home delivered meals; and

WHEREAS, funds are available in the Office for the Aging Professional Services A67734 54059 due to changing the method of mileage reimbursement for volunteer drivers; now, therefore be it

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

Appropriation Accounts	Increase	Decrease
A67734 54059 Professional Services		\$8441.55
A67734 54083 Travel in County	\$8441.55	

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. 531-10**

**11/23/10 COL NightQuarantineDogs**

**AUTHORIZING THE CONTINUATION OF THE NIGHT QUARANTINE ON DOGS IN CAYUGA COUNTY.**

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

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

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

RESOLVED, that this Legislature hereby orders that the night quarantine on dogs be continued until December 31, 2011 in accordance with Section 123 of the New York State Agriculture and Markets Law which defines "night" as between sunset and one hour after sunrise; and be it further

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

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

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

**RESOLUTION NO. 532-10**  
**11/23/10 COL dogquarantine**  
**DECLARING A 24 HOUR DOG QUARANTINE DURING**  
**THE WINTER SEASON.**

BY: Hon. George Fearon, Chairman, Government Operations.

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

RESOLVED, that this Cayuga County Legislature hereby orders that all dogs in the County of Cayuga be securely confined for a period of twenty four hours per day, effective immediately and until April 30, 2011, pursuant to Article 7, Section 122 and 123 of the New York Agriculture Markets Law, and be it further,

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

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

**RESOLUTION NO. 533-10**  
**11/23/10 IT-fillcompspec.**  
**AUTHORIZATION TO FILL THE POSITION OF COMPUTER SPECIALIST**  
**IN THE INFORMATION TECHNOLOGY DEPARTMENT**  
**DUE TO A RESIGNATION**

BY: Mr. George Fearon, Chairman, Government Operations

Mr. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Information Technology Department is currently without a Computer Specialist(PC#4819) due to a resignation on 10/29/10; and

WHEREAS, it is necessary due to the volume of service calls handled by the IT department to hire an employee to function in the capacity of Computer Specialist; 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 County Administrator be hereby authorized to fill the position of Computer Specialist (PC#4819), 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.

Discussion:

Lattimore, outside firm?

Squires, not completely, network support

Fearon, I believe the County Administrator signs off on any created or fill positions before we see it?

Squires, yes.

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

**RESOLUTION NO. 534-10**

**(11-23-10) CC-DMV CASHIER PT**

**AUTHORIZES CAYUGA COUNTY CLERK TO FILL A PART TIME  
CONTINGENT PERMANENT CASHIER IN THE MOTOR VEHICLE  
DEPARTMENT.**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee  
MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee

WHEREAS, there is a Part Time DMV Cashier position vacancy 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 contingent permanent basis; and

WHEREAS, the funding for this Part Time Cashier position #08135 has been appropriated in the 2010 Department of Motor Vehicle (A14111-51001) salary account in the amount of \$16,332; now therefore be it

RESOLVED, that Cayuga County Clerk Susan Dwyer be authorized to fill the position of Part Time Motor Vehicle Cashier, with no fringe benefits pursuant to the Cayuga County Compensation Plan, Part I- CSEA Bargaining in the title Motor Vehicle Cashier-PT; and be it further

RESOLVED, that this part 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, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik and Mills, all in favor, except Lattimore voting no.

**RESOLUTION NO. 535-10**

**11.23.10 swagmntrev2**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO EXECUTE A LEASE AGREEMENT WITH THE CAYUGA COUNTY SOIL  
AND WATER CONSERVATION DISTRICT**

BY: Hon. Roger Mills, chair Planning Committee

Hon. Christopher Palermo Ways and Means Committee

WHEREAS, the County of Cayuga and Cayuga County Soil and Water Conservation District entered into an agreement in April 1996 concerning the use and operation of the Natural Resources building owned by the County, which building is located on County House Road, in the Town of Sennett; and

WHEREAS, the parties desire to enter into a lease agreement, a copy of which is attached; now therefore be it

RESOLVED, the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a Lease Agreement with the Cayuga County Soil and Water Conservation District.

Signed by Mills, Lattimore, Mahunik, Pinckney, Sincebaugh, Palermo, Axton and Cuddeback, all in favor.

Motion by Mills, 2nd by Aikman to bring to the floor.

**RESOLUTION NO. 536-10**  
**November 23, 2010 PB\_greeninnovationgrant**  
**AUTHORIZING THE PREPARATION AND SUBMITTAL OF GREEN**  
**INNOVATION GRANT PROGRAM APPLICATION TO NYS**  
**ENVIRONMENTAL FACILITIES CORPORATION.**

BY: Roger A. Mills, Chair Planning & Economic Development Committee  
Christopher Palermo, Chair, Ways and Means Committee

WHEREAS, Cayuga County is eligible to receive grant funds for green innovation projects under the New York State Environmental Facilities Corporation Green Innovation Grant Program (GIGP); and

WHEREAS, it was suggested that the County seek \$750,000.00 in grant funds to conduct work recommended in the Owasco Flats Restoration Feasibility Report to reduce phosphorus and sediment loads to the Owasco Inlet and ultimately Owasco Lake; and

WHEREAS, the GIGP program will select projects that improve water quality and demonstrate sustainable water and wastewater infrastructure in communities across the State; and

WHEREAS, Cayuga County supports this objective; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to submit this application and if approved, authorized and directed to execute the required documents and agreements necessary to receive and administer the proposed grant funds and enter into contracts with New York State Environmental Facilities Corporation and willing landowners; and be it further

RESOLVED, 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.

Discussion:

Tortorici, we have until December 3, 2010 to get the grant application in and this resolution needs to go with the grant. I will meet with the City of Auburn tomorrow and work on the MOA.

Cuddeback, you mentioned that you were going to use some of those funds to buy private property?

Tortorici, no.

Signed by Mills, Lattimore, Mahunik, Pinckney, Sincebaugh, Palermo and Mills, all in favor, except Cuddeback and Mitchell voting no.

**RESOLUTION NO. 537-10****Date: November 23, 2010 P&TAGMuseumT29Transfer 11 10 Rev2****AUTHORIZING THE TRANSFER OF 2010 AGRICULTURAL MUSEUM  
BUDGET FUNDS INTO CAPITAL "H" ACCOUNT NO.****10-05 FOR THE PURCHASE OF APPLIANCES FOR THE DR. JOSEPH F.  
KARPINSKI SR. EDUCATIONAL CENTER AND AMENDING  
CAPITAL "H" ACCOUNT NO. 10-05.**

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Ways and Means

WHEREAS, by Resolution 489-10 of the Cayuga County Legislature the County Treasurer was authorized to establish Capital H 10-05 for a climate controlled wing on the Ward O'Hara Agricultural Museum; and

WHEREAS, the addition will include a kitchen and meeting room and there will be a need for a stove, refrigerator and microwave and the meeting room will need a television; and

WHEREAS, the cost to purchase these appliances has been estimated at \$2,200.00; and

WHEREAS, this area will be available to any county department as a place to hold meetings, now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer the following funds totaling \$2,200 from the 2010 Agricultural Museum budget into Capital H 10-05 for the purchase of a stove, refrigerator, microwave and television for the addition upon its completion.

	Acct. Number	Acct. Name
\$100.00	7114-54109	General Landscaping
\$275.00	7114-57058	Dues & Membership
\$570.00	7114-54101	Promo & Publicity
\$429.79	7114-54012	Building Maintenance
\$73.45	7114-54059	Professional Services
\$751.76	7114.54150	New Exhibits
\$2,200.00		Total

And be it further

Resolved, that Capital "H" Account No. 10-05 be increased by \$2,200.00, from \$200,085.00 to \$202,285.00; and be it further

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

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

**RESOLUTION NO. 538-10****November 23, 2010 hwysignagreeAubHous****AUTHORIZE CHAIRMAN AND HIGHWAY SUPERINTENDENT TO SIGN  
FUEL PURCHASE AGREEMENT WITH AUBURN HOUSING AUTHORITY FOR  
PURCHASE OF GASOLINE AND DIESEL FUEL**

BY: Dave Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Highway Department and Motor Pool dispense gasoline and diesel fuel for other agencies within Cayuga County; and



WHEREAS, Auburn Housing Authority, a local non-profit agency has contacted Cayuga County to purchase gasoline and diesel fuel; 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 Agreement with Auburn Housing Authority to purchase gasoline and diesel fuel

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

**RESOLUTION NO. 539-10**

**Date: November 23, 2010 HWYACCBIDEXC10rev2**

**AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO ACCEPT BID AND PURCHASE HYDRAULIC EXCAVATOR**

BY: David Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, a hydraulic excavator is a multi-use piece of equipment used for a variety of activities including (but not limited to) snow removal, ditching culverts, and general excavation; and

WHEREAS, resolution # 452-10 authorized the Highway Superintendent to receive bids for a 100% funded hydraulic excavator and funds in the amount of \$264,000 were budgeted for this purchase; and

WHEREAS, the rental cost per month for this piece of equipment is \$7900 and is neither a cost-efficient nor reliable method of obtaining a hydraulic excavator; and

WHEREAS, the leasing option on equipment is a method of financing the purchase only; and

WHEREAS, the cost to purchase this multi-use piece of equipment will increase between \$20,000 and \$25,000 next year due to Tier 4 emissions requirements; and

WHEREAS, this piece of equipment is reimbursable by NYS through the CHIPS program; and

WHEREAS, a bid packet was developed and advertised for a 2010(or newer) hydraulic excavator with an option to submit for a used piece of equipment and was opened on October 8, 2010 with the following results:

	Vantage Equipment	Vantage Equipment
BIDDER	5985 Court St Rd Syracuse NY 13206	5985 Court St Rd Syracuse NY 13206
MAKE	GRADALL	GRADALL
MODEL	XL3100 III	XL3100 III
YEAR	2010 (NEW)	2010 (USED w/287 hrs)
PRICE	\$263,121.00	\$253,321.00

WHEREAS, the bids were reviewed and the used 2010 Gradall XL3100 III offered by Vantage Equipment best meets the specifications outlined in the bid packet and is the lowest bid; now therefore be it

RESOLVED, the Cayuga County Legislature hereby authorizes the Highway Department to purchase a Gradall XL3100 III with funds from account DM51302 52002; and be it further

RESOLVED, that the cost of the excavator is not to exceed \$253,321; 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 and Mills, all in favor.

**RESOLUTION NO. 540-10**

**Action Date 11/23/10 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 (#001921) 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. 541-10**

**11/23/10 SHR – GPS Addendum**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE SHERIFF OF CAYUGA COUNTY TO AMEND THE AGREEMENT  
WITH GOV PAY NET PAYSTATION SERVICE**

By: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee  
MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office entered into an Agreement with GovPayNet PayStation Service (hereinafter GPS) on March 6, 2007 for a 5-year period allowing individuals who wish to pay bail by credit or debit card; and

WHEREAS, GPS has proposed the following two amendments to the existing Agreement: (1) Increasing the number of card readers from 1 to 2 at no additional cost and (2) Changing their service fee schedule from that of a sliding scale to a flat rate of 7%, which ultimately lowers the rate; and

WHEREAS, the Cayuga County Sheriff's Office does not oppose the aforementioned amendments; 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 amendments of this Agreement; and be it further

RESOLVED, that any portion of the original Agreement not modified as set forth above shall remain in full force and effect; and it is 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, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik and Mills, all in favor.

**Motion by Cuddeback to adjourn at 8:25PM, 2nd by Mills, all in favor.**

**Minutes of 11-23-10 approved on 1-25-11, Motion by Chapman, 2nd by Pinckney, all in favor.**

**Minutes**  
**SPECIAL LEGISLATURE MEETING**  
**WEDNESDAY, DECEMBER 1, 2010, 6:30 PM**  
**160 GENESEE ST, 6TH FLOOR, CHAMBERS,**  
**AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman, at 6:50PM.

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except excused Mitchell and Sincebaugh.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC:** Ways & Means Changes to Budget and Set Public Hearing for Budget

**Discussion:**

**Lattimore, is there a stipend in the budget for CCPUSA?**

**Tortorici, there was a discussion on putting money in the budget for CCPUSA. The Digester on County House Rd, will be coming up in April we don't know what kind of power that will be yielding if any, probably at the end of 2012. CCPUSA has a plan in place on how they will formed, administrated, cost, how they will be set up to handle the distribution of power and the pipeline. We will look at in 2011, to monies in for 2012, about a year away.**

**RESOLUTIONS:**

**RESOLUTION NO. 542-10**  
**12/1/10 COA-BudgetRecommendations11.W&M**  
**WAYS AND MEANS RECOMMENDATION ON 2011 BUDGET**  
**OFFICER'S TENTATIVE BUDGET.**

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

**WHEREAS,** the Ways and Means Committee has reviewed the 2011 County Tentative Budget that was filed with the Clerk of the Cayuga County Legislature; and

**WHEREAS,** the Ways and Means Committee has proposed certain changes, alterations or revisions in the tentative budget by identifying specific account lines that could be amended, added, or deleted; now, therefore be it

**RESOLVED,** that the Ways & Means Committee hereby submits the attached, as its proposed changes, alterations or revisions to the Budget Officer's 2011 Tentative Budget, to the County Legislature for its consideration.

WAYS AND MEANS APPROVED CHANGES  
TO THE 2011 TENTATIVE BUDGET

WAYS AND MEANS COMMITTEE	PAGE	REVENUE	EXPENSE	NEW TOTAL
<b>ASSESSMENT</b>				
Increase A13550-41250 (Assess Fees)	21	5,000.00		5,000.00
Increase A13550-41251 (Assess Real)	21	6,800.00		6,800.00
Increase A13550-42210 (Assess Tax)	21	37,456.00		37,456.00
Increase A13550-43040 (Assess)	21	1,000.00		1,000.00
<b>COUNTY AUDITOR</b>				
Increase A13204-54049 (Supplies)	18		800.00	800.00
Increase A13204-54075 (Telephone)	18		400.00	400.00
<b>CIVIL SERVICE/HUMAN RESOURCES</b>				
Increase A14301-58006 (Retirees Health Ins)	29		17,574.00	72,739.00
Decrease A14301-58007 (Unemployment)	29		-10,000.00	0.00
Decrease A14301-51001 (Salary)	28		-2,000.00	250,163.00
Decrease A14301-58001 (Soc Sec)	28		-153.00	21,092.00
Decrease A14301-58002 (Retire)	28		-294.00	41,115.00
<b>DEBT TRANSFER</b>				
Decrease A99005-54608 (Transf Bonds)	136		-73,675.00	1,111,376.00

## HEALTH &amp; HUMAN SERVICES COMMITTEE

SENIOR NUTRITION					
Increase A6773-54420 (Senior meals)	115		5,000.00		275,900.00

## GOVERNMENT OPERATIONS

COUNTY HISTORIAN					
Decrease A75101-51002	125		-1,555.00		31,582.00
Decrease A75101-58001 (Soc Sec)	125		-118.00		2,420.00

## JUDICIAL AND PUBLIC SAFETY

JAIL					
Increase A31500-42451 (Inmate Fees)	55	100,000.00			1,700,000.00

TOTAL				-64,021.00	
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TAX LEVY (Decrease)			214,277.00		34,405,723.00
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TOTAL		150,256.00			150,256.00
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Signed by Palermo, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 543-10**

**12-1-10 coacngetentativebdgt11**

**CHANGES, ALTERATIONS AND REVISIONS TO THE 2011 TENTATIVE BUDGET FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2011.**

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

WHEREAS, the Cayuga County Budget Officer (the "County"), on November 13, 2010, duly filed the 2011 tentative budget of said County for the fiscal year beginning January 1, 2011, with the Clerk of the Cayuga County Legislature; and

WHEREAS, the Ways and Means Committee reviewed the tentative budget of the County for the 2011 fiscal year beginning January 1, 2011, duly filed its report with the Clerk of the Cayuga County Legislature; and

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

RESOLVED that the tentative budget for the fiscal year beginning January 1, 2011 be changed, altered and revised as set forth on attachment 1 annexed hereto and made a part hereof; and be it further.

**Discussion:**

Cuddeback, WM-3 is a direct reflection of WM-2.

Westphal, correct.

Cuddeback, so any other changes have not gone through committee.

Westphal, correct.

Cuddeback, so they would be additional recommendations.

Westphal, if someone brought them forward this evening you can vote on them, separate from the Ways & Means proposals of Monday night.

Lattimore, are the budget procedure different from other years?

Westphal, no, we have always had the ability after Ways & Means to propose changes and alterations any member of the Legislature from now until the adoption of the budget can bring motions from the floor for changes.

Palermo, this year is different in that we now have a County Administrator, Tom Squires, as our Budget Officer, last year Peter was our Budget Officer, as far as the Legislature that is the same.

Westphal, one additional change, historically the Legislature has voted on the budget at the day of the Public Hearing, this year it was decided to have a length of time between the Public Hearing and the adoption of the budget.

**Vote, all in favor.**

**DEFEATED****Motion No. 544-10  
8-24-10**

MOTION BY TORTORICI TO REDUCE CONTINGENCY ACCOUNT BY \$100,000, TO REDUCE THE AMOUNT WE ARE USING FOR THE FUND BALANCE. DEFEATED BY SHOW OF HANDS, ALL VOTING NO, EXCEPT LATTIMORE VOTING YES.

**Discussion:**

Tortorici, we have a salary adjustment account where Tom Squires has asked us to keep positions open to put money back into the general fund or contingency account. I think with the departments being able to keep these positions open a little longer, we will be able to see the \$100,000 re-cooped by not filling some of these positions, give the departments a little longer to see how their departments can run without these positions.

**Seconded by Palermo.**

Fearon, the state of New York is in trouble financially, we are going to get nipped, I don't think we should change it, we don't know if we will need that money.

Mills, I agree, we have an RFP out for a consultant to do Bio-Gas Pipeline Project, estimates are considerably higher than what we have grant funds for, this could easily eat up the \$100,000. Having the money in the contingency account could easily pay for that study. Mr. Lattimore has brought up CCPUSA, which I support, we will probably have to hire a consultant to get that structure in place. We can't depend on the State of New York at all, nobody is watching our back, we have to watch our own. I would like to keep the contingency account where it is.

