

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
REORGANIZATION MEETING  
JANUARY 2, 2013, 6:00 PM**

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:** Mrs. Elizabeth Q, Farrell, mother of Mark Farrell  
Victims of the tragic events in Webster, NY  
Mr. Frank Barrera, business owner in this community and served in World War II.

**NOMINATIONS FOR LEGISLATIVE CHAIRPERSON.**

**Motion by Tucker Whitman to nominate Michael Chapman for Chairman, 2<sup>nd</sup> by Axton, all in favor.**

**NOMINATIONS FOR LEGISLATIVE VICE CHAIRPERSON.**

**Motion by Michael Chapman to nominate Joseph Runkle as Vice Chairman, 2<sup>nd</sup> by Axton, all in favor.**

**DESIGNATION OF MAJORITY AND MINORITY LEADERS FOR 2013.**

**Motion by Timothy Lattimore to nominate Michael Didio as Majority Leader, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Patrick Mahunik to nominate Cynthia Aikman as Minority Leader (Democrat), 2<sup>nd</sup> by Mark Farrell, all in favor.**

**Motion by Michael Didio to nominate Hans Pecher as Minority Leader (Conservative), 2<sup>nd</sup> by Fearon, all in favor.**

**ADMINISTRATION OF OATHS OF OFFICE:**

County Clerk Susan Dwyer for Chairman, Vice Chairman, Majority Leader, Minority Leader (Democrat) and Minority Leader (Conservative).

Chairman Michael Chapman asks for a motion to adopt the Rules order for 2013  
**Motion by Michael Didio to adopt Rules of Order, 2<sup>nd</sup> by Whitman, all in favor.**

**Motion by David Axton to nominate Sheila Smith for Clerk of the Legislature, 2<sup>nd</sup> by Tucker Whitman.**

**Motion by Timothy Lattimore to nominate Mary Jones for Clerk of the Legislature, 2<sup>nd</sup> by Steven Cuddeback.**

**Motion by Axton to separate the question.**

Vote for Sheila Smith, show of hands, Fearon, Runkle, Mahunik, Whitman, Axton, Aikman and Chapman, total 7 votes, Bennett excused.

Vote for Mary Jones, show of hands, Farrell, Pecher, Cuddeback, Pinckney, Lattimore, Barski and Didio, total 7 votes, Bennett excused.

Motion for Clerk of the Legislature simple Majority Vote:

Sheila Smith, Ayes – Aikman, Whitman, Chapman, Axton, Runkle, Fearon and Mahunik. Noes – Didio, Pecher, Farrell, Pinckney, Barski, Lattimore and Cuddeback. Excused Bennett. Vote totals 445/389/49. Approved by Majority vote.

Mary Jones, Noes - Aikman, Whitman, Chapman, Axton, Runkle, Fearon and Mahunik. Ayes - Didio, Pecher, Farrell, Pinckney, Barski, Lattimore and Cuddeback. Excused Bennett. Vote totals 389/445/49. Defeated by Majority vote.

Chairman Michael Chapman, Sheila Smith will be our new Legislative Clerk for the coming year.

#### **ADMINISTRATION OF OATH OF OFFICE:**

County Clerk Susan Dwyer for Clerk of the County Legislature

#### **RESOLUTION APPOINTING CLERK OF THE LEGISLATURE, SETTING SALARY AND OATH OF OFFICE:**

Motion by Axton, 2<sup>nd</sup> by Runkle, all in favor, except Bennett excused.

#### **RESOLUTION NO. 1-13**

**1/3/13 COL ClkLeg.Appt13rev**

#### **APPOINTING CLERK TO THE CAYUGA COUNTY LEGISLATIVE BOARD AND SETTING SALARY (MAJORITY VOTE)**

BY: Hon. David Axton, Ways and Means Committee

WHEREAS, this Legislature submits the name of Sheila Smith for the position of Clerk to the Cayuga County Legislative Board (position control no. 001650-sys) for 2013; now, therefore be it

RESOLVED, that Sheila Smith is hereby appointed Clerk to the Cayuga County Legislative Board for the year 2013; and be it further

RESOLVED, that the salary for the position of Clerk to the Cayuga County Legislative Board for the fiscal year 2013 shall be \$ 49,500.00; and be it further

RESOLVED, that this resolution shall take effect immediately.

#### **MOTION NO. 2-13 January 2, 2013**

Motion by Legislator George Fearon to empower the person appointed as Clerk of the Legislature to be able to start the process to fill the Deputy Clerk position in the Clerk of the Legislature's Office, 2<sup>nd</sup> by Whitman, all in favor, except Bennett excused.