Palermo, even if we didn't have the contingency account, you can still take from the fund balance, don't see where it makes a difference, as long as you're not changing the levy.

Axton, I agree, I think if you were going to pull it off the levy it would be a different story. Squires, I think it does, I think what the Chairman is saying is we have a total in the contingency fund that we want to achieve and if you use last year as a guide, that's about where we want to be. I have cut the contingency somewhat from last year, and my expectations is when there are vacancies in departments, the vacancies will be held open for some period of time. Instead of sweeping that money into a provision for salary adjustment account, we will sweep into contingency account to build that back. The Chairman has said I think we can hold those positions open longer, by doing that you can do a more thorough analyses, do you need that position at all.

Axton, but if you're putting that \$100,000 back into the fund balance, it's not going to effect the levy.

Tortorici, I don't have a problem putting it towards the levy, I can amend mine.

Axton, if you put it towards the levy, it's a lot easier to support.

Tortorici, I can amend my motion to put it towards the levy.

Axton, am I wrong?

Squires, it brings in a cringe factor, when you bring a resolution to Legislature that takes money from the contingency. I think that cringe factor is heightened when you're talking about pulling it directly out of the fund balance.

Axton, you're going to have to pull it back out anyway.

Cuddeback, if you where to sweep those positions and put it wherever, you get to a point where you stop doing that.



Squires, continue to sweep, the balance will close to the general fund at the end of the year.

Cuddeback, does that take into account the departments that are going to be over-budget. Squires, that would impact the 2010 budget.

Mills, if we can the contingency account anytime we need, why do we have a contingency account at all.

Squires, it sets a certain threshold for what your tolerance is, for not budgeting properly, for not living within your budget, for not seeing things you should have seen.

Mills, there are holes in the budget, we should have the contingency account, because there is a process there, the dollar value should be based on historical experience.

Squires, yes.

Mills, I assume with the budget that you have presented to us, that the dollar value in the contingency account was based on your best experience. The sweeping of the salaries is an unknown, this budget is different. I'm comfortable with your initial recommendation of what was in the contingency account; I oppose the Chairman's motion.

Fearon, I'm looking at the fund balance as being somewhat of rollercoaster. In my ten years here, I have seen taxes have gone up 20% in one year, the State is short billions of dollars, need to be conservative.

Tortorici, we talked about setting up policies and procedures on the limit of the fund balance that we are going to use each year. This will give our budget office another year to look at it, take the money from contingency to reduce that amount of fund balance, that was the reason. I know we are using a lot of fund balance, we need to talk about what we want as a fund balance, Tom is comfortable with \$100,000, replenish with those position left open.

Axton, if you move it or leave it there it is it will go back to fund balance, I could understand it if you wanted to reduce the levy.

Tortorici, do you want to make that motion to amend it?

Axton, it really does nothing.

Tortorici, if you feel comfortable that it comes from the levy, I have no problem making the motion to reduce it, but I'm going to go with the fund balance, because that's what I'm concerned about.

## **DEFEATED**

Motion No. 545-10

12-1-10

Motion by Axton to reduce Contingency Account \$100,000 and put towards Levy, 2nd by Cuddeback, Defeated by Majority vote, Noes – Lattimore, Palermo, Petrus, Pinckney, Mills, Fearon, Barski and Aikman. Ayes – Mahunik, Chapman, Axton, Cuddeback and Tortorici. Excused Mitchell and Sincebaugh. 464/313/105

### **Discussion:**

Fearon, no same reason.

Mills, this is even less desirable, I think it is a mistake to think the fund balance is savings account. It's like when I'm voting on borrowing money for the radio project, Mental Health Project, I don't like that we are borrowing 100% of the cost. It would seem more appropriate to take several million dollars of our savings account and put it towards our indebtedness and reduce it for the future. It's the concept I don't support, I think we should have a fund balance and should use it to lower the tax burden and our future indebtedness, which will also lower the tax burden.

Palermo, I don't support the motion, it's above my risk tolerance level. The amount is minimal and probably doesn't make a difference either way. I disagree with using the fund balance to pay future debt, we can borrow cheaper than anybody in this county, it is best left in the taxpayers pocket, they value is higher there and we borrow cheap.

Fearon, what is the cost to borrow and what does it earn if it sits there, whichever is greater.

Axton, that money is better suited for the tax payers pocket.

Mills, there is a cost to borrowing any interest expense that you incur is a cost. Paying down debts, pay for these projects as we incur them, there is no expense associated with them and no cost to the tax payers.

Lattimore, amount of reserve, contingency, what is legal ratio.

Westphal, there is no legally established ratio.

Lattimore, towns and schools do have ratios.

Westphal, I don't know about that, but there is a level that the State Comptroller gets excited.

Lattimore, are we going to look a lot different in 10 years, in regards to services?

Squires, I think you need to include delivery of state programs in that, delivery of state programs is maybe are largest core business.

Lattimore, we already reduced by eighty employees from last year.

Squires, as the cost of delivering state programs goes up to the local tax payer, you can't use fund balance forever to pay for it, so you need to cut other costs or you need to raise taxes.

Lattimore, our major cost is labor?

Squires, yes.

Aikman, Call the question.

## **MOTION WITHDRAWN**

Motion No. 546-10

12-1-10

Motion by Tortorici to decrease E-911 account number #A30201 by \$42,274, 2nd by Cuddeback. Motion withdrawn by Tortorici.

### **Discussion:**

Tortorici, I think there are other ways we can fill that position at no cost to the county, we are exploring ways to do that now.

Chapman, the alternative would be a specialized position?

Tortorici, looking at a priority Medical Dispatch firm to come in, could be TLC Ambulance to provide us the service. We would have an actual Medical Technician on the phone with individual that are calling for an ambulance. They way they do it now is our dispatchers take the phone call, then they call Cortland, where priority medical dispatch is now, we don't talk to the individuals on the phone and they dispatch the ambulance. We are one of the few counties that don't have medical dispatching. I think bring in TLC, at no cost to the county, they would man 24/7, we could save a life. They have protocols, they are better trained, better service all around.

Chapman, change in State Police, increase in duties bestowed upon our 911 center.

Gould, I don't think it will increase duties at the 911 center.

Fearon, will this have an effect on other businesses, TLC is city, outside not covered by TLC.

Tortorici, no one is in the position now it is vacant, un-fund in this budget. We have

talked with the 911 Director, the City, the Fire Chief and the police Chief are behind us on this.

Cuddeback, if one dispatcher position was 24/7 by anybody, how many employees does that effect.

Marshall, 3.

Axton, time frame for TLC training, I believe for a dispatcher it's 6 to 8 months.

Tortorici, they are already trained.

Axton, no for the position on our end, takes 6 to 8 months, I would feel better knowing the time frame TLC could be in there.

Tortorici, less time to train.

Axton, I'm not going to support it if it's going to be a year.

Fearon, don't we need a contract in place if you're talking about January 1, 2011?

Squires, the funding in the proposal now is for 10 months for this position, this is a vacant position now, so someone couldn't be hired until march, so part of the budget I proposed did not include 2 months of funding for this position. Currently TLC does some of the medical dispatching for us out of the Cortland 911 center. The proposal is TLC would move the priority medical dispatching services from Cortland to our 911 center. With having it at our center, they could do a 1 button transfer, it would be a better transfer and they would act as a back-up for our dispatchers. It would take some of the burden off our dispatchers.

Mahunik, why are we cutting now, it hasn't gone through committee, if TLC comes in, in February, cut then and sweep into contingency. Take to committee in January and look at it.

Fearon, if someone has a heart attack in Springport with TLC will get the ambulance to me?

Squires, yes.

Lattimore, TLC concerns with financial difficulties.

Westphal, that would be a discussion for executive session.

Mills, I believe it was said they would provide these services at no cost.

Westphal, there are 2 certificates of need, TLC has a certificate for inside the city, Rural Metro for outside the city, all TLC would do is the pre-arrival like a dispatcher would do.

Mills, how do they re-coop their costs?

Squires, their return is they get the call faster, so they would get more calls.

Tortorici, they can do inter-municipal agreements with towns and send ambulance wherever, the job is to dispatch the ambulance.

Squires, it's the ability to respond.

Axton, they would move it from Cortland County to here, it's a time issue to respond.

TLC can't leave the city now and Rural Metro can't go in the city.

Motion by Lattimore to take back to committee.

Palermo, can't table, it's a budget issue.

Chapman, are there any changes that need to made to our equipment?

Squires, no.

Chapman, do they have an agreement with the Union in Cortland County and would this necessitate an agreement here with the Union.

Squires, if we took the next step that enabled their dispatcher to answer the call, we would need an agreement then. A CSEA representative is coming to committee next week to listen to this.

Petrus, we need to get answers, needs to be brought to committee.

Motion by Tortorici to withdraw his motion.

Motion by Lattimore to take a very small amount of the fund balance to be set aside for CPUSA, \$10,000. There is money out there we may be able to secure if we have matching funds, go after some grants.

**No Second**

Mills, I think the contingency fund does have money available if you have something specific.

**Motion by Palermo, 2nd by Petrus for WM-1**

**RESOLUTION NO. 547-10**

**12/1/10 COL Set Public Hearing to Adopt Budget11**

**SETTING DATE FOR PUBLIC HEARING ON TENTATIVE COUNTY BUDGET.**

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, a tentative County Budget for the year 2011 has been prepared and is hereby presented by the Budget Officer of the County of Cayuga; now, therefore, be it

RESOLVED, that the tentative budget as amended or revised by Resolution No. 542-10, reflecting appropriations, revenues and resultant effects for the year 2011, shall be submitted to a public hearing as required by Section 359 of the County Law and that the Clerk of the Legislature is hereby authorized to prepare 100 copies of the budget pursuant to law; and be it further

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

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

And be it further

RESOLVED, that a public hearing on the budget for the year 2011 is set for December 9, 2010 at 6:30 PM, at the County Legislative Chambers and that the Legislature Clerk is hereby instructed to advertise same pursuant to law.

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

**Official Elected or Appointed Positions – 2011**

Assessment & Taxation:

Director of Real Property tax Services	\$61,754
Interim Director of Real Property \$32.81per hr	\$59,714.20

Civil Services Commission:

Commissioner, Chairperson, part time	11,255
Commissioner, part time (2)	9,478

Clerk – Legislative Board: 47,500

Coroner: 15,300

County Attorney: 102,500

County Auditor: 55,000

County Clerk:	66,738
County Highway Superintendent:	66,548
County Treasurer:	67,62
District Attorney:	122,700
Elections, Commissioner (2):	9,478
Indigent Defendant:	
Administrator	13,193
Deputy Administrator	6,928
Sheriff:	75,480
Health & Human Services:	
Director	90,000
County Administrator:	97,500

Lattimore, what is our fund balance.

Squires, if the 2011 budget is passed, my projection for the 12/31/10 fund balance, unreserved and un-appropriated is 17,446,000.

Motion by Lattimore, I would like to take 1 million to be used for stream stabilization.  
**No Second**

**Motion by Pinckney to adjourn at 7:47pm, 2nd by Axton, all in favor.**

**Minutes of 12-1-10, approved on 1-25-11, Motion by Chapman, 2nd by Pinckney, all in favor.**

**MINUTES**  
**SPECIAL JOINT LEGISLATURE MEETING**  
**WITH THE CITY OF AUBURN AND TOWN OF OWASCO**  
**WEDNESDAY, DECEMBER 8, 2010, 6:00 PM**  
**EMERSON PARK PAVILION, AUBURN, NY 13021**

Welcome to tonight's Special Joint Cayuga County Legislature Meeting, with the Town of Owasco and the City of Auburn, Wednesday, December 8, Emerson Park Pavilion.

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman, at 6:03PM.

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except excused Palermo, Chapman, Sincebaugh and Petrus.

City of Auburn, Debbie McCormick, Clerk, Councilman William Graney, Councilman Thomas McNabb, Councilman Matt Smith, Councilman, Councilperson Gilda Brower and Mayor Michael Quill.

Town of Owasco, John Klink, Town Supervisor, Councilperson Alberici, Councilperson, Lattimore, Councilperson Gucciardi, and Councilperson Wagner.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Chairman Tortorici welcomed Senator Nozzolio, Tom McKellopp from Assemblyman Finch's Office and John Woodworth from Assemblyman Kolb's Office.**

**Chairman Tortorici**, opening statement attached to original minutes.

**Senator Nozzolio**, thank you all for your leadership in getting us to this point it is exactly what we need. The people that are here tonight, as elected officials understand that our water is the most important resource we have. Without Owasco Lake, without the Finger Lakes, without the protection resource, we would be nowhere. This is a historic day; **this is exactly the format that was envisioned. Many of your predecessors came together and talked about drops water** have no political boundaries. Cayuga County has great leadership, thank you all. I would also like to thank 6 members of an organization that came together to focus attention on issues important to our region, Bob Pine, Dan Fessedan, Guy Cosentino, Peter Emerson, Jack Bisgrove and Laurie Colby, they are all part of the Blue Print Committee. The OWLA is a very important force in bringing attention forward to the great resources we have and getting information to those that are interested. We didn't believe that the Department of Environmental and Conservation was doing enough to protect this lake, we knew it was wrong because of the great efforts of the County, Towns and all of you. We showed them the science to prove they were wrong and we will go forward with pressing this issue. This inter-governmental

Cooperative Agreement is a tremendous step, but it is only the first step, more needs to be done, need to find more solutions, especially at the southern end. Agricultural is producing many good things and some things that need to be utilized for other purposes. I am proud to be your Senator and pledge to continue to help to preserve Owasco Lake.

**Mike Quill, Mayor City of Auburn**, thank you all for asking us to be here for this historic event, I'm sure this will pass from all three branches. The lake is very important to all of us, I gave my word that the city would continue to work on the lake for years to come. We will keep on track, work in progress.

**John Klink, Owasco Town Supervisor**, after years of tackling problems with Owasco Lake and the watershed, collaboration and cooperation have finally prevailed. For years groups have worked independently to stop the degradation of Owasco Lake and return it to its original state. The tax payers of the Town of Owasco have spent over 2 million dollars to satisfy DEC consent orders. This year Owasco has passed local laws banning the use of phosphates and restrictions of fires along the shoreline around our town. To fix the problems, we all need to work together. Cayuga County Legislature, the City Council of Auburn, 15 Towns, and 2 Villages, working together within the Owasco Lake Watershed Council will be a powerful environmental and political force.

**Chairman Tortorici**, handout of Watershed Council, attached to original minutes.

**Chairman Tortorici moves resolution, 2nd by Fearon.**

**Read in full by Mary Jones Clerk of the Legislature.**

**RESOLUTION:**

**RESOLUTION NO. 548-10**

**December 8, 2010 legolwmcincorprev2**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY  
LEGISLATURE TO ACT AS AN INCORPORATOR OF THE OWASCO  
LAKE WATERSHED MANAGEMENT COUNCIL**

WHEREAS, Owasco Lake is a drinking water source for approximately 45,000 Cayuga County residents; and

WHEREAS, Owasco Lake is an important economic, recreational, and tourist resource for the entire community; and

WHEREAS, the protection of Owasco Lake is essential to the future well-being of Cayuga County, and

WHEREAS, the quality of Owasco Lake has deteriorated significantly over the past few years; and

WHEREAS, a coordinated approach is needed to preserve and protect Owasco Lake and the Owasco Lake watershed as a source of public drinking water, as a recreational asset, and as an important natural resource of Cayuga County for the benefit and well-being of Cayuga County residents; and

WHEREAS, Senator Michael Nozzolio and Assemblyman Gary Finch were instrumental in supporting the watershed inspector several years ago and are very committed to the improvement and enhancement of Owasco Lake; and

WHEREAS, intermunicipal cooperation between the municipalities of Cayuga County toward watershed protection will provide a more cohesive, comprehensive, and powerful voice towards effectively preserving and protecting Owasco Lake and the Owasco Lake Watershed; now therefore be it

RESOLVED, that the Cayuga County Legislature supports the creation of the Owasco Lake Watershed Management Council that will be comprised of elected officials from the County of Cayuga, the City of Auburn, the Town of Owasco and municipalities wholly or partially within the Owasco Lake Watershed; and be it further

RESOLVED that the mission of the Council will be to undertake and promote activities aimed at the protection and preservation of Owasco Lake and the Owasco Lake Watershed; and be it further

RESOLVED, that the Cayuga County legislature hereby recommends and appoints the chairman of the Cayuga County Legislature as an incorporator of the Owasco Lake Watershed Management Council.

**Signed by Tortorici, Axton, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore and Aikman, all present voting yes.**

**City of Auburn will passed their Resolution #182-2010, all present voting yes.**

**Town of Owasco will passed their Resolution #10-203, all present voting yes.**

**Motion by Cuddeback to adjourn at 6:41PM, 2nd by Lattimore, all in favor.**

**Minutes of 12-8-10 approved on 1-25-11, Motion by Chapman, 2nd by Pinckney, all in favor.**



**MINUTES  
SPECIAL LEGISLATURE MEETING  
THURSDAY, DECEMBER 9, 2010, 6:30 PM  
160 GENESEE ST, 6TH FLOOR, CHAMBERS,  
AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman, at 6:32PM.

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC:** Public Hearing on the County Budget 6:30PM, opened at 6:33PM

**RESOLUTION:**

**RESOLUTION NO. 549-10**

**(12/09/10) P&T PoorFolksSnowmobile 12 10rev2**

**AUTHORIZING THE COUNTY ATTORNEY TO MODIFY THE LICENSE AGREEMENT WITH THE POOR FOLKS SNOWMOBILE CLUB BY PERMITTING THE POOR FOLKS SNOWMOBILE CLUB TO CONSTRUCT A TWENTY SIX FOOT BY FIFTY SIX FOOT POST FRAME (POLE BARN) STRUCTURE ON COUNTY PROPERTY IN STERLING AND AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN THE AGREEMENT**

**BY:** Mr. David Axton, Chairman, Public Works

WHEREAS, Resolution 238-09 authorized the Chairman of the Cayuga County Legislature to sign a license agreement with the Poor Folks Snowmobile Club in the Town of Sterling to maintain their clubhouse on 1.38 acres of county owned property; and

WHEREAS, the Poor Folks Snowmobile Club would like to construct a twenty six foot by fifty six foot post frame structure on the property at no cost to the county; and

WHEREAS, the building would be used by the club to store their two trail groomers and other trail maintenance equipment; and

WHEREAS, the Poor Folks Snowmobile Club has a continued track record of helping to maintain the trails of The Sterling Nature Center as well as other county trails in the northern end of the county; and

WHEREAS, the Poor Folks Snowmobile Club will maintain insurance on the property at no cost to the county, and

WHEREAS, local Legislator Chris Palermo, the representative of town of Sterling on the Parks Commission Paul Kelley, and the Director of the Sterling Nature Center Jim D'Angelo all support an agreement allowing the club to construct the building; now, therefore be it

**RESOLVED**, that the county attorney is hereby authorized and directed to develop a suitable agreement, and be it further,

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the agreement.