**10 MINUTE BREAK TO SIGN RESOLUTIONS & PHOTO OPPORTUNITIES.  
Out at 6:23PM, back in session at 6:33PM.**

**COMMUNICATIONS AND ANNOUNCEMENTS: none**

**APPOINTMENTS AND RE-APPOINTMENTS:** none

**COMMITTEE REPORT:** none

**CHAIRMAN'S REPORT:** Michael Chapman, thank you to Steven Cuddeback, Mary Jones, all the Legislators for your past work, all our Elected Officials, our towns and villages, special thanks to the Health Department folks for their patience with me this past year. I am going to try to participate as much as I can going forward, a great benefit to our County. I would like to thank all of our departments, Department Heads, all employees for doing a great job and everyone that lives and works in the county. A special thanks to my family, my wife, my mother and members of the family that were unable to be here, family is very important. Looking to the future; we have a lot of things to look forward to, a lot of things to get going, keep going. We want to keep meeting with the City of Auburn, will be meeting with our regional partners, we have a meeting scheduled with Onondaga County Executive Mahoney which will be on the 22<sup>nd</sup>, Mr. Runkle, myself, Tom Squires and members of Wladis Law Firm and we will talk about the water, the water line situation, pricing, purchasing agreement and any other areas that we might join together to make the burden a little lighter. The Nursing Home, we did receive a copy of the GDA, we have started the review, we are constructing a number of questions, and are trying to set up a conference call with Mercy, Larado, the County and the Department of Health so that we are all on the same page. We also have our Radio Project to work on and hopefully bring that to completion successfully. All of our accomplishments, I believe we can reach through team work and communication and I will do everything I can to foster that. I am hopeful that we will continue to celebrate the accomplishments of our employees, work closer with our towns and villages to share services, spread the word that Cayuga County is a great place to be, let's build on that for the future.

**ADMINISTRATOR'S REPORT:** none

**NEW OR UNFINISHED BUSINESS:** Legislator Mark Farrell, Mr. Bennett has sat here silent for 12 months now, people in his district have been without a voice, without a vote and I hope it can be a priority one into the new year and hope we can come to a resolution on that.

Chairman Mike Chapman, for the time Mr. Bennett has been taken off the duty roster to a degree, I think it is remarkable that he has been here for all the committee meetings where he has been assigned and he has appeared here, in this body although he has not been allowed to participate.

Motion by Didio to go into Executive Session at 6:40PM, re: current litigation, Cayuga County v Joseph Bennett, 2<sup>nd</sup> by Aikman, all in favor.

Motion by Pinckney to come out of Executive Session at 6:59PM, 2<sup>nd</sup> by Didio, all in favor. No action taken.

Motion by Didio to adjourn at 6:59PM, 2<sup>nd</sup> by Aikman, all in favor.

**MINUTES  
EMERGENCY  
CAYUGA COUNTY LEGISLATURE MEETING  
TUESDAY, JANUARY 8, 2013,  
TIME – to immediately follow Public Works Meeting  
160 GENESEE ST, 6TH FLOOR,  
CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Joseph Runkle, Vice Chairman at 6:58PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present, except excused Joseph Bennett, Steven Cuddeback and Michael Chapman. Cynthia Aikman arriving at 7:05PM and Stephen Barski arriving at 7:15PM.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: EXECUTIVE SESSION:** discussions regarding proposed, pending or current litigation.

**Motion to go into Executive Session by Didio at 6:59, re: pending Litigation, 2nd by Axton, all in favor.**

**Motion by Didio to come out of Executive Session at 7:25PM, 2nd by Fearon, all in favor. No action taken.**

**Motion by Pinckney to go into Executive Session at 7:26PM, re: Personnel issue, contracts, and pending litigation, 2nd by Didio.**

**Motion by Pinckney to come out of Executive Session at 7:35PM, 2nd by Didio, all in favor. No action taken.**

**Motion by Axton to adjourn at 7:36PM, 2nd by Pinckney, all in favor.**

**MINUTES**  
**SPECIAL CAYUGA COUNTY LEGISLATURE MEETING**  
**THURSDAY, JANUARY 10, 2013, 7:00PM**  
**160 GENESEE ST, 6TH FLOOR,**  
**CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Joseph Runkle, Vice Chairman at 7:30PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present, except excused Joseph Bennett and Michael Chapman.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: EXECUTIVE SESSION: Cayuga County v Bennett**

**Motion by Didio to go into Executive Session at 7:32PM, re: current and pending Litigation, 2nd by Cuddeback, all in favor.**

**Motion by Didio to come out of Executive Session at 7:48PM, 2nd by Pinckney, all in favor.**

**Motion by Fearon to bring the following Resolution to the floor, 2nd by Lattimore. Resolution read in its entirety by Clerk of the Legislature, Sheila Smith.**

**RESOLUTION NO. 3-13**

**1.10.13 CAO stllmntCayugavBennett**

**A RESOLUTION AUTHORIZING THE CAYUGA COUNTY LEGISLAURE AND  
ITS LEGISLATORS TO ADOPT THE STIPULATION OF  
SETTLEMENT, PERMANENT INJUNCTION, AND STIPULATION OF DIS-  
CONTINUANCE IN THE HYBRID ARTICLE 78/DECLARATORY JUDGMENT  
ACTION AGAINST JOSEPH F. BENNETT**