Resolution moved by Axton, 2nd by Palermo.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell and Pinckney, all in favor.

Motion by Pinckney to go into Executive Session at 6:34PM, re: Pending Litigation, 2nd by Chapman, all in favor.

**Motion by Petrus to come out of Executive Session at 7:21PM, 2nd by Fearon, all in favor. No action taken.**

### **Privilege of the Floor:**

David Dixon, Chair, Fire Advisory Board, re: 2 positions not in budget, feel these positions are needed, ask that you maintain them in the budget. Vote sheet from the Fire Advisory Board is attached.

Discussion:

Mills, what do they do, their function?

Dixon, work with the EMO office.

Mills, it works well now, they go to meeting and bring information back that could be jeopardized?

Lattimore, public safety is number one issue.

Dixon, I don't personally work with them, they assist at fires and meetings.

Sincebaugh, how much are we saving by eliminated these 2 part-time positions?

Marinelli, \$22,000 with fringes.

Sincebaugh, does that include overtime?

Marinelli, no.

Sincebaugh, the Deputy Director is getting a raise, so it's really not a savings?

Marinelli, the proposed net changes for the department overall, is a savings of \$19,722.

### **Speaker on Public Hearing:**

Sheila Gallup, my main concern is they got rid of the cleaners and the health nurses (CHHA), what are they doing with money from this. If you eliminate some of the County Legislator's, I understand the ones that stay are going to get more money, the money from one that leave.

Tortorici, we have just started in Mr. Fearon's Committee, Government Operations, a lot of discussion needs to take place before anything is decided.

Mitchell, the fund balance, I am very dissatisfied with Bonadio's draft financial statement of 2009, in reference to pages 15, 17, and 57, there are inconsistencies as to what the fund balance is. The health insurance fund is not a part of the fund balance. There is a 1.5 million difference, I have asked the Auditors to explain, they said it is the insurance fund. This does not make any sense. We are drawing on a fund balance and we don't even know what it is. We need assurance from Bonadio, they owe us answers, right down to the penny.

Fearon, the money in the Health Consortium, we don't have any right to touch.

Tortorici, is the 1.5 million an increase or decrease?

Mitchell, it's an increase, look at page 15 and 17 and then if you look at page 57, it's not all there. They are overstating 1/5 million in the fund balance.

Lattimore, what is our retirement bill for 2011?

Squires, about 4 million, up about 1.1 million from 2010, in 2013 we could see another significant increase.

Mills, Comptroller meeting I attended 11% this year and 16% next year for regular employees, Fire-Safety significantly higher 22%. It will take a number of years to work our way out, based on economic conditions.

Tortorici, Roger and I attended a meeting with the comptroller, where they talked about smoothing over a five year period of time.

Sincebaugh, this pension is up 1.1 million from last year, if we didn't sell the CHHA or eliminate the cleaners, would this have been a bigger bill.

Squires, the retirement bill is a percentage of payroll, I don't have those numbers, but we did save on the retirement costs, anytime we reduce salary we save on the retirement.

Motion by Lattimore to close Public Hearing at 7:40PM, 2nd by Mills, all in favor.

Motion by Mitchell to adjourn at 7:41PM, 2nd by Cuddeback, all in favor.

Minutes of 12-9-10 approved on 1-25-11, Motion by Chapman, 2nd by Pinckney, all in favor.

**MINUTES  
SPECIAL LEGISLATURE MEETING  
MONDAY, DECEMBER 13, 2010, 7:00 PM  
160 GENESEE ST, 6TH FLOOR, CHAMBERS,  
AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman, at 7:00pm

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Tortorici, Tuesday, December 14, 2010, there will be a community presentation at Emerson Park on the renovations, from 4 to 6PM.**

**PRESENTATION:** Emerson Park Pavilion Renovations

Tony Franceschelli, President Emerson Foundation, Todd Coleman and Joe Delaney from C & S Companies, Larry Liberator, Beardsley Design, handout attached to original minutes.

Discussion:

Lattimore, walkways, driveways, will they be geothermal?

Liberator, yes, we are looking to heat some of them.

Tortorici, we will receive updates as we move forward.

**RESOLUTIONS**

**MOTION NO. 550-10**

**12-13-10 (PASSED)**

**MOTION BY CHAPMAN TO FUND DEPUTY DIRECTOR FOR FIRE AND RESCUE, BUDGET LINE #A3640, 2ND BY LATTIMORE.**

Passed by majority vote, Ayes – Lattimore, Chapman, Axton, Pinckney, Mills, Fearon, Sincebaugh. Noes – Mahunik, Petrus, Mitchell, Cuddeback, Barski, Aikman, Tortorici. Excused Palermo. Vote – 449/375/58

**Discussion:**

Chapman, conduct a thorough investigation and review in 1 year.

Cuddeback, this position is unfunded in this year's budget, should revisit next year. Let's see if we can get along without it for a year, if we need it put it back in.

Lattimore, public safety is the number one issue.

Mills, I support the Fire Advisory Board, they feel the positions are needed, I think we should rely on their advice.

Tortorici, Mr. Squires e-mailed the recommendation from the EMO Department. Could the Fire Advisory Board do more with 2 less on that committee. It's time to reorganize,

some only show up 6 times a year, we are not eliminating the positions, we are just not funding. We need to sit down with the Fire Advisory Board and see what direction they want to go and revisit in 6 months, I don't support putting the positions back in.

Chapman, I appreciate your comment, but you are talking about reorganize of the Fire Advisory Board and that will be in the future. The Fire Advisory Board was not aware that these positions were going to be offered up for un-funding, they voted on it and feel these positions are needed.

Squires, your amendment is for one position.

Chapman, yes.

Squires, the title is Deputy Director for Fire and Rescue, commonly referred to as Fire Coordinator.

Chapman, yes.

**MOTION NO. 551-10  
12-13-10 (DEFEATED)**

**MOTION BY MILLS TO FUND EMO POSITION, BUDGET LINE # A4072,  
2ND BY SINCEBAUGH.**

Defeated by majority vote, Noes – Mahunik, Petrus, Fearon, Mitchell, Cuddeback, Barski, Aikmna and Tortorici. Ayes – Lattimore, Chapman, Axton, Mills and Sincebaugh. Excused Palermo. Vote – 438/386/58

**MOTION NO. 552-10  
12-13-10 (DEFEATED)**

**MOTION BY MITCHELL TO REDUCE APPROPRIATION (FUND BALANCE)  
FROM 4.902% TO 3.902% (1 MILLION) AND INCREASE LEVY,  
2ND BY LATTIMORE.**

Defeated by Majority Vote, Noes – Mahunik, Axton, Petrus, Pinckney, Mills, Fearon, Cuddeback, Barski, Sincebaugh, Aikman and Tortorici. Ayes – Lattimore, Chapman, Fearon and Mitchell. Excused Palermo. Vote – 576/248/58

**Discussion:**

Tortorici, what is the actual increase in the levy.

Mitchell, 1.25%

Axton, any appropriations belongs in the tax payer's pocket.

Mitchell, what I am saying is 1.5 million of that doesn't exist, the Auditors are wrong, the insurance fund is not our money to appropriate.

Lattimore, the consortium fund balance did go up.

Mitchell, yes did go up.

Fearon, did keep the levy down.

Petrus, need to sit down as a group and discuss this.

Mills, share your concern, the numbers show the fund balance is at 23 million, if we take 1.5 million we will be at around 21.5 million.

Mitchell, 1.5 million of that is incorrect.

Squires, 23 million minus the appropriation and fund balance and reserve, gets us to 16 million.

Mills, accounting standard, say you should have 10% of the total balance in reserve, 14 million is low, even with this expenditure we would still be in excess of minimum.

Mitchell, still need to look at 2012 and 2013.

Fearon, not sure about the 10% think it should be 15%.

Squires, no definite guide lines, target general fund, no less than 10% of your general fund revenues. What do you want that money to do?

Axton, we have over taxed for years.

Squires, in 2009 we budgeted around 3 million fund balance, in 2010 we appropriated 2.1 million fund balance, our latest projection we will use about \$200,000 of that.

Axton, what have we changed, money is better suited for the tax payers.

Lattimore, we still don't know what the state is going to do, the money will run out quickly, do we know what our retirement bill is going to be?

Squires, no, not for next year, probably increase for 2013, don't know about 2012.

Tortorici, at NYSAC convention we talked about the 12 mandates from the state, we are fighting for the cause and will continue to do so.

Mitchell, we shouldn't have an excess of tax payer money.

**MOTION NO. 553-10  
12-13-10 (DEFEATED)**

Motion by Chapman to reduce raise for Deputy Director EMO, Budget Line #A3640 by 50% including fringes, 2nd by Sincebaugh (**Motion Withdrawn**)

**MOTION BY AXTON TO AMEND ABOVE MOTION TO DO AWAY WITH  
RAISE INCREASE ALTOGETHER FOR DEPUTY DIRECTOR EMO, BUDGET  
LINE #A3640, 2ND BY MITCHELL.**

**Defeated** by Majority Vote, Noes – Mahunik, Chapman, Pinckney, Mills, Cuddeback, Barski, Aikman and Tortorici. Ayes – Lattimore, Axton, Petrus, Fearon, Mitchell and Sincebaugh. Excused Palermo. Vote – 488/336/58

**Discussion:**

Mills, part of the change is to make this position exempt, currently part of the bargaining unit, is it becoming exempt with a lesser salary or is it staying part of the bargaining unit? Axton, still non-bargaining.

Tortorici, how will affect the salary, it is still non-union, still get comp time?

Westphal, yes.

Squires, the difference is with no-bargaining you won't get paid out.

Tortorici, the office brings in over a million dollars in grants that they write, the vehicle is coming from a grant they wrote, grants are a lot of work.

Petrus, is this person union?

Westphal, yes, Mr. Axton's motion is to eliminate raise for that position.

Lattimore, can we limit the overtime, is it paid in cash or comp time?

Westphal, employees choice, can't mandate which they take.

Mahunik, there is a process for bargaining and non-bargaining, they would have a say.

Westphal, Mr. Fletcher and I have started the process not sure of the employees roll yet.

Cuddeback, is it true then if the person goes off salary, no overtime, decrease in pay

Westphal, yes.

Axton, is getting a vehicle, \$8,000 raise.

Tortorici, vehicle wasn't bought off of tax payer dollars.

Fearon, can't look at money from the vehicle, it's not part of it.

**MOTION NO. 554-10  
12-13-10 (PASSED)**

**MOTION BY MILLS TO RE-INTRODUCE CHAPMAN'S MOTION TO REDUCE RAISE FOR DEPUTY DIRECTORY EMO, BUDGET LINE A3640 BY 50% INCLUDING FRINGES, 2ND BY CHAPMAN.**

Passed by Majority vote, Ayes – Lattimore, Chapman, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell and Sincebaugh. Noes – Mahunik, Cuddeback, Barski, Aikman and Tortorici. Excused Palermo. Vote – 559/265/58.

Mahunik, the vehicle is there for him to do his job, if we are going to hold that against someone's salary, then we need to look at our mileage expenses as Legislator's. Sincebaugh, certain employees take vehicles home, how much does that cost? Tortorici, we will have to look into that. Squires, you could set it as a policy. Axton, could I get an accurate number on the levy amount? Squires, will decrease by .8%

**RESOLUTION NO. 555-10  
12/13/10 COL ADOPT BUDGET 2011  
TO ADOPT THE COUNTY BUDGET FOR 2011**

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

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

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

WHEREAS, the provisions of County Law, Section 358, have been complied with by the Cayuga County Legislature and pursuant to County Law, Section 359, a public hearing was held on December 9, 2010 after advertisement as required by law; now, therefore, be it

RESOLVED, that the tentative budget, as heretofore amended, be and hereby is adopted by this Legislature as the budget for the year 2011.

Signed by Axton, Fearon, Mahunik and Petrus, all present voting in favor.

**LEGISLATIVE CHANGES TO THE 2011 PRELIMINARY BUDGET**

	PAGE	REVENUE	EXPENSE	NEW TOTAL
<b>EMERGENCY MANAGEMENT</b>				
Increase A36401-51001 Salaries FT	64		(2,291.00)	128,381.00
Increase A36401-51002 Salaries PT	64		8,858.00	27,249.00
Increase A36401-58001 Social Security	64		504.00	11,746.00
Increase A36401-58002 Retirement	64		(336.00)	20,286.00
<b>TOTAL</b>		0.00	6,735.00	
<b>TAX LEVY Increase(Decrease)</b>			6,735.00	34,412,458.00

Passed by Majority vote, Ayes – Mahunik, chapman, Axton, Petrus, Pinckney, Mills, Fearon, Cuddeback, Barski, Aikman and Tortorici. Noes – Lattimore, Mitchell and Sincebaugh. Excused Palermo. Vote – 672/152/58

**Motion by Mills, 2nd by Chapman.**

**RESOLUTION NO. 556-10**

**12.13.10 coacitycopokalet**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO EXECUTE AN OFFER TO PURCHASE THE KALET BUILDING  
WITH THE CITY OF AUBURN.**

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

WHEREAS, Resolution No. 724-09 expressed the commitment of the Cayuga County Legislature to the Cayuga Community College's request for capital funding for a college performance arts center; and

WHEREAS, the capital project was accepted by the State of New York and included in its budget, and

WHEREAS, the parcel of property commonly known as 1 State Street, in the City of Auburn, New York, Tax Map No. 115.60-2-47 is identified as an appropriate location for the performing arts center; and

WHEREAS, the parcel of property is presently owned by the city of Auburn and the City has agreed to transfer the parcel to the County of Cayuga for the use as a performing arts center; and whereas the City and The County wish to enter into an Offer to Purchase the parcel (see attached); now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an Offer to Purchase the parcel of property commonly known as 1 State Street, in the City of Auburn, New York, Tax Map No. 115.60-2-47 with the City of Auburn.

Signed by Axton, Fearon, Mahunik and Petrus, all present voting yes, except Cuddeback voting no.

**Discussion:**

Lattimore, is this a clean site.

Tortorici, yes, we don't take possession until it is demolished, there is a time line if the project doesn't start in 4 years, the property reverts back to the City of Auburn.

Cuddeback, when do we take possession of said building.

Westphal, April of next year, 2011.

Cuddeback, why do we need to buy it now?

Westphal, the city is going to demolish the structure that's on it now.

Cuddeback, what about asbestos, it can be airborne, does that become our problem.

Westphal, the purpose of having the phase 1 and 2 environmental review is to find out what the situation is in the ground.

Cuddeback, what if they miss something, accident.

Westphal, we don't take the property.

Fearon, we are only taking a vacant lot.

Westphal, 2 foundations are contributing half the cost to tear the building down, the foundations want a commitment from the County that if they go this step the County will take possession of the property.



**Pulled at meeting by Mills.**

**(PULLED)**

**(PULLED)** RESOLUTION NO. 557-10

12/13/10 911CoCtyrbndngagmen **(PULLED)**

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN AGREEMENT WITH THE CITY OF AUBURN FOR THE CITY OF AUBURN TO PARTNER WITH CAYUGA COUNTY TO INTEGRATE THEIR RESPECTIVE RADIO COMMUNICATIONS SYSTEMS.

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

WHEREAS, on August 6, 2004, the Federal Communications Commission (“FCC”) issued a Report and Order that modified its rules governing the 800 MHz band. The purpose of the Order was to reconfigure the 800 MHz band to minimize harmful interference to public safety radio communications in the band (“Reconfiguration”). On December 22, 2004, the FCC issued a Supplemental Order and Order on Reconsideration. (The August 6, 2004 and December 22, 2004 FCC Orders and any supplemental FCC Orders in the Reconfiguration proceeding or subsequent actions after the date of this Agreement are collectively referred to as the “Order”.); and

WHEREAS, the City of Auburn maintains licenses issued by the FCC on frequency allocations subject to Reconfiguration; and

WHEREAS, the City and Nextel of New York, Inc. (“Nextel”), a wholly owned indirect subsidiary of Sprint-Nextel Corp., a Kansas corporation, entered into a Frequency Reconfiguration Agreement dated effective as of August 18, 2010 (“FRA”), wherein Nextel is obligated to pay the City an amount to effect a Reconfiguration of the City’s affected frequency allocations (the “Reconfiguration Cost”). A copy of the FRA is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, pursuant to the FRA, the aggregate Reconfiguration Cost is Four Hundred Thirty-two Thousand Twenty-One and 40/100 Dollars (\$432,021.40). Pursuant to the Order, the FCC has appointed a Transition Administrator (“TA”) to insure that the rebanding initiative proceeds on schedule and in a planned and coordinated manner so that disruption to a licensee’s system is minimized. A licensee may, provided it is in compliance with the TA’s guidelines, in lieu of rebanding its existing system, apply the Reconfiguration Cost to upgrade its existing network or to improve another network (including a non-800 MHz network, if that is the network that the licensee is moving to); and

WHEREAS, the County has determined and identified the need and benefits associated with updating its current radio infrastructure (the “New System”). The estimated cost of the New System is in excess of Seventeen Million Dollars (\$17,000,000.00); and

WHEREAS, the County has entered into a Communications System Agreement with Motorola, Inc. (“Motorola”) to effectuate and implement the New System in accordance with the Statement of Work (“SOW”) attached thereto (the “Motorola Contract”); and

WHEREAS, the City has determined that it is in the best interest of the City and the public safety of its citizens to partner with the County to integrate their respective radio communications systems into a compliant interoperable system with enhanced capabilities.

WHEREAS, as the result of the foregoing, the City and the County desire to set forth their respective understandings and agreements with each other with respect to the City’s move to the County’s New System; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the agreement annexed hereto .  
**(Pulled) will be added to the agenda on the 20th.**

**Motion by Axton, 2nd by Pinckney.**

**RESOLUTION NO. 558-10**  
**12/20/10 Bldgs/COA Amending contract with GMSrev**  
**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY**  
**LEGISLATURE TO AMEND THE CONTRACT AGREEMENT WITH**  
**GRAY MANAGEMENT SYSTEMS FOR CONSTRUCTION**  
**MANAGEMENT SERVICES IN CONNECTION WITH THE**  
**MENTAL HEALTH BUILDING PROJECT.**

BY: Hon. Mr. Axton, Chairman, Public Works Committee, and  
 Hon. Mr. Palermo, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 315-09 authorized the Chairman of the Cayuga County Legislature to enter into an agreement with Gray Management Systems for construction management services for the Mental Health building project; and,

WHEREAS, Gray Management Systems' involvement was more extensive than their original proposal and contract; and

WHEREAS, Gray Management Systems' provided the following additional services: assisting in pre-construction, bid review; bid package preparation; post-bid review; contract document preparation; asbestos abatement and demolition; review of room furniture, furnishings and equipment. (see attached documentation of this additional work); and

WHEREAS, the origin funding for Gray Managements contract is now depleted and GMS's contract is due to expire on December 31, 2010; and

WHEREAS, the project starting later than expected, and there is an estimated 5 more months before construction is complete; and

WHEREAS; as change order was approved by process established in Resolution 576-09 for \$12,000.00 to pay Gray Management for work performed in October; now therefore be it

RESOLVED; that the contract date be extended to May 31, 2011 and contract amount for Gray Management be increased by \$85,810.00 for a sum not to exceed \$271,810.00; and be it further

RESOLVED, that the funding for this service come from Capital "H" Project No. 08-01; 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 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, Fearon and Mills, all in favor.

**Motion by Petrus, 2nd by Mitchell.**

**RESOLUTION NO. 559-10**

**DATE: 12/13/10 OFAAwardMealBidDec10**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO AWARD THE BID FOR PROVISION OF MEALS FOR THE CAYUGA COUNTY OFFICE FOR THE AGING SENIOR NUTRITION PROGRAM.**

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

Mr. Chris Palermo, Chair, Ways and Means Committee

WHEREAS, the Senior Nutrition Program provides an average of 68,000 meals per year to seniors, and the bids were based on a three-year contract; and

WHEREAS, the two bids that were received were as follows:

	Complete Meal – Hot	Complete Meal - Frozen
1) Cayuga Health Association, Inc. 8-10 Hulbert St., Auburn, NY	\$4.70	\$4.70
2) Advanced Institutional Support Services, LLC 700 E. Brighton Ave., Syracuse, NY	\$4.25	\$4.25

Now, therefore, be it

RESOLVED, that the bid for the provision of meals be awarded to the lowest bidder, Advanced Institutional Support Services, LLC, 700 E. Brighton Ave., Syracuse, NY for the period of January 1, 2011 through December 31, 2013.

Passed by Majority vote, Ayes – Lattimore, Mahunik, Chapman, Petrus, Fearon, Mitchell, Cuddeback, Barski, Sincebaugh, Aikman and Tortorici. Noes – Axton, Pinckney and Mills. Excused Palermo. Vote 614/210/58

**Discussion:**

Mills, best to reject all bids, come up with consistence policy for all senior citizens.

Axton, I agree.

Tortorici, I also agree, but I don't think 4 months isn't enough time, need to look at restructure.

Sincebaugh, to Nancy Siefka, are you comfortable with this? If an RFP, still have 2 programs with 2 different amounts for meals.

Squires, Meals on Wheels is not our program, we no control over them.

Lattimore, Advance quote, city included.

Squires, no.

Siefka, I would like one price.

**Motion by Tortorici to go into Executive Session at 8:28pm, 2nd by Chapman, all in favor.**

**Motion by Aikman to come out of Executive Session at 8:35PM, 2nd by Barski, no action taken**

**Motion by Mills to adjourn at 8:36PM, 2nd by Cuddeback, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
DECEMBER 20, 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 Mills and arriving at 6:08 Axton , Mahunik at 6:36PM.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**PROCLAMATIONS:** Port Byron High School “Wreaths Across America”

Cayuga County Salutes Michael R. Westmiller, December 4, 2010

Employee Learning Week, December 6th -10th, 2010

**All titles read by Mary Jones, Clerk of the Legislature**

**PRESENTATION:** Chief Lloyd Perkins, Skaneateles Police Department and Chairman of the State Accreditation Council, re: the Cayuga County Sheriff’s Office earning the State Department of Criminal Justice System Accreditation for the Road Patrol. Plaque presented to Sheriff David Gould, he thanked Undersheriff Jim Stowell, Criminal Investigator Fred Cornelius and Glen Dudley, it was hard work couldn’t have done it without them.

**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: 10-26-10 and 11-10-10, Motion by Lattimore, 2nd by Pinckney, all in favor.

For Reading: 11-23-10, 12-1-10, 12-8-10 and 12-9-10

**EMERGENCY AUTHORIZATION FOR SPENDING**

Department: Nursing Home

Reason for Emergency Spending:

The walk in cooler-freezer in the nursing home kitchen has been losing temperature. The evaluation by the 2 refrigerant vendors that were able to come in on an urgent basis concluded that the entire roof top unit which includes the compressor requires replacement. D’Alberto Refrigeration Service gave quotes of \$2700 for compressor only replacement, \$3789 for changing roof top unit which includes the compressor; ABC Refrigeration gave quotes of \$3200 for compressor only and \$4200 changing roof top unit which includes the compressor.

The County Legislature does hereby authorize the purchase of the aforementioned equipment from D'Alberto Refrigeration Service for \$3789 for change out of the roof top unit. The cost will be paid out of the Nursing Home fund balance.

**EMERGENCY AUTHORIZATION FOR SPENDING:**

Department: County Clerk for Records Retention Center

Reason for Spending: The main scanner in the Records Retention Center is broken and it cannot be repaired. Without this scanner, work comes to a halt and as a result, our revenue comes to a halt as well.

We need to purchase a scanner as soon as possible. Total cost: \$6,237.00

We have \$1614 left in our Records Retention Center 2010 budget.

We have \$1300 left in our County Clerk 2010 budget.

We would need \$3,323 from the Contingency Fund to pay for the balance.

This scanner is 6 years old and it has been repaired numerous times.

**CCC REPORT:** Dr. Daniel Larson: attached to original minutes.

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:** none

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, adopted the budget last week. Thanked the Treasurer and Real Property for their help with the Tax bills. The Salt Shed is basically complete. Mental Health building had some ice buildup, doing some testing, will try braces and spray foam, not sure why it happened yet. County Clerk Sue Dwyer hosted the NYSAC, went very well. 911 Director Denise Stayton voted as president of NYS Chapter of Motorola Trunk Users Association.

**CHAIRMAN'S REPORT:** Peter Tortorici, I was in Chicago for the testing of the Radio System, performed 61 tests all passed, will be shipped in a couple of months. Motorola will be here next month for a presentation. E-mail from Senator Schumer, Carcieri Fix was pulled out, we have a window of opportunity, how land is put into trust. There will be a public meeting on December 27th, 2010 at 6:00PM, Seneca County, please let me know if you would like to attend. Ms. Ann Petrus has just been appointed as Vice Chair to the Syracuse Regional Planning Board.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga County Water Quality Management Agency (WQMA) all one year terms 1-1-11 to 12-31-11**

**Environmental Advisors:**

Stephen Lynch, Director of Planning and Economic Development

Eileen O'Connor, Director of Cayuga County Environmental Health

Gary Duckett, Director of Cayuga County Parks and Trails

Ron Podolak, Director of Cayuga County Soil and Water Conservation District

Bruce Natale, Cayuga County Solid Waste Management Program Advisor

Doug Ververs, Cayuga County Cooperative Extension Director

**Non-County, Local Officials:**

Ed Wagner, Town of Owasco, 57 Willowbrook Drive, Auburn, NY 13021

Vicky Murphy, City of Auburn, Memorial City Hall, 24 South St., Auburn, NY

Harry Hinman, Cayuga County Assoc. of Villages, PO Box 13, Weedsport, NY 13166

Keith Batman, 3649 Keesee Road, Moravia, NY 13118

**Waterbody Associations:**

Dale Powell, Duke lake Association, 192 East Lake Rd., Port Byron, NY 13140

Barbara Harvey, Lake Cuomo Association, 1220 Lake Como road, Cortland, NY 13045

John Corcoran, Owasco Watershed Lake Assoc., 11790 State Route 90, Locke, NY 13092

Jim Young, Cayuga Lake Watershed Network, 4549 State Rte 34B, Union Springs, NY 13160

**Cayuga County Planning Board (CCPB)**

**Positions/appointments are one year (January 1, 2011 through December 31, 2011)**

Chairman, Keith Welch, Town of Scipio, 3149 Center Road, Moravia, NY 13118

Vice-Chair: Tom Lloyd, Town of Cato, 10460 Jordan Road, Jordan NY 13080

Secretary: Bob Amerman, Town of Summerhill, 13473 State Route 90 Locke, NY 13092

**CCIDA**

Carol Contiguglia, 125 South Hoopes Avenue, Auburn, NY, term: 1/1/11 through 12/31/12

John Latanyshyn, 5663 Silver Street Road, Auburn, NY, term: 1/1/11 through 12/31/12

Paul W. Lattimore, 363 Cottonwood Lane, Auburn, NY, term: 1/1/11 through 12/31/21

Raymond Lockwood, 1877 State Route 326, Auburn, NY, term: 1/1/11 through 12/31/12

Vijay K. Mital, 52 Kearney Ave., Auburn, NY, term: 1/1/11 through 12/31/12

**Cayuga County Ag & Farm Protection Board:**

Don Waterman, 1032 Spring Lake Rd., Port Byron, NY 13140, Term: 1-1-2011 to 12-31-2014

James LaFave, 3068 Goose St., Locke, NY 13092, Term: 1-1-2011 to 12-31-2014

**Motion by Lattimore to approve all appointments, 2nd by Petrus, all infavor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from Dr. Bock, re: his interest in operating the WIC program for the county.

2. Received a letter from New York State Office of Parks, re: Proposed License Agreement for Emerson Pavilion and giving their permission.

3. receive a letter from CC Soli & Water Conservation District opposing moving the Owasco Watershed Inspection Program from the Natural Resource Center to the County Parks Office.

**Motion by Lattimore to waive reading of correspondence, 2nd by Cuddeback, all in favor.**

**RESOLUTIONS:**

**RESOLUTION NO. 560-10**

**12-20-10 AuditDecember 2010.doc**

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

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

WHEREAS, The Legislature did at its regular meeting on December 20, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,641,676.36, 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 Axton, Fearon, Mills and Petrus, all in favor.

**RESOLUTION NO. 561-10**

**12.20.10**

**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:

November 2010

Electric (Gas)	\$	0
Telephone:	\$	17,984.23
Total:	\$	17,984.23

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

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

**RESOLUTION NO. 562-10**

**12.20.10**

**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:

November 2010

\$340.75

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

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

**RESOLUTION NO. 563-10**

**12-20-10 OFAseniornutrition12-10**

**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 \$4,945.50 covering the period through 11/30/10 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, Mills, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

**RESOLUTION NO. 564-10**

**12.20.10**

**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:

November 2010

First Niagara	\$ 116.03
AmExpress	\$ 2,260.77
Sunoco	\$ 70.99
Walmart	\$ 2,500.00
Exxon	\$ 41.13
Total:	\$ 4,988.92

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

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



**RESOLUTION NO. 565-10**

**12.20.10**

**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:

**November 2010**

Copier Leases and Maintenance:	\$ 9,284.44
Postage Leases:	\$ 754.00
Total:	\$10,038.44

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

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

**RESOLUTION NO. 566-10**

**(12/20/10) COA-CAPH12PAY-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 #02-2 STERLING NATURE CENTER TRAIL COMPLETION**

Grainger INVOICE #9391286318	400.50	
<b>Total</b>		<b>400.50</b>

**Project #08-1 (RENOVATION & CONSTRUCTION AT MENTAL HEALTH FACILITY AT 146 NORTH STREET)**

Gray Management Systems Bill # 16		13,034.00
Green Plumbing Inc. APPLICATION # 11		27,668.00
Siracusa Mechanical Inc. APPLICATION # 10		52,009.89
IMR Test Labs INVOICE: 118901		630.00
East Coast Electric LLC APPLICATION # 10		22,838.00
AAC Contracting Inc. APPLICATION: 6		78,329.00
CDW Government INVOICE: VCT4631		1,190.00
FAHS Construction Group APPLICATION # 12		111,368.85
City of Auburn Water Dept. Acct: 4 01 3570		1,535.00
Lowes INVOICE: 93533		989.10
Fiscal Advisors & Marketing Inc. INVOICE: 13185		250.00
<b>Total</b>		<b>309,841.84</b>
Total		

**Project #08-2 EMERSON PARK PAVILION RENOVATIONS**

Whiting's Wall Paper and Paints INVOICE: A027806	168.98
<b>Total</b>	<b>168.98</b>

**Project #10-2 POST FRAME BUILDING PROJECT (SHERIFF'S DEPT)**

Lowes INVOICE: 41366	156.54
Lowes INVOICE: 912681	67.00
<b>Total</b>	<b>223.54</b>

**Project #10-03 Emergency Communication Project**

Spectra Environmental Group Inc. Note: Forward payment to Gilberti, Stinziano Heintz & Smith INVOICE: 8984	24,221.35
Community Newspaper Invoice: 44	70.30
The Citizen INVOICE: 426581	62.20
Gilberti, Stinziano Heintz & Smith INVOICE: CAYU02-55298 68423	23,397.66
Langone & Associates INVOICE : 6	18,468.00
Action Reporting Services LLC INVOICE : 20031	288.15
Wayuga INVOICE: 0244231-IN	65.04
C & S Companies INVOICE : 0123784	32,158.53
Fiscal Advisors & Marketing Inc, INVOICE: 13185	250.00
<b>TOTAL</b>	<b>98,981.23</b>

**Project #10-04 Ira Salt Shed – Highway**

Secor Building INVOICE : 727-4024	50,000.00
Secor Building INVOICE : 727-4056	50,000.00
<b>TOTAL</b>	<b>100,000.00</b>

<b>Grand Total</b>	<b>509,616.09</b>
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And be it further

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

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

**RESOLUTION NO. 567-10 (12/20/10)****Levy Unpaid Water and Sewer Bills — Several Towns**

By: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, pursuant to Section 198 of Town Law, several Towns have turned in listings of Delinquent Water & Sewer Bills to be relieved on the County & Town Tax Bill; therefore, Now be it

RESOLVED, that the following amounts in the respective districts representing unpaid water and sewer bills in the various Towns be levied against property owners in their respective Towns who are liable for service charges and unpaid water and sewer bills as claimed by the Water Department of the City of Auburn or their respective Town. pursuant to Section 198 of Town Law.

<b>Delinquent Water</b>		<b>Delinquent Sewer</b>	
Aurelius	3,586.66	Aurelius	5,109.14
Fleming	15,819.2	Fleming	8,050.88
Genoa	8,487.77	Owasco	27,261.88
Locke	9,701.42	Springport	5,282.02

Montezuma	205.70	Sennett	130.96
Owasco	42,200.99		
Springport	6,512.79		
Sennett	563.80		
Throop	380.77		
Brutus	0.00		
<i>Total</i>	<b>87,459.12</b>		<b>45,834.88</b>

**GRAND TOTAL**

**\$ 133,294.00**

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

**RESOLUTION NO. 568-10**

**(12/20/10) RP CayCoWaterDisticts**

**AUTHORIZING THE LEVY OF AD VALOREM TAXES FOR COUNTY WATER DISTRICT # 1, WATER DISTRICT #2, WATER DISTRICT # 3 & AND UNIT TAXES FOR SEWER DISTRICT # 2 FOR THE COUNTY WATER AND SEWER AUTHORITY IN SEVERAL TOWNS.**

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

WHEREAS, New York State Finance Law requires the legislative body to annually approve the rates and/ or ad valorem or unit based taxes in water and sewer districts; and

WHEREAS, the Director of Operations of the Cayuga County Water and Sewer Authority presented rates and ad valorem taxes in Water Districts #1, #2 & #3 and Unit taxes in Sewer District #2; therefore be it

RESOLVED, that the following amounts in the respective towns, representing the capital cost outlay and operation and maintenance for the County Water/Sewer Authority Water Districts 1, 2, and 3, and Sewer District #2 be collected for the 2011 tax roll, are hereby approved:

<b>COUNTY WATER DISTRICT # 1 &amp; #2</b>		<b>COUNTY WATER DISTRICT #3</b>	
Town of Brutus	\$1,321.47	Town of Aurelius	\$15,761.00
Town of Mentz	\$4,632.53	Town of Fleming	\$ 465.00
Town of Sennett	\$15,407.00		
Town of Throop	\$13,663.00		
Total	\$35,024.00	Total	\$16,226.00
<b>COUNTY SEWER DISTRICT # 2</b>			
Town of Sterling	\$115,576.75		

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

**RESOLUTION No. 569-10**

**12/20/10 RPS RelevyVlgs**

**LEVY RETURNED VILLAGE TAX & AUTHORIZE COUNTY TREASURER TO PAY SAME**

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS Cayuga County Local Law #3 for 1987 provides for the collection of certain Delinquent Village Taxes by the County of Cayuga, therefore be it

RESOLVED that the following claims from the various Villages within Cayuga County, including 7 percent added by the County Treasurer, be audited and allowed and the same be placed upon the Assessment Rolls, and added to the tax on the various

parcels for the amounts shown on the Returned Village tax forms which are filed in the County Treasurer's Office by the various Village Tax Collectors and Treasurers in the County of Cayuga, and be it further

RESOLVED that the County Treasurer be authorized and directed to pay the various Villages the amounts returned by each.

VILLAGE	RETURNED 2010 VILLAGE TAX
Aurora	\$ 4,727.55
Cato in Cato	2,672.63
Cato in Ira	2,108.24
Cayuga	9,298.93
Fair Haven	9,380.24
Meridian	2,498.51
Moravia	19,412.26
Port Byron	23,419.13
Union Springs	19,216.70
Weedsport	59,446.27
	<b>\$152,180.46</b>

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

**RESOLUTION NO. 570-10**  
**12/20/10 COL yearend.W&M10**  
**AUTHORIZING ACCOUNTS PAYABLE YEAR END**  
**ADJUSTMENTS –2010 OPERATING BUDGET**

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

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Cayuga County to utilize modified accrual as the basis for governmental fund accounting; and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which goods or services are received; and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item expenditures and revenues particularly in areas where spending is mandated by State and Federal laws and requirements; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year-end accounts payable, provided that said entries do not result in an increase in total appropriations approved by the County Legislature, for 2010; and, be it further

RESOLVED, that said adjusting entries shall be subject to approval of the Chairman of the Legislature, Chairman of Ways and Means Committee and County Administrator who shall upon completion of the year-end closing, report the same to the County Legislature.

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

**RESOLUTION NO. 571-10**  
**12/20/10 COL AnnexTaxWarrant10**  
**DESIGNATING DECEMBER 20, 2010, AS THE DATE TO ANNEX**  
**THE TAX WARRANT.**

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

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

RESOLVED, that December 20th, 2010 is the date when, pursuant to Section 904 of the Real Property Tax Law of the State of New York, this Legislature hereby orders that there shall be annexed to the Tax Rolls of the constituent towns and city of this County, the warrant described in Section 904 of the Real Property Tax Law, under the Seal of this Legislature signed by the Chairman of the Legislature and the Clerk of the Legislature, authorizing and directing the collecting officers of the city and towns to collect from the several persons, corporations and other entities named in said Tax Roll, the amounts listed opposite their respective names, together with any interest or penalties thereon prescribed by law, ON or BEFORE the first day of February, 2011.

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

**RESOLUTION NO. 572-10**  
**12/20/10 COL signtaxrolls10**

**APPROVE THE TAXES AS EXTENDED AND AUTHORIZE THE CHAIRMAN**  
**AND THE CLERK OF THE LEGISLATURE TO SIGN THE TAX ROLLS.**

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

RESOLVED, that the several taxes extended upon the tax rolls of the County be approved by the County Legislature, and be it further

RESOLVED, that the Chairman and the Clerk of the Legislature be and are hereby authorized and directed to sign the warrants attached to said rolls as provided by the Tax Law of the State of New York and deliver the said rolls to the respective Supervisors for transfer to their respective Collectors.

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

**RESOLUTION NO. 573-10**  
**12/20/10 COL ctytax2011Rev**  
**DIRECTING THE LEVY OF TAX AGAINST THE CITY OF AUBURN**  
**FOR COUNTY PURPOSES FOR 2011.**

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

WHEREAS, the total amount of taxes levied against the County of Cayuga for the year 2010, in accord with Section 360 of the County Law, and pursuant to the duly adopted County Budget for 2011 in which the City of Auburn participates is **34,412,458.00**; and

WHEREAS, apportionments of this amount to all municipalities have been made and determined by applying the equalization table as adopted by Resolution No. **427-10** on **September 28, 2010**,

RESOLVED, that the City of Auburn's share of County Taxes is computed to be **\$7,725,743.00** for 2011, which is directed to be levied against city properties, and will be furnished to the City of Auburn upon adoption of the 2011 County Budget ; and be it further

RESOLVED, effective January 1, 2011, there is due and payable to the Cayuga County Treasurer by the City of Auburn residents for County Tax Purposes for 2011, the following amount A430 charges covering expenses related to the preparation and mailing of tax bills to city residents for county taxes, a total of **\$5,133.10** to be spread on the County tax bills going to city property owners; and be it further

RESOLVED, that the proportionate share for the City of Auburn for the Community College charges per Resolution No. **513-10**, duly adopted on November 23, 2010 is **\$138,768.85**, due and payable to the County Treasurer to be itemized on the county tax bills going to city property owners; and be it further

RESOLVED, that the Clerk of the Legislature be and is hereby directed to deliver and file with the City of Auburn, a certified copy of this resolution.

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

**RESOLUTION NO. 574-10**  
**(12/20/10) RPSextendlevyRev**

**AUTHORIZING THE DIRECTOR OF REAL PROPERTY TAX SERVICES TO  
EXTEND THE LEVY OF TAXES AND ESTABLISH RATES FOR THE SAME.**

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS the Director of Real Property Tax Services has received from various political subdivisions of Cayuga County a report of delinquencies in payment of taxes and/or water and sewer services and in some instances charges for direct expense related to individual properties; Now, therefore be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized as follows:

a. To relevy on the appropriate properties any delinquencies in the aforesaid categories and additionally to relevy the appropriate amounts submitted by resolution of the towns and/or villages.

b. To set the rates for town purposes, including special districts, and for County tax purposes, said amounts being based on **Resolution No. 555-10** adopting the County budget for 2011, passed by the Cayuga County Legislature on **December 13, 2010**, and resolutions passed by the other 32 political subdivisions of the County, adopting their respective budgets for 2011.

and be it further

RESOLVED, that the Director of Real Property Tax Services shall furnish, in a timely manner, to the County Legislature and various town supervisors a list of the new tax rates for town, county and special districts.

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

**RESOLUTION NO. 575-10**  
**COUNTY OF CAYUGA, NEW YORK**  
**December 20, 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 December 20, 2010, at 6:00 P.M.

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

**Peter Tortorici**

Cynthia Aikman

David Axton

Stephen Barski

Michael Chapman

Steven Cuddeback

George Fearon

Timothy Lattimore

Patrick Mahunik

Francis Mitchell

Christopher Palermo

Ann Petrus

Paul Pinckney

Daniel Sincebaugh

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

Roger Mills

**Also Present:**

Tom Squires

Fred Westphal

David Gould

Denise Stayton

George Wethey

Don Colon

Mike Pawlenko

Lynn Marinelli

Lloyd Hoskins

Jennifer Marshall

The following resolution was offered by Palermo, who moved its adoption, and second by Cuddeback to wit:

**RESOLUTION NO. 575-10**

**12.20.10 e911rdoprjctfgeis**

**RESOLUTION DETERMINING TO ACCEPT A FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT AND SUBJECT TO A TEN DAY WAITING PERIOD ISSUING A FINDINGS STATEMENT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE PROPOSED CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT**

BY: Hon. Christopher Palermo, Chairman of the Ways & 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, 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, no public comments were received on the draft scoping document; 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 draft generic environmental impact statement (“DGEIS”) was prepared for the Project; and

WHEREAS, the County 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 draft generic environmental impact statement (“DGEIS”) as adequate with respect to its scope and content for purpose of commencing public review; and

WHEREAS, 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 was accepted as adequate with respect to its scope and content for the purpose of commencing public review on October 26, 2010; and

WHEREAS, the County determined that, due to the county-wide scope of the Project, a public hearing on the DGEIS should be conducted; and

WHEREAS, the County properly filed, circulated, and published a Notice of Completion of the DGEIS, Notice of a Public Hearing, an ENB Notice, and the DGEIS in accordance with SEQRA; and

WHEREAS, pursuant to 6 NYCRR 617.9(a)(3), the County established a comment period of at least 30 days, commencing with the first filing and circulation of the notice of completion of the DGEIS and ending at 5 pm on Monday, November 29, 2010; and

WHEREAS, a public hearing was held on November 18, 2010 at 7 p.m. and no comments were received at this hearing; and

WHEREAS, no potentially interested or involved agencies submitted comments or participated in the public hearing; and

WHEREAS, a proposed Final Generic Environmental Impact Statement (“FGEIS”) has been prepared which assembles the relevant and material facts which appropriately analyzes the potential significant adverse impacts, evaluates all reasonable alternatives, and which has been written in clear and concise language that can be read and understood by the public; and

WHEREAS, the FGEIS has been considered by the County in accordance with SEQRA; and

NOW, THEREFORE BE IT RESOLVED ON DECEMBER 20, 2010 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK AS FOLLOWS:

RESOLVED, that, based on the County’s review of the proposed FGEIS, in accordance with SEQRA, the proposed FGEIS is accepted as complete (hereinafter “FGEIS”); 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 FGEIS in accordance with 6 NYCRR 617.12, including providing notice to all entities identified therein, and directs that the FGEIS be immediately filed, circulated and made available for copying in accordance with 6 NYCRR Part 617. In addition, the County directs further that the FGEIS 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 the approval of the FGEIS and related filing, circulation and publication contained in this resolution shall take effect immediately and it is further

RESOLVED, that the FGEIS identifies and examines all reasonably foreseeable significant environmental impacts associated with the Project and it is further

RESOLVED, that at each stage of the SEQRA process, the County has encouraged comment from all of those interested and involved, and has provided sufficient time for preparation and consideration of and comment on the Project, as required by SEQRA in order to permit such comment and to develop a full and complete understanding of the Project and it is further

RESOLVED, that the FGEIS affords an adequate basis for rendering the SEQRA findings which are necessary for the Project to be approved and no further environmental impact review is warranted or necessary to make SEQRA Findings and it is further

RESOLVED, that the County has considered the relevant environmental impacts, facts and conclusions contained in the FGEIS and it is further

RESOLVED, that the County has weighed and balanced relevant environmental impacts against social, economic and other considerations and it is further

RESOLVED, that, attached as Appendix A, incorporated hereto, is the Findings Statement containing the facts and conclusions relied upon by the County, which constitutes the rationale for the County's decision and it is further

RESOLVED, that the County certifies that the requirements of 6 NYCRR Part 617 have been met and it is further

RESOLVED, that the County certifies that on balance and consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that have been identified as practicable and it is further

RESOLVED, that in order to minimize, to the extent practicable, potential adverse environmental effects identified herein, the Findings Statement incorporated by reference herein includes mitigation measures or other measures which provide the same or substantively similar mitigative effects, are hereby established as conditions and are to be implemented as a part of the Project as indicated in the Findings Statement and it is further

RESOLVED, that the County directs that the decision to issue Findings be effective 10 days after this date and that, after the 10 days have expired, and no changes in circumstances have occurred necessitating amendment of the Findings, the County thereby approves the Project and it is further

RESOLVED, that as soon as possible thereafter, the County directs the County Attorney to take the necessary procedural steps to prepare, file and publish the Notice of Findings in accordance with 6 NYCRR 617.12, including providing notice to all entities identified therein, and directs that this resolution and the Findings Statement be filed, circulated and made available for copying in accordance with 6 NYCRR Part 617. WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on December 20, 2010, the result of which vote was as follows:

<b>COUNTY LEGISLATOR</b>	<b>VOTE</b>
<b>Peter Tortorici</b>	<b>yes</b>
Cynthia Aikman	<b>yes</b>
David Axton	<b>yes</b>
Stephen Barski	<b>yes</b>
Michael Chapman	<b>yes</b>
Steven Cuddeback	<b>yes</b>
George Fearon	<b>yes</b>
Timothy Lattimore	<b>yes</b>
Patrick Mahunik	<b>yes</b>
Francis Mitchell	<b>yes</b>
Christopher Palermo	<b>yes</b>
Ann Petrus	<b>yes</b>
Paul Pinckney	<b>yes</b>
Daniel Sincebaugh	<b>yes</b>

**DATED:** December 20, 2010

**RESOLUTION NO. 576-10**  
**(12/20/10) rpsrelevyschoolRev**  
**LEVY RETURNED SCHOOL TAX AND AUTHORIZE COUNTY**  
**TREASURER TO PAY SAME**

BY: Christopher Palermo, Chairman, Ways and Means Committee

WHEREAS, Various Schools in Cayuga County have turned in listings of Delinquent School Tax Bills; and

WHEREAS, Cayuga County has added a seven percent relevy penalty; now therefore be it

RESOLVED, that the claims from the various school districts in Cayuga County, including seven (7) percent added by the Treasurer, be audited and allowed and the same be placed upon the Assessment Rolls, and added to the tax on the various pieces and parcels of land as they appear on the Returned School tax forms filed in the County Treasurer’s Office by the various School Collectors and Treasurers in the County of Cayuga, and be it further

RESOLVED, that the County Treasurer be authorized and directed to pay the several districts the amounts returned by each.

**Summary of School Districts Returned Taxes**

to use in the resolution	12/14/2010
Town	Total
<b>Aurelius</b>	186,451.34
<b>Brutus</b>	300,352.79
<b>Cato</b>	269,606.04
<b>Conquest</b>	145,093.03
<b>Fleming</b>	46,940.55
<b>Genoa</b>	123,872.74
<b>Ira</b>	173,105.72
<b>Ledyard</b>	148,974.97
<b>Locke</b>	115,399.20
<b>Mentz</b>	115,042.81
<b>Montezuma</b>	48,387.54
<b>Moravia</b>	140,725.69
<b>Niles</b>	225,249.40
<b>Owasco</b>	29,652.34
<b>Scipio</b>	145,942.36
<b>Sempronius</b>	152,722.43
<b>Sennett</b>	202,644.66
<b>Springport</b>	189,983.66
<b>Sterling</b>	301,021.14
<b>Summerhill</b>	131,237.00
<b>Throop</b>	133,296.44
<b>Venice</b>	62,976.70
<b>Victory</b>	105,117.06
<b>Grand Total</b>	<b>3,493,795.61</b>

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

**RESOLUTION NO. 577-10**

**(12/20/2010) RpsAnnualTownBudgetscorr.**

**LEVY TAXES AND ASSESSMENTS REQUIRED FOR THE PURPOSE OF THE ANNUAL BUDGETS OF THE TOWNS OF CAYUGA COUNTY**

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, there has been provided a duly certified copy of the annual budgets of each of the several Towns of the County of Cayuga for the fiscal year beginning January 1, 2011; Now therefore be it

RESOLVED, that there shall be and hereby is assessed and levied upon the taxable real property situated in the Towns outside of any incorporated Villages wholly or partially located therein, the amount indicated as specified in the budgets of the respective Towns. See attached list; and be it further

RESOLVED, that there shall be and hereby is assessed and collected from the real property within the respective fire protection and improvement districts the amounts for the purpose of such districts as specified in the respective annual budgets. See attached list.

12/13/2010

Town	Highway Outside	General Outside	Total Outside	Highway Townwide	General Fund Townwide	Total Townwide	Grand Total to Raise
Aurelius	0	0	0	0	260,666	260,666	260,666
<b>Brutus</b>	0	0	0	195,500	115,710	311,210	311,210
Cato	0	0	0	208,118	300,026	508,144	508,144
Conquest			0	89,300	105,213	194,513	194,513
Fleming			0	0	0	0	0
Genoa			0	99,765	44,269	144,034	144,034
Ira			0	163,423	247,376	410,799	410,799
Ledyard	0	0	0		154,378	154,378	154,378
Locke			0	295,800	121,702	417,502	417,502
Mentz	0	15,500	15,500	0	218,000	218,000	233,500
Montezuma			0	72,582	49,688	122,270	122,270
Moravia	0	0	0	178,105	175,885	353,990	353,990
<b>Niles</b>			0	100,481	0	100,481	100,481
Owasco			0	10,000	10,000	20,000	20,000
Scipio			0	232,000	0	232,000	232,000
Sempronius			0	203,210	24,545	227,755	227,755
Sennett			0	0	0	0	0
Springport	0	0	0	0	110,000	110,000	110,000
Sterling	0	0	0	168,860	295,261	464,121	464,121
Summerhill			0	383,787	8,671	392,458	392,458
Throop			0	173,500	0	173,500	173,500
Venice			0	351,600	117,450	469,050	469,050
Victory			0	344,890	43,643	388,533	388,533
<b>Totals</b>	<b>0</b>	<b>15,500</b>	<b>15,500</b>	<b>3,270,921</b>	<b>2,402,483</b>	<b>5,673,404</b>	<b>5,688,904</b>

Code	Town	District	Taxable Value	Total Raise	Amount to
FD201		<b>Aurelius</b>	Fire District	192,842,298	175,850.00
LD201			Elmhurst Light	10,272,050	3,500.00
LD202			Mullen Drive Light	2,783,700	950.00
SD201		(units)	Elmhurst Sewer	88.00	0.00
SD202		(units)	Elmhurst Sewer District ext	0	0.00
SD203		(units)	Sewer District 2	206	0.00
SD204		(units)	Sewer District 2 Clark St.	135	17,484.00
WD201			Water 1	16,888,944	44,285.00
WD202			Water 2	56,726,736	45,004.00
WD203			Water 3	9,769,860	25,064.00
WD206		(with Fleming)	Co Water District 3 Phase 1A	10,485,092	15,761.00
CC201		units	Elmhurst Pump St Upg	88.00	23,404.00
CC203		units	Ellis Dr. Pump St Up	196.00	41,700.00
CC204		units	Ellis Dr. Pump Fut Be	136.50	0.00
FP221		<b>Brutus</b>	Fire Protection	108,525,359	0
LD221			Shadybrook Light	1,300,000	3855
WD221		(units)	Eastern Brutus Water Dist 2	700	174000
WD222		(with Mentz)	Cay Co Water District 1	157,200	1321.47
WD223		(units)	Water District 3	16	7,642
WD 224		units	Water District # 4	6	3,500.00
WD225		(units)	Water District # 5	15	730.00
DD221		(units)	Drainage Dist # 1	18	1,000.00
WD226		(units)	Water District #6	4	627.00
FD241		<b>Cato</b>	Fire Protection, Meridian	82,279,855	89,022.00
FD242			Fire Protection, Cato	19,407,508	22,207.00
FD243			Fire Protection, Weedsport	29,377,172	22,662.00
AM241		town & two vlgs	Ambulance Service	125,567,242	29,975.00
FP261		<b>Conquest</b>	Fire Protection	71,702,368	80,000.00
LD261			Conquest Light	2,008,271	1,500.00
LD262			Spring Lake Light	1,709,980	1,550.00
FP281		<b>Fleming</b>	Fire Protection	89,715,118.00	190,000.00
LD281			Lakeview Light	1,010,430.00	1,000.00
LD282			Lake Avenue Light	736,707.00	500.00
LD283		(units)	Owasco Terrace Light	21.00	600.00
SD281		(units)	General Sewer (special)	676.00	44,714.00
SD282		(units)	Sewer O&M	671.00	181,000.00
WD281		(units)	Water #1 (special)	964.25	106,754.00
WD282		(with Aurelius)	Co Water District 3 Phase 1A	147,640.00	465.00
WD283		(units)	Water O&M	947.75	105,000.00
WD286		units	Water District # 6	56.40	37,111.00
DD281		units	Forest Hill Drainage	14.00	350.00
SL281			Seymour Library	62,396,438.00	65,573.76
FD301		<b>Genoa</b>	Fire District, King Ferry	99,057,919.00	53,503.31
FD302			Fire District, Genoa	68,995,197.00	101,483.87
LD301			King Ferry Light	7,466,493.00	3,800.00
LD302			Genoa Light	11,813,413.00	7,000.00
WD301			Genoa/King Ferry Water	26,057,117.00	23,480.00
FP321		<b>Ira</b>	Fire Protection, Ira	60,733,135.00	84,152.20
FP322			Fire Protection, Cato	29,208,731.00	40,471.80
LD321			Light	1,127,848.00	0.00

FD341	<b>Ledyard</b>	Fire District, King Ferry	20,978,132.00	11,330.74
FD342		Fire District, SLV	41,180,757.00	38,590.25
FD343	(town)	Fire District Aurora/Ledyard	79,435,192.00	88,697.70
FD344	(village)	Fire District Aurora/Ledyard	47,143,061.00	52,640.16
AM341	(town)	Southern Cay. Ambulance	74,801,670	5,200.00
FD361	<b>Locke</b>	Fire District	82,500,734.00	141,108.00
LD361		Light	11,369,841.00	5,990.00
WD361		Water	11,677,141.00	0.00
FP381	<b>Mentz</b>	Fire Protection	34,934,932.00	73,000.00
WD381	(with Brutus)	Cay Co Water District 1	430,530.00	4,632.53
FD401	<b>Montezuma</b>	Fire District	51,627,645.00	99,000.00
HD401		Hydrant Charge	13,236,557.00	0.00
WD401	(units)	Water Service #1	177.00	0.00
WD403	(units)	Water Service #2	30.00	0.00
FD422	<b>Moravia</b>	Fire District, Joint (town)	98,210,042.00	90,677.74
FD423		Fire District, Joint (village)	55,141,377.00	50,912.26
FD441	<b>Niles</b>	Fire District, Three Town	174,933,624.00	257,132.91
GR441	(units)	Garbage & Refuse	768.50	114,284.00
FD461	<b>Owasco</b>	<b>Fire District</b>	313,804,687.00	414,900.00
SD461		Sewer general	144,389,349.00	430,000.00
SD462		Sewer special	4,306,784.00	0.00
SD463	precalculated	Sewer ext Oakridge/Melrose	pre calc	6,402.00
SD465	precalculated	Sewer ext no service	pre calc	1,248.00
SD466	(units)	Sewer Dist #2 Cap Costs	238.00	58,896.41
SD467		Sewer Dist #2 O & M	54,670,621.00	15,300.00
SL461		Seymour Library	314,001,049.00	164,995.22
WD461		Water 1	274,215,380.00	303,000.00
WD462	(units)	FL7 Water Dist cap costs	10.00	3,899.25
WD463	(units)	FL9 Water Dist cap costs	24.00	7,519.50
SD468	(units)	Sewer #1 Rehab Cap Costs	1,231.50	69,891.83
SD469	precalculated	Sewer #2 Grinder pumps	pre calc	5,425.50
SD470	precalculated	Sewer#2 Gravity Lines	pre calc	900.00
SD471	(units)	Swr#2 Grinder pumps O&M	95.00	12,488.29
SD472	(units)	Sw#1 Melrose/Havens Improve.	994.00	50,000.00
FD481	<b>Scipio</b>	Fire District, SLV	111,658,911.00	112,510.66
LD481		Light District, Sherwood	1,921,700.00	0.00
FD501	<b>Sempronius</b>	Fire District, Three Town	20,172,607.00	80,306.09
FD521	<b>Sennett</b>	Fire District	319,580,215.00	330,736.00
LD521		Light District, Sennett	16,048,314.00	2,900.00
LD522		Light District, Butera Drive	7,098,700.00	1,100.00
SD521	(units)	Sewer Construction	247.00	0.00
SD522	(units)	Sewer O & M	314.50	185,300.00
SD524	(units)	Sewer Trunk Line	247.00	0.00
SD525		Sewer Capital Project	33,929,772.00	26,000.00
SD526		Sewer O & M	33,929,722.00	0.00
SL521		Seymour Library	104,844,277.00	46,276.90
WD521		Water 1	38,725,165.00	16,884.00
WD522		Water 2	60,307,323.00	31,586.00
WD523		Water 3 service	29,068,831.00	31,450.00
WD524		Water 3 no service	8,115,136.00	0.00
WD525	(units)	Water 5	3.50	2,175.00
WD526		Water 6	4,506,881.00	7,188.00

WD527	(units)	Water 5 ext	1.50	0.00
WD528		Water 6 ext	4,961,226.00	4,000.00
WD529		Water 1 Capital Project	42,393,655.00	23,160.00
WD530		Water 3 Capital Project	31,191,820.00	19,350.00
WD531	(with Throop)	Cay Co Water District 2	2,233,433.00	11,628.00
WD532	(units)	Water Debt Extension	18.00	14,150.00
WD533		Water 6 Ext curr user Cap Cost	8,692,500.00	2,844.00
WD534		Water 6 ext non user Cap Cost	19,744,806.00	52,557.00
WD535		Water 6 ext non user O & M	21,424,406.00	22,762.00
WD536		Water 2 ext curr user Cap Cost	60,653,347.00	37,362.00
WD537		Cay Co WD 2 Zone 1	674,340	3,779.00
WD538		Water 6 Ext 2007 Cap Cost	3,676,100	20,250.00
<b>FD541</b>	<b>Springport</b>	Fire District, town	114,210,922.00	133,108.38
FD542		Fire District, village	55,545,074.00	64,735.62
SD541	(units)	Sewer District 1	373.00	102,946.20
SD542	(units)	Sewer District 1 ext 1	42.00	11,591.80
SD543	(units)	Sewer District 1 ext 2	0.00	0.00
WD541	(units)	Water District 1	373.00	95,108.71
WD542	(units)	Water District 1 ext 1	42.00	10,709.29
WD543	(units)	Water District 1 ext 2	15.00	9,549.00
WD544	(units)	Water District # 2	304.00	193,508.00
WD545	(units)	Water District # 2 vacant	0.00	0
WD546	(units)	WD 2 Vac. Agricult	83.00	21323
WD547	(units)	WD 2 Vac. Residential	3.00	771
SD544	(units)	SD1 Ext 2 Vac. Residential	0.00	0
<b>FP561</b>	<b>Sterling</b>	Fire Protection, Fair Haven #1	67,117,323.00	59,591.00
FP562		Fire Protection, Fair Haven #2	27,962,004.00	26,954.00
FP563		Fire Protection, Red Creek	14,980,943.00	14,894.00
LD561		Light District, Sterling	3,622,608.00	1,200.00
LD562		Light District, Martville	4,265,470.00	1,950.00
WC561		Weed District, town	1,884,100.00	0.00
WC562		Weed District, village	56,313,534.00	0.00
SD561vlg	units	County Swr Phase 1A	75.45	15,090.00
SD561tov	units	Count Swr Phase 1A	1.00	200.00
SD562	units	County Swr Phase 1B	259.60	51,920.00
SD563vlg	units	County Swr Phase 2	138.40	4,290.40
SD563tov	units	County Swr Phase2	65.45	2,028.95
SD564	units	County Swr Phase 3	12.00	372.00
SD565	units	County Swr Phase 4	173.40	5,375.40
SD566vlg	units	County Swr O&M	336.55	0.00
SD566tov	units	County Swr O&M	2.00	0.00
SD567vlg	units	Co Sewer Phase 1c-1e	168.20	33,640.00
SD567tov	units	Co Sewer Phase 1c-1e	13.30	2,660.00
<b>FP581</b>	<b>Summerhill</b>	Fire Protection	66,979,903.00	26,582.00
<b>FD601</b>	<b>Throop</b>	Fire District	111,207,860.00	157,164.00
WD601		Water District	35,693,319.00	128,100.00
WD602	(with Sennett)	Cay Co Water District 2	3,517,335.00	13,663.00
<b>FD621</b>	<b>Venice</b>	Fire District, SLV	66,747,936.00	62,549.10
FD622		Fire District, Genoa	16,855,269.00	24,792.13
FD623		Fire District, King Ferry	5,583,830.00	3,015.95
LD621		Light District, Poplar Ridge	6,579,700.00	180.00



FP641	<b>Victory</b>	Fire Protection, Victory	51,012,070.00	63,225.00
FP642		Fire Protection, Cato	3,969,535.00	4,922.00
FP643		Fire Protection, Red Creek	13,155,300.00	16,313.00
LD641	(units)	Light District, Victory	52.00	2,800.00
LD642	(units)	Light District, Westbury	34.00	1,000.00

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

**RESOLUTION NO. 578-10**

**(12/20/10) CountyAdminBudgetOffStipend**

**AUTHORIZATION TO PROVIDE A STIPEND TO THE BUDGET DIRECTOR FOR ADDITIONAL HOURS WORKED PURSUANT TO THE 2011 BUDGET.**

BY: Christopher Palermo, Chairperson, Ways & Means

WHEREAS, the Cayuga County Legislature adopted the 2011 County Budget on December 13, 2010; and

WHEREAS, it is the intention to provide additional monies to the Budget Director for the additional hours worked in the preparation of the 2011 budget, and

WHEREAS, the 2011 Cayuga County budget funded an additional \$5,000 in the County Administrator’s budget to be paid to the Budget Director line A12301-51001; now, therefore be it

RESOLVED, that an annual \$5,000 stipend for the Budget Director (Position Control #004125-SYS) be awarded effective January 1, 2011; and be it further

RESOLVED, that the stipend amount of \$5,000 for the Budget Director be placed in the 2011 Cayuga County Compensation Plan Part IV.

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

**RESOLUTION NO. 579-10**

**(December 20, 2010) HD Creating Healthy Places Grant**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT 100% FUNDING TO PARTICIPATE IN THE “CREATING HEALTHY PLACES IN CAYUGA COUNTY” GRANT AND TO CREATE AND FILL A FULL-TIME GRANT COORDINATOR POSITION (100% FUNDED)**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the recent chronic disease prevention funding (Healthy Heart and Eat Well Play Hard) has been consolidated into a new competitive grant proposal called Creating Healthy Places; and

WHEREAS, in an effort to bring chronic disease funding into the community, the County Health Department applied as lead agency to secure the grant for our community and our community partners; and

WHEREAS, the Department was successful in its grant application and on November 30th was officially notified of the grant award; and

WHEREAS, it is a requirement of the grant that the lead agency hire a full-time professional project coordinator that is 100% funded (salary & fringe benefits) by this award; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of Legislature and the Director of Health & Human Services accept this funding to participate in the “Creating Healthy Places in Cayuga County” grant program, in the amount of \$262,500 for the period October 1, 2010 through March 31, 2012; and be it further

RESOLVED that the Director of Health & Human Services be authorized to create and fill a 100% funded full-time Grant Coordinator position, at the Grade 18 Part I 2011 Cayuga County Compensation Plan rate (38,598), to manage this grant; and if the grant funding is withdrawn, the position will be abolished; 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; and be it further

RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department's 2010 budget in the following manner:

Increase Revenue Account #A40240 43424	\$262,500
Increase Expense Account #A40244 54000	\$262,500

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, Axton, Mills, Sincebaugh, Palermo and Fearon, all in favor.

### **RESOLUTION NO. 580-10**

**Action 12/20/10 MHContractEastHill12.10**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE DIRECTOR OF THE CAYUGA COUNTY COMMUNITY MENTAL  
HEALTH CENTER TO CONTINUE AN AGREEMENT WITH EAST HILL  
FAMILY MEDICAL**

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

WHEREAS, East Hill Family Medical provides short-term mental health services;  
and

WHEREAS, they have a need for their medical staff to confer with psychiatric professionals; and

WHEREAS, there are some individuals who require referral for services beyond those provided under the short-term East Hill program; and

WHEREAS, a number of individuals in need of longer treatment services will be referred to the Community Mental Health Center of Cayuga County, therefore, it would be advantageous for Community Mental Health staff to be involved in the consultative process in anticipation of serving those individuals; and

WHEREAS, East Hill Family Medical has agreed to continue to pay the Community Mental Health Center for telephone consultation at a rate of \$175.00 per hour for a minimum of four hours weekly; therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Community Mental Health Center of Cayuga County be authorized to enter into an agreement with East Hill Family Medical to authorize professional psychiatric staff from the Mental Health Department to continue to provide this telephone consultation.

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

**RESOLUTION NO. 581-10**

**Action 12/20/10 MHtimewarnercable12.10**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES TO RENEW AN AGREEMENT WITH TIME WARNER CABLE BUSINESS CLASS FOR CABLE SERVICE AT 146 NORTH STREET, AUBURN, NY 13021.**

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

WHEREAS, there has been a long-standing contract between the cable company and the Cayuga County Community Mental Health Center (CCCMHC) for Basic Standard Cable at 146 North Street, Auburn, NY 13021; and

WHEREAS, the expense is paid out of account A43114-54202 Patient Rehabilitation; and

WHEREAS, the service is used for educational purposes for the clients; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Mental Health Services enter into an agreement with Time Warner Cable business Class to sign a one-year agreement beginning January 1, 2011 to December 31, 2011.

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

**RESOLUTION NO. 582-10**

**12/20/10 MHhillsidecontract12.10**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER TO RENEW AN AGREEMENT WITH HILLSIDE CHILDREN'S CENTER, INC. TO PROVIDE CUSTOMIZED SERVICES.**

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

WHEREAS, the Community Mental Health Center of Cayuga County serves a number of high-risk individuals with specific individual needs; and

WHEREAS, Hillside Children's Center, Inc. has a specialized service to serve youth, known as Customized Skill Building Services; and

WHEREAS, the Community Mental Health Center of Cayuga County entered into a contract with Hillside Children's Center, Inc., for these specialized services in 2008, determined the services to be beneficial, and continues to identify individuals in need of said services; and

WHEREAS, the New York State Office of Mental Health provides 100% State dollars, identified as Service Enhancement Funds, to meet the unique needs of the Intensive Case Management clients, now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Cayuga County Community Mental Health Center be authorized to renew the agreement with Hillside Children's Center for Customized Skill Building Services at a cost of \$47.12 per hour; and be it further

RESOLVED, that the payment for these services will be charged to line A43164.54074, Mental Health Intensive Case Management, Service Enhancement Funds, Department Expense in the 2011 Cayuga County Budget.

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

**RESOLUTION NO. 583-10****Action: 12/20/10 MHagencycontracts12.10****AUTHORIZING THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CONTRACTS WITH VARIOUS HUMAN SERVICE AGENCIES FOR SERVICES TO INDIVIDUALS WITH DISABILITIES.**

BY: Ann Petrus, Chair, Health and Human Services Subcommittee  
 Christopher Palermo, Chair, Ways and Means Subcommittee.

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

WHEREAS, appropriations were included in the Cayuga County Community Mental Health Center budget for the year 2011 for various programs; and now, therefore, be it

RESOLVED, that the Director of Community Mental Health Services and the Chairman of the Cayuga County Legislature be authorized to sign on behalf of the Local Governmental Unit various contracts for services to individuals with disabilities with the following agencies:

AGENCY	DISABILITY	PROGRAM	AMOUNT	LINE ITEM
Seneca Cayuga ARC	OPWDD	All Services	\$217,683	43514.54340
Cayuga Counseling	MH	CHILD RESP	\$39,782	43434.54302
	MH	PP	\$15,774	43434.54312
	MH	CCSI	\$35,410	43434.54314
	MH	CCS C&F	\$102,989	43434.54401
Contact	MH	All Services	\$31,966	43484.54000
CHAD	OASAS	All Services	\$316,724	43504.54315
Unity House	OASAS	Halfway House	\$268,359	43504.54316
	MH	CSS	\$40,976	43464.54313
	MH	INTEG	\$182,356	43464.54317
	MH	S HOUS	\$23,276	43464.54320
	MH	HOUS	\$23,280	43464.54321
	MH	RESPIRE	\$23,939	43464.54322

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

**RESOLUTION NO. 584-10****Action 12/20/10 MHfloormats12.10****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES TO ENTER INTO AN AGREEMENT WITH COYNE TEXTILE SERVICES.**

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

WHEREAS, there has been a significant investment in the renovation and construction of the Mental Health Department building located at 146 North Street; and

WHEREAS, it is in the best interest of the County to protect that investment and to provide for the safety of the public entering the building; and

WHEREAS, there is significant foot traffic due to the number of clients served and, to protect the flooring, proposals for a floor mat service were obtained with the following results:

Coyne Textile Services at a monthly cost of	\$105.
All Seasons at a monthly cost of	\$204.
Greens of Moravia at a monthly cost of	\$160.

now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Mental Health Services enter into an agreement with Coyne Textile Services for a one-year period from January 1, 2011 to December 31, 2011 for provision of floor mat services.

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

**RESOLUTION NO. 585-10**

**12/20/10 nhbstragmnt**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED (BATES TROY LAUNDRY) TO PROVIDE CONTRACT LINEN SERVICE TO THE NURSING HOME.**

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

WHEREAS, the Nursing Home has had linen service provided by New York State Industries for the Disabled for the past 5 years; and,

WHEREAS, those services have been provided in a satisfactory manner; and

WHEREAS, bids were obtained to validate market pricing; and

WHEREAS, New York State Industries for the Disabled through Bates Troy Laundry has maintained competitive pricing; now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement for three years with New York State Industries (Bates Troy Laundry) for said services at an estimated cost of \$75,563.29 (Seventy-Five Thousand five hundred sixty-three dollars and twenty-nine cents), depending on actual usage.

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

**RESOLUTION NO. 586-10**

**12/20/10 nhsblyagmnt**

**AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AGREEMENTS WITH SIBLEY NURSING PERSONNEL, NURSEFINDERS AND NURSECORE TO PROVIDE TEMPORARY NURSING STAFFING FOR JANUARY 1, 2011 UNTIL DECEMBER 31, 2011.**

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

WHEREAS, New York State Department of Health regulation requires Cayuga County Nursing Home utilize staffing to provide nursing services, and,

WHEREAS, Cayuga County Nursing Home occasionally needs to utilize temporary nursing staff; and,

WHEREAS, Sibley Nursing Services, Nursefinders and Nursecore provide temporary nursing staff to skilled nursing facilities throughout New York State, including Cayuga County Nursing Home, to allow compliance with New York State Department of Health regulations; and,

WHEREAS, Sibley Nursing Services, Nursefinders and Nursecore will be paid for services to Cayuga County Nursing Home through individual corporate fee schedule, Now therefore be it:

RESOLVED that Chairman of the Legislature and Administrator of Cayuga County Nursing Home be authorized to sign agreements with Sibley Nursing Services, Nursefinders and Nursecore to provide temporary nursing staffing at Cayuga County Nursing Home for the period January 1, 2011 through December 31, 2011.

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

**RESOLUTION NO. 587-10**

**12/20/10 nhstrclagmnt**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH STERICYCLE, INC TO REMOVE REGULATED MEDICAL WASTE FOR 3 YEARS.**

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 have medical waste removed by an authorized medical waste company; and,

WHEREAS the current vendor, Stericycle has proposed a rate change that will offset additional charges so that the annualized amount will be \$10,800.00; 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 Stericycle, Inc.

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

**RESOLUTION NO. 588-10**

**DATE: 12/20/10 OFAcontractsDec10**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN CONTRACTS WITH VARIOUS SUBCONTRACTORS FOR CAREGIVER RESPITE AND TITLE IIIB SERVICES.**

BY: Ann Petrus, Chair of the Health & Human Services Committee, and

Chris Palermo, Chair of the Ways and Means Committee.

WHEREAS, appropriations were approved in the Cayuga County budget for the year 2011 for various subcontractors (Munis A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; 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 sign on behalf of the County various contracts for said services with the following subcontractors:

Title III E Caregiver Services	(total to be spent not to exceed \$44,000):
Cayuga County Nursing Home	Skilled Nursing Care
Cayuga Health Association	Home Health Aide Services
Mercy Health & Rehabilitation Center	Skilled Nursing Care & Adult Day Care
Northbrook Heights Assisted Living Center	Adult Care, Assisted Living Care, and Aide Services
Seneca/Cayuga ARC	Social Day Care
Staffings Healthcare System	Home Health Aide Services

Title III B Services (total to be spent not to exceed \$24,200):	
Boyle Senior Center (Home Helper Referral)	\$4500
Cayuga Health Association, Inc. (In-Home Respite)	\$7500
Council of Senior Citizens (Newsletter Postage)	\$4000
Douglas P. Bates, Esq. (Legal Services)	\$6700
RSVP (Senior Volunteer Program)	\$1500

And be it further

RESOLVED, that the Office for the Aging is authorized to continue its contract with the above contractors for the period of January 1, 2011 through December 31, 2011. Signed by Petrus, Axton, Mills, Sincebaugh, Palermo and Fearon, all in favor.

**RESOLUTION NO. 589-10**

**(12-20-10) CC ACS contract add**

**AUTHORIZES CAYUGA COUNTY CLERK TO ADD TO A COMPUTER SERVICE CONTRACT BETWEEN ACS AND CAYUGA COUNTY.**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee  
MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee  
WHEREAS, the County Clerk has a contract with ACS, a computer service company which provides the County Clerks Fee/Recording System; and

WHEREAS, due to the upcoming expansion of electronic and online records, an additional \$150 a month will be charged for the remainder of the contract starting January 1, 2011; and

WHEREAS, this amount has been included in the 2011 budget; therefore be it

RESOLVED, that the Cayuga County Legislature, approve a monthly increase of \$150 to our contract, and authorize the Treasurer to make payment from Account 1410.400.073-A.

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

**RESOLUTION NO. 590-10**

**12/20/10 COL organizeleg2011**

**TO FIX DATE, TIME AND PLACE OF THE MEETING TO ORGANIZE THE CAYUGA COUNTY LEGISLATURE FOR 2011.**

BY: Hon George Fearon, Government Operations Committee.

WHEREAS, Section 151 of Article 4 of New York State County Law requires the Cayuga County Legislature, by resolution duly adopted during the month of December of each year, to fix the date, time and place to organize the Legislature; now, therefore be it

RESOLVED, that the Cayuga County Legislature shall meet for the purpose of organizing the Legislature and choosing a Chairman on the 3rd day of January 2011 at 6:00 P.M., in the Legislative Chambers on the Sixth Floor of the Cayuga County Office Building, 160 Genesee Street in the City of Auburn, New York.

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

**RESOLUTION NO. 591-10**

**12/20/10 AMOA CSEALagPay**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN  
ADDENDUM TO THE MEMORANDUM OF AGREEMENT WITH CAYUGA  
COUNTY CIVIL SERVICE EMPLOYEES' ASSOCIATION (CSEA)  
REGARDING LAG PAY FOR HOURLY CSEA EMPLOYEES**

BY: Mr. George Fearon, Chairman, Government Operations

Mr. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, Cayuga County and CSEA executed a Memorandum of Agreement on the implementation of the lag payroll for salaried employees and hourly employees; and

WHEREAS, it was necessary to create an addendum to the Memorandum of Agreement in order to modify the process for instituting the lag payroll for hourly employees; and

WHEREAS, Labor Representatives from CSEA and Cayuga County have agreed to the addendum to the Memorandum of Agreement; now therefore be it

RESOLVED, that Chairman of the Cayuga County Legislature sign the addendum to the Memorandum of Agreement., and be it further;

RESOLVED, that the Treasurer's office fully execute the addendum to the Memorandum of Agreement.

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

**RESOLUTION NO. 592-10**

**(12/20/10) VET-FTDepDir2011**

**AUTHORIZATION TO CREATE A FT DEPUTY DIRECTOR OF VETERANS'  
SERVICE POSITION AND SET THE SALARY FOR THE SAME PURSUANT  
TO THE 2011 BUDGET.**

BY: George Fearon, Chairperson, Government Operations

Christopher Palermo, Chairperson, Ways & Means

WHEREAS, the Cayuga County Legislature adopted the 2011 County Budget on December 13, 2010; and

WHEREAS, the 2011 Cayuga County budget funded a FT Deputy Director of Veterans' Services position in budget line A65101- 51001; now, therefore be it

RESOLVED, that the position of Deputy Director of Veterans' Services FT (Position Control # 002298-SYS) be created effective January 1, 2011; and be it further

RESOLVED, that the FT Deputy Director of Veteran's Service salary be set at \$37,456 for the year 2011; and be it further

RESOLVED, the salary of \$37,456 for the Deputy Director of Veterans' Services FT be placed in the 2011 Cayuga County Compensation Plan Part IV; and be it further



RESOLVED, that the Director of Veterans' Services be hereby authorized to fill the position of Deputy Director of Veterans' Services FT effective January 1, 2011, in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Fearon, Aikman, Barski, Mitchell, Cuddeback and Petrus, all in favor.

Motion by Sincebaugh to separate question and vote on each newspaper individually, 2nd by Palermo, all in favor.

Republican Register, all in favor

The Post Herald, all in favor, except Palermo abstained.

The Citizen, all in favor, except Sincebaugh and Mitchell voting no.

**RESOLUTION NO. 593-10**  
**12/20/10 COL Designating Newspapers11**  
**DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS**  
**FOR THE YEAR 2011**

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

WHEREAS, Section 214, Subdivision 2, of the County Law directs that the Cayuga County Legislature shall annually designate at least two (2) newspapers for publication of all local laws, notices and other matters required by law to be published during fiscal year 2011.

NOW, BE IT RESOLVED, that the Cayuga County Legislature does hereby designate the following newspapers for that purpose:

REPUBLICAN REGISTER, Moravia, New York - Republican Register, all in favor

The POST HERALD, Fair Haven, New York - The Post Herald, all in favor, except Palermo abstained.

The CITIZEN, Auburn, New York - The Citizen, all in favor, except Sincebaugh and Mitchell voting no.

**RESOLUTION NO. 594-10**  
**12.20.10 PB\_TourismAmend10Budget**  
**AMENDING THE 2010 CAYUGA COUNTY BUDGET TO MORE**  
**ACCURATELY REFLECT FUNDS RECEIVED AND EXPENDED FOR**  
**TOURISM PROMOTION.**

By: Roger A. Mills, Chair, Planning and Economic Development Committee

Christopher Palermo, Chair, and Ways and Means Committee

WHEREAS, each fall during budget preparations the Cayuga County Tourism Office estimates the revenue to be derived from the room tax that is used for tourism promotion and this figure is included in the County budget as line A64100 41113; and

WHEREAS, since 2005, it has been the practice of the Cayuga County Legislature to prepare a formal budget amendment in December to formally accomplish the budget adjustment required to accurately reflect the revenues received for tourism promotion and the Treasurer's administration fees; Now, therefore, be it

RESOLVED, that the 2010 Cayuga County Budget is hereby amended so as to add \$20,536.74 to account A64100 41113 "Tax on Hotel Room Occupancy" and to add \$19,509.90 to account A64104 54000 "Tourism Promotion Entity" and to add \$1,026.84 to account

A64104 54237 "Treasurer's Fees - Room Tax"; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the intent of this resolution.

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

**RESOLUTION NO. 595-10**

**December 20, 2010 PB CopierReplacementv3**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN A LEASE AGREEMENT WITH CMS IMAGING SOLUTIONS FOR A REPLACEMENT COPIER FOR THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.**

By: Mr. Roger Mills, Chair of the Planning and Economic Development Committee  
Mr. Christopher Palermo, Chair of the Ways and Means Committee

WHEREAS, the lease for the copier in service for the Planning and Economic Development Department expires on 12-27-10; and

WHEREAS, it is the conclusion of the Cayuga County Legislature that the copier currently serving the Planning and Economic Development Department, (County Offices on the 5th Floor of the County Office Building) should be replaced in the interest of efficiency and economy; and,

WHEREAS, The Planning and Economic Development office develops and prepares many documents such as presentation booklets, maps and plans which needs to be in color for public distribution to the Towns, Villages and City of Auburn; and documents often need to be scanned in color for online viewing; and

WHEREAS, the copier bid was awarded in May 2008 to Ikon Office Solutions, for black and white digital copiers; however digital color copiers were not quoted at the time of the bid; and

WHEREAS, quotes were obtained from various vendors for a digital color copier which would serve to supplement the laser printer in the department and reduce the current cost and staff time to produce presentation documents;

WHEREAS, CMS Imaging Solutions is able to provide the required equipment; and

WHEREAS, the cost for the CMS Imaging Solutions equipment is at an annual lease price slightly above that now being expended for black and white equipment; (\$2,736 currently vs. \$3,185 for new equipment); however the total projected cost when including the cost of color laser toner will be less; now, therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a lease agreement for three years at a base cost of \$265.40 per month for a Canon iRC5035 based on 9,5000 black and white and 600 color copies per month. The lease price shall include complete maintenance service and supplies, excluding paper. The overage cost per black will be .0045 and the overage cost per color copy will be 0.0450. The source of funding for said lease agreement shall be the annual budgets of the Planning Department. Signed by Mills, Aikman, Fearon, Axton, Cuddeback, Fearon and Petrus, all in favor.

**RESOLUTION NO. 596-10**

**12/20/10 PT SterlingNatureCentfurnace12 10**

**AUTHORIZING PURCHASE AND INSTALLATION OF A SECOND NEW FURNACE AT THE STERLING NATURE CENTER FOR A COST OF \$2,950.00**

BY: David R. Axton, Chair, Public Works

Christopher Palermo, Chair, Ways and Means

WHEREAS, the second 11 year old furnace at the Sterling Nature Center is only 80% efficient; and

WHEREAS, the furnace has had previous repairs and now the blower motor and the heat exchanger are both broken; and

WHEREAS, repair of the old furnace would be approximately two thirds the cost of a new furnace; and

WHEREAS, continued use could allow carbon monoxide to enter the facility; and

WHEREAS, the facility must have heat or pipes will freeze, causing significant damage; and

WHEREAS, the new furnace can be sold or transferred to a new building should one be built, 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 reasonable repair at the Sterling Nature Center; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to transfer the following funds:

A71134-54012 Building Maintenance	\$ 500
A71134-54032 Gasoline	\$ 300
A71134-54101 Promotion	\$1,500
A71134-54112 Mileage	\$ 500
A71134-54147 Park Improvement	\$ 150

into the Equipment line for the Sterling Nature Center Account #A71132-52000; 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, Fearon and Mills, all in favor.

**RESOLUTION NO. 597-10**

**Date: December 20, 2010 capHgrovestbrdgeREV**

**AUTHORIZING THE ESTABLISHMENT OF CAPITAL H [PROJECT #10-07] FOR THE REPLACEMENT OF GROVE STREET BRIDGE AND TRANSFERRING FUNDS FROM THE HIGHWAY BUDGET AND GENERAL FUND LOAN**

BY: Dave Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, resolution #520-09 authorized the implementation and funding in the first instance 100% of the federal-aid and state Marchiselli program-aid eligible costs for Grove Street bridge (BIN 3365820) replacement project; and

WHEREAS, the estimated cost of this project is \$868,000 comprised of \$100,000 for design phase reimbursed at 80% federal aid, \$688,000 for construction reimbursed at 80% federal aid and 15% Marchiselli aid, and \$80,000 for construction inspection reimbursed at 80% federal aid and 15% Marchiselli aid; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby establishes Capital H No. 10-07 in the estimated amount of \$868,000 for the replacement of the Grove Street bridge (BIN 3365820, P.I.N. 3754.28); the source of said funds will be up to \$802,900 loan to be transferred as needed from the General Fund (A) to cover federal and state aid portions pending monthly reimbursement; and be it further

RESOLVED, that Cayuga County's estimated share of the project in the amount of \$65,100 be transferred from Account D99005 54606 to Capital H # 10-07; 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, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Fearon and Mills, all in favor.

### **RESOLUTION NO. 598-10**

**Date: December 20, 2010 capHerronhlbrdgeREV**

#### **AUTHORIZING THE ESTABLISHMENT OF CAPITAL H [PROJECT #10-06] FOR THE REPLACEMENT OF ERRON HILL BRIDGE AND TRANSFERRING FUNDS FROM THE HIGHWAY BUDGET AND GENERAL FUND LOAN**

BY: Dave Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, resolution #520-09 authorized the implementation and funding in the first instance 100% of the federal-aid and state Marchiselli program-aid eligible costs for Erron Hill bridge BIN 3311610, P.I.N. 3754.30 replacement project; and

WHEREAS, the estimated cost of this project is \$1,200,000 comprised of \$100,000 for design phase reimbursed at 80% federal aid, \$1,000,000 for the construction phase reimbursed at 80% federal aid and 15% State Marchiselli aid, \$144,000 for construction inspection reimbursed at 80% federal aid and 15% Marchiselli aid; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby establishes Capital H No. 10-06 in the amount of \$1,200,000 for the replacement of the Erron Hill bridge (BIN 311610, P.I.N. 3754.30); the source of said funds will be up to \$1,110,000 loan to be transferred as needed from the General Fund (A) to cover federal and state aid portions pending monthly reimbursement; and be it further

RESOLVED, that Cayuga County's estimated share of the project in the amount of \$90,000 be transferred from Account D99005 54606 to Capital H # 10-06; 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

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Fearon and Mills, all in favor.

**RESOLUTION NO. 599-10**  
**12/20/10 Hwy-LeaveBankextendrev**  
**AUTHORIZING THE EXTENSION OF A TEMPORARY LEAVE BANK**  
**FOR A CAYUGA COUNTY HIGHWAY EMPLOYEE**

BY: Mr. David Axton, Chair, Public Works

Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, Resolution No. 132-10 authorized the creation of a temporary leave bank for a Cayuga County Highway employee; and

WHEREAS, this employee has had further complications with this illness and will have used the existing donated leave bank time as of December 2010; and

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

RESOLVED, that the Cayuga County Legislature hereby approves this temporary leave bank extension, 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 a speedy recovery and looks forward to their return to work with the County.

Signed by Axton, Chapman, Cuddeback, Mitchell, Fearon and Mills, all in favor.

**RESOLUTION NO. 600-10**  
**December 20, 2010 HWYbidauth2011**  
**AUTHORIZING THE CLERK OF THE LEGISLATURE AND THE COUNTY**  
**HIGHWAY SUPERINTENDENT TO ADVERTISE AND RECEIVE SEALED BIDS**  
**FOR THE PURCHASE OF MACHINERY, MATERIALS, TOOLS, EQUIPMENT,**  
**FUEL AND EQUIPMENT RENTALS.**

BY: David Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Way and Means Committee

WHEREAS, certain supplies will have to be purchased during 2011 for the County Highway Department; and

WHEREAS, the construction season is a short period of the year and items may be required to be bid to meet unusual maintenance needs that must be accomplished during the construction season; and

WHEREAS, under Section 103 of the General Municipal Law all purchases of over \$10,000 have to be by public advertising and sealed bids; And

WHEREAS, the Cayuga County Highway Department is currently seeking to advertise and receive sealed bids for Guide Rail Materials, Sign Materials, Pavement Markings, Road Base Stabilization, Sign Faces & Blanks, Striping, Hot in Place Pavement

Recycling, Pipe and Pipe Arch, Liquid Calcium, Transit Concrete Mix, Stone, Sand, Liquid Asphalt, Bituminous Concrete, Gasoline, Diesel Fuel, and Equipment Rental; now therefore be it

RESOLVED, that the Clerk of the Legislature and County Highway Superintendent, be and is hereby authorized and directed, as specified in Section 133 of the Highway Law and Section 103 of the Municipal Law, to advertise and receive sealed bids for machinery, tools, equipment, implements, materials and supplies not limited to the following items:

Guide Rail Materials, Sign Materials, Pavement Markings, Road Base Stabilization, Sign Faces & Blanks, Striping, Hot in Place Pavement Recycling, Pipe and Pipe Arch, Liquid Calcium, Transit Concrete Mix, Stone, Sand, Liquid Asphalt, Bituminous Concrete, Gasoline, Diesel Fuel, and Equipment Rental

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Fearon and Mills, all in favor.

**RESOLUTION NO. 601-10**

**Date: December 20, 2010 mptranstires2010**

**BUDGET TRANSFER OF THE 2010 CAYUGA COUNTY MOTOR POOL  
BUDGET FOR TIRES**

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

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, in the 2009 Highway budget, a total of \$9500 was budgeted for Tires; and

WHEREAS, it is necessary to amend the 2010 Motor Pool budget to reflect increased tire costs; now therefore be it

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

Appropriation Accounts	Increase	Decrease
DM51314 54110 (Tires)	\$2500	
DM51304 54021 (Auto Parts)		\$2500

; and be it further

RESOLVED, 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, Fearon and Mills, all in favor.

**RESOLUTION NO. 602-10**

**12-20-10 HWY Grant County**

**AUTHORIZATION TO APPLY FOR A GENERAL EFFICIENCY PLANNING  
GRANT PROGRAM**

BY: Hon. David Axton, Chair Public Works Committee

Hon. Christopher Palermo, Chair Ways & Means Committee

WHEREAS, the County of Cayuga ("County") currently is party to agreements with twenty-two (22) municipalities within the County with respect to snow and ice removal on County-owned roads in the municipalities; and

WHEREAS, Cayuga County and several of the towns (the "Towns") wish to determine whether there are additional operational and cost efficiencies to be obtained by consolidating certain highway services (the "Services") with the various municipalities

within the County; and

WHEREAS, the County and Towns desire to apply for General Efficiency Planning Grant Program funding to assist with the study and analysis of the issues related to the consolidation of the Services (the "Study"); now therefore be it

**RESOLVED:**

1. The Legislature of the County of Cayuga hereby authorizes the County to submit an application through the General Efficiency Planning Grant Program for the conduct of the Study. The County shall act as Lead Applicant and the Towns of Mentz, Throop, Sennett, Owasco and Ira shall act as co-applicants, with the respective Supervisors of each Town acting as Co-Applicant Contact Person. The Lead Applicant Contact Person shall be the County Administrator, Thomas Squires, or his designee. The Lead Applicant Contact Person shall execute all financial and/or administrative process relating to the grant program.

2. The project for which the grant application shall be submitted is as follows: The County and the Towns wish to conduct the Study, which will determine whether there are operational and cost efficiencies to be achieved by virtue of consolidating the Services, or any other consolidations or sharing of services that may be suggested by the Study.

3. The maximum amount of money to be applied for in the grant application shall be \$29,000 (local share of \$13,000).

4. The County and Towns shall act in compliance with the State Environmental Quality Review Act when applicable to any aspect of the conduct of the Study.

5. The local share or match for the grant funds shall be contributed by the County. Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Fearon and Mills, all in favor.

**RESOLUTION NO. 603-10**

**(12/20/10) COL-SuppNYSBillRSUSHYDFRACKING**

**IN SUPPORT OF NEW YORK STATE BILL NO. A11443B TO SUSPEND HYDRAULIC FRACTURING; AND PROVIDING FOR THE REPEAL OF SUCH PROVISIONS UPON THE EXPIRATION THEREOF.**

BY: MR. AXTON., Chairman, Public Works Committee

WHEREAS, under current State law, permits are granted for the drilling of wells which may be utilized for the practice of hydraulic fracturing; and

WHEREAS, hydraulic fracturing is the drilling of rock by fluid for the purpose of stimulating natural gas or oil in low permeability natural gas reservoirs, such as the Marcellus and Utica shale formations; and

WHEREAS, NYS Assembly Bill No. A11443B recently passed to prohibit the issuing of new permits for the purpose of hydraulic fracturing until May 2011 to give the State and residents the opportunity to continue review and analysis of the effects of hydraulic fracturing on water and air quality, environmental safety and public health; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby go on record as supporting this legislation (A11443B); and be it further

RESOLVED, that the Clerk of the Legislature is directed to send a certified copy of this resolution to Peter J. Kierman, Counsel to the Governor; New York State Senate

Majority Leader Malcolm A. Smith; New York State Assembly Speaker Sheldon Silver; Senators Michael Nozzolio and David Velesky, Assemblymen Gary Finch, Brian Kolb and Robert Oaks, and the NYS Association of Counties.

Signed by Axton, Mitchell, Pinckney, Barski and Chapman, all in favor.

**RESOLUTION NO. 604-10**

**12.20.10 911 TICPplanrev**

**AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO ADOPT THE CENTRAL NEW YORK INTEROPERABLE COMMUNICATIONS CONSORTIUM TACTICAL INTEROPERABLE COMMUNICATIONS PLAN (TICP).**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, it is in the interest of Cayuga County to adopt a Tactical Interoperable Communications Plan (TICP), attached, which will serve as a guide to reduce the risk to lives and health that county residents may face and reduce the damage to property that often results from an emergency; and

WHEREAS, the development of the TICP and implementation of its guidelines will assist the County and Emergency Responders, both within Cayuga County and surrounding counties, in the implementation of interoperable talk paths with anticipation of problems that arise due to emergencies, with inclusion of possible solutions to communication problems; and

WHEREAS, this plan identifies known communications resources and describes how the participants in this plan can organize these resources to deal with such an emergency; now therefore be it

RESOLVED, that the Cayuga County does hereby adopt and approve the Tactical Interoperable Communications Plan, and be it further

RESOLVED, that the Tactical Interoperable Communications Plan, copy attached, is intended to serve as a guide for decision makers in the public sector and shall not be construed as binding any legislative body to take specific actions, but shall provide direction for agencies throughout the County to pursue the strategies set forth in the plan.

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

**RESOLUTION NO. 605-10**

**12/20/10)**

**EMO/SE FIRE COORD.rev**

**AUTHORIZING THE APPOINTMENT OF THE SOUTH / EAST DISTRICT DEPUTY COUNTY FIRE COORDINATOR.**

BY: Mr. Steven Cuddeback, Chairperson of Judicial and Public Safety Committee

Mr. Christopher Palermo, Chairperson of Ways & Means Committee

WHEREAS, the Emergency Management department is currently without a Deputy County Fire Coordinator (PC# 4219-SYS) due to a resignation and;

WHEREAS, the Cayuga County Legislature has previously authorized the position of Deputy County Fire Coordinator for the South / East District of Cayuga County Emergency Services, and

WHEREAS, this position is necessary to continue to provide assistance and be a Fire and Rescue resource at emergency calls in the South East District of Cayuga County, and is essential in maintaining Cayuga County's National Incident Management System



– Span of Control compliancy, and

WHEREAS, the Deputy County Fire Coordinator position (4219-SYS) is already established and funded in the Emergency Management Budget A36401, Now, therefore, be it

RESOLVED, that the Director of Emergency Services, Brian Dahl, be authorized to fill the position of Deputy County Fire Coordinator 4219-SYS (South / East District), 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 Cuddeback, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Axton, Cuddeback, Fearon and Mills, all in favor.

**RESOLUTION NO. 606-10**

**(12/20/10) indigentdefreaptamnddepr**

**APPOINTING ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME,  
AND SETTING SALARIES FOR ADMINISTRATOR INDIGENT  
DEFENDANTS, PART TIME, AND DEPUTY ADMINISTRATOR INDIGENT  
DEFENDANTS, PART TIME**

BY: MR. STEVEN E. CUDDEBACK, Chairman, Judicial & Public Safety Committee  
MR. CHRISTOPHER M. PALERMO, Chairman, Ways & Means Committee

WHEREAS, the position of Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; and

WHEREAS, Lloyd E. Hoskins has held the position as Administrator since January 1, 1994; and

WHEREAS, this Legislature has determined that Lloyd E. Hoskins is best qualified to fill this position; and

WHEREAS, the position of Deputy Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; now, therefore, be it

RESOLVED, that Lloyd E. Hoskins is hereby appointed as Director Indigent Defendants, Part Time, to serve for one (1) year term commencing January 1, 2011 and ending December 31, 2011, and be it further

RESOLVED, that the salary for Director Indigent Defendants, Part Time, the 2011 calendar year thereafter shall be \$13,193.00; and be it further

RESOLVED, that the salary for Deputy Administrator Indigent Defendants, Part Time for the 2011 calendar year thereafter shall be \$6,928.00; and be it further

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

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

**RESOLUTION NO. 607-10****12/20/10 SHR – Shift Change Beh. Health Care Nurses****AUTHORIZING A 12% SHIFT DIFFERENTIAL PAY FOR THE TWO BEHAVIORAL HEALTH CARE NURSES EMPLOYED AT THE CAYUGA COUNTY JAIL WHEN ASSIGNED TO WORK THE “C” SHIFT DUE TO A SHIFT CHANGE EFFECTIVE ON OR ABOUT JANUARY 9, 2011**

By: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee  
 MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, a shift change will be instituted at the Cayuga County Jail for the two Behavioral Health Care Nurses employed therein that will require one of the two Behavioral Health Care Nurses to work a “B” shift (M – F, 8:00 a.m. to 4:30 p.m.) and one of the two Behavioral Health Care Nurses to work a “C” shift (M – F, 1:00 p.m. to 9:30 p.m.); and

WHEREAS, pursuant to Section 9.13, Mental Health Shift Differential, of the N.Y.S.N.A. Collective Bargaining Agreement, the Behavioral Health Care Nurse scheduled to work the “C” shift shall be entitled to 12% shift differential pay; now therefore be it

RESOLVED, that effective on or about January 9, 2011, the two Behavioral Health Care Nurses employed at the Cayuga County Jail scheduled to work the “C” shift shall receive 12% shift differential pay pursuant to Section 9.13, Shift Differential, of the N.Y.S.N.A. Collective Bargaining Agreement; and it is further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make payment pursuant to said Collective Bargaining Agreement and to make the journal and accounting entries necessary to accomplish the same which is established in the 2011 Budget.

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

**RESOLUTION NO. 608-10****12/20/10 SHR – MOU RPN On-Call Svcs****AUTHORIZING THE CAYUGA COUNTY LEGISLATIVE CHAIRMAN, THE CAYUGA COUNTY ADMINISTRATOR AND THE CAYUGA COUNTY SHERIFF TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE SHERIFF’S EMPLOYEES ASSOCIATION OF CAYUGA COUNTY ESTABLISHING ON-CALL SERVICES AND THE PAYMENT THEREOF FOR THE REGISTERED PROFESSIONAL NURSES , NOT INCLUDING THE BEHAVIORAL HEALTH NURSES, WHO ARE EMPLOYED AT THE CAYUGA COUNTY JAIL**

By: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee  
 MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, it has been decided that there is a need to have on-call services to be provided by the Registered Professional Nurses (RPN) who are members of the Sheriff’s Employees Association of Cayuga County (SEACC); and

WHEREAS, all parties have met and have agreed to modify the provision of Article 15 Hours of Work and Overtime of the existing SEACC negotiated agreement to include a provision outlining on-call services and establishing the rate of pay as follows: \$32.00 for each weekday on-call, \$36.00 for each holiday on-call, and \$36.00 for each weekend

day on-call; now therefore be it

RESOLVED, that the Cayuga County Legislative Chairman, the Cayuga County Administrator and the Cayuga County Sheriff are hereby authorized to execute the necessary documents to effect a Memorandum of Agreement that modifies Article 15 Hours of Work and Overtime of the existing SEACC negotiated agreement to include a provision providing for on-call services and the payment thereof for Registered Professional Nurses who are members of the SEACC; and be it further

RESOLVED, that said Memorandum of Agreement shall be implemented January 1, 2011; 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 which is established in the 2011 Budget.

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

**RESOLUTION NO. 609-10**

**12/20/10 DA STOPDWIADASalary**

**AMENDING THE DISTRICT ATTORNEY'S 2011 STOP DWI REVENUE ACCOUNT & INCREASING THE SALARY OF THE STOP DWI ASSISTANT DISTRICT ATTORNEY**

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

WHEREAS, the District Attorney has received additional revenue from the STOP DWI Program for the STOP DWI prosecutor salary in the amount of \$3,000; and

WHEREAS, Cayuga County's DWI statistics indicate that there has been a significant increase in DWI, Aggravated DWI, and fatal DWI arrests over the past four years; and

WHEREAS, in light of the additional funding and increased caseload, additional job responsibilities, and in order to accurately reflect legal/prosecutorial experience, oversight responsibilities, and court assignments, and in order to retain the experienced STOP DWI prosecutor in the office, the District Attorney has deemed it necessary to adjust the 2011 salary for the STOP DWI Assistant District Attorney position; and

WHEREAS, the District Attorney proposes to increase the 2011 base salary of the STOP DWI ADA in Part IV of the Cayuga County Compensation Plan effective January 1, 2011 for Non-Bargaining Employees; and

WHEREAS, the Legislature is desirous about retaining experienced prosecutors and making certain the salaries within the District Attorney's Office accurately reflect legal/prosecutorial experience, caseload, job responsibilities, oversight, and court assignments, now therefore, be it

RESOLVED, that the District Attorney's 2011 A11660 42260 STOP DWI Revenue Account be increased from \$23,210 to \$26,210; and it is further

RESOLVED, that the District Attorney's 2011 A11661 51001 STOP DWI Salary for Assistant District Attorney be increased from \$68,433 to \$71,433; and it is further

RESOLVED, that 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 foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga, and that Part IV of the 2011 Cayuga County Compensation Plan is amended to reflect the adjustment herein.

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

**RESOLUTION NO. 610-10**

**12/13/10 911CoCtyrbndngagmenrev**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN AGREEMENT WITH THE CITY OF AUBURN FOR THE CITY OF AUBURN TO PARTNER WITH CAYUGA COUNTY TO INTEGRATE THEIR RESPECTIVE RADIO COMMUNICATIONS SYSTEMS.**

BY: Mr. Steven Cuddeback Chairperson, Judicial and Public Safety Committee

Mr. Christopher Palermo Chairperson, Ways & Means Committee

WHEREAS, on August 6, 2004, the Federal Communications Commission ("FCC") issued a Report and Order that modified its rules governing the 800 MHz band. The purpose of the Order was to reconfigure the 800 MHz band to minimize harmful interference to public safety radio communications in the band ("Reconfiguration"). On December 22, 2004, the FCC issued a Supplemental Order and Order on Reconsideration. (The August 6, 2004 and December 22, 2004 FCC Orders and any supplemental FCC Orders in the Reconfiguration proceeding or subsequent actions after the date of this Agreement are collectively referred to as the "Order"); and

WHEREAS, the City of Auburn ("City") maintains licenses issued by the FCC on frequency allocations subject to Reconfiguration; and

WHEREAS, the City and Nextel of New York, Inc. ("Nextel"), a wholly owned indirect subsidiary of Sprint-Nextel Corp., a Kansas corporation, entered into a Frequency Reconfiguration Agreement dated effective as of August 18, 2010 ("FRA"), wherein Nextel is obligated to pay the City an amount to effect a Reconfiguration of the City's affected frequency allocations (the "Reconfiguration Cost"). A copy of the FRA is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, pursuant to the FRA, the aggregate Reconfiguration Cost is Four Hundred Thirty-two Thousand Twenty-One and 40/100 Dollars (\$432,021.40). Pursuant to the Order, the FCC has appointed a Transition Administrator ("TA") to insure that the rebanding initiative proceeds on schedule and in a planned and coordinated manner so that disruption to a licensee's system is minimized. A licensee may, provided it is in compliance with the TA's guidelines, in lieu of rebanding its existing system, apply the Reconfiguration Cost to upgrade its existing network or to improve another network (including a non-800 MHz network, if that is the network that the licensee is moving to); and

WHEREAS, Cayuga County ("County") has determined and identified the need and benefits associated with updating its current radio infrastructure (the "New System"). The estimated cost of the New System is in excess of Seventeen Million Dollars (\$17,000,000.00); and

WHEREAS, the County has entered into a Communications System Agreement with Motorola, Inc. ("Motorola") to effectuate and implement the New System in accordance with the Statement of Work ("SOW") attached thereto (the "Motorola Contract")

;and

WHEREAS, the City has determined that it is in the best interest of the City and the public safety of its citizens to partner with the County to integrate their respective radio communications systems into a compliant interoperable system with enhanced capabilities.

WHEREAS, as the result of the foregoing, the City and the County desire to set forth their respective understandings and agreements with each other with respect to the City's move to the County's New System; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the agreement annexed hereto.

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

**Motion by Cuddeback, 2nd by Chapman to bring to the floor.**

**RESOLUTION NO. 611-10**

**12/20/10 SHR – Salary Increases NonBargaining**

**AUTHORIZING CHANGES TO THE 2011 CAYUGA COUNTY  
COMPENSATION PLAN TO REFLECT SALARY INCREASES OF CERTAIN  
NON-BARGAINING POSITIONS IN THE CAYUGA COUNTY SHERIFF'S  
OFFICE THAT WERE ADOPTED FOR THE 2011 COUNTY BUDGET**

WHEREAS, the 2011 Cayuga County Budget has been adopted with changes made to the salaries of a Non-Bargaining Position in the Cayuga County Sheriff's Office Law Enforcement Division and to a Non-Bargaining Position in the Cayuga County Sheriff's Office Custody Division; and

WHEREAS, the Cayuga County Compensation Plan needs to be updated to reflect the aforesaid changes that were adopted in the 2011 Cayuga County Budget; now therefore be it

RESOLVED, that the Department Heads and Certain Administrative Positions, Part IV, of the Cayuga County Compensation Plan be amended to show that the adopted 2011 salary of the Cayuga County Undersheriff is \$63,000.00 and the salary of the Correction Facility Administrator is \$55,000.00; and be it further

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

Signed by Cuddeback, Mitchell, Aikman, chapman, Petrus, Palermo and Fearon, all in favor.

**Motion by Fearon to go into Executive Session at 6:44PM, re: Acquisition of Real Property, Pending Litigation and Employment History, 2nd by Pinckney, all in favor. Asked to come in, Dr. Daniel Larson, Diane Hutchinson, John Carmardo and John Karpinski.**

**Motion by Palermo to come out of Executive at 7:53PM, 2nd by Axton, all in favor.**

**Motion by Palermo to adjourn at 7:54PM, 2nd by Cuddeback, all in favor.**