BY: Hon:

WHEREAS, the County of Cayuga and eight Cayuga County Legislators commenced a hybrid Article 78/Declaratory Judgment action against Joseph F. Bennett alleging that his employment at a County sponsored Community College as a Building Maintenance Mechanic and his election as Cayuga County Legislator, District 10 were incompatible and that there is an inherent conflict of interest between the two positions; and

WHEREAS, Joseph F. Bennett filed a Motion to Dismiss the actions on May 1, 2012 pursuant to CPLR § 3211(a)(2), (3) and (8) on the grounds that: the proceeding is jurisdictionally defective; the County has no authorization to bring the present suit; Petitioners lacked standing as they are not aggrieved parties; and sought to vacate the Preliminary Injunction; and

WHEREAS, the Motion to Dismiss was argued on July 5, 2012; and

WHEREAS, the County gave the parties until September 20, 2012 to answer several questions posed by the Court; and

WHEREAS, the undersigned parties wishing to resolve the issues in the action without further litigation, agree to settle and conclude all outstanding issues which are the subject of this action; and

WHEREAS, the parties desire to enter into a Stipulation, settling all matters arising out of this proceeding and to enter into permanent injunction against Joseph F. Bennett and to dissolve the preliminary injunction granted on February 17, 2012, a copy of which is attached; now therefore be it

RESOLVED, that the Cayuga County Legislature and its Legislators agree to adopt the Stipulation of Settlement, Permanent injunction, and Stipulation of Discontinuance, a copy of which is annexed hereto and made apart here of; and be it further

RESOLVED, that this settlement is expressly contingent on the execution by the Defendant/Respondent Joseph F. Bennett, his attorney and approved by the court; and be it further

RESOLVED, that if all appropriate signatures are not obtained, then in that event the Stipulation is null and void.

Resolution approved by voice vote, all present voting aye.

**Motion by Didio to adjourn at 8:03PM, 2nd by Pinckney, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
JANUARY 22, 2013 AT 6:30PM**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 6:30PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of:  
Theodore (Ted) Taggerty, beloved father of Kim Taggerty, Administrative Assistant to the County Administrator.

**Chairman Michael Chapman** thanked Legislator Joseph Bennett, good to have you. We have a new Executive Director at Soil and Water, Mr. Doug Kierst who is here tonight with Jim Young, welcome. I would like to thank Jim Young Interim Director at Soil and Water, he will explain the selection process.

**Mr. Young**, a sub-committee was selected from our Board of Directors, including Legislators Paul Pinckney, Stephen Barski, Mark Farrell, former Legislator Ray Lockwood, Jeff Teneck that works for the State Soil and Water and is our Regional and Mike Russell Director of Human Resources. It was a State wide search, 9 people applied for the job, we asked 5 to interview through written questions that was narrowed to 4 that were face to face interviews and Doug was the unanimous decision, he will start next week.

**PRESENTATIONS:** Bill Speck Cayuga-Onondaga BOCES, District Superintendent and Michele Brantner, Superintendent Moravia School District; Topic School Districts and the Tax Cap. Handout attached to original minutes.

**PROCLAMATIONS:** NAACP FOURTEENTH ANNUAL MILLENNIUM LUCHEON

January 23, 2013, read in its entirety by Sheila Smith, Clerk of Legislature, Chairman Michael Chapman presented to recipients at Millennium Luncheon.

**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. Legislator Stephen Barski for: **Rusty Tierney, opposed to student housing, safety issue, value of housing will decrease, crime will increase.**

**Bill Rankin, letter attached regarding opposition to student housing.**

**MINUTES:** For Approval:

For Reading: 11/27/12, 12/5/12, 12/13/12, 1/2/13 1/8/13, and 1/10/13, Motion by Didio for minutes for reading, 2<sup>nd</sup> by Pinckney, Bennett abstained.

**CCC REPORT:** Dr. Daniel Larson, report attached and Student Housing Project report also attached.

Discussion:

Farrell, we padded a resolution recently to allow the college to enter into negotiations for that property, where are we now in this venture? The college web site indicates the property will be owned by the Faculty Student Association, so what is the County's involvement as we move forward with this project?

Westphal, I'm sure who is going to own the property.

Larson, in the State University System, the Community Colleges cannot access State Funds, so typically what those colleges do is run those properties through their Faculty Student Association or through the College Foundation. In our case we have chosen to run it through the Faculty Student Association and set up a Student housing Corporation, there are no taxpayer dollars associated with this; it is funded through the student rental of those rooms, as to ownership, the County holds all Real Property of the college in trust.

Farrell, if the County chose not to accept ownership of the property, has the college already enter into a point with the property owners that they can't return in moving forward with this project?

Larson, we could never say never, an alternative is to have the Student Housing Corporation take ownership of those parcels.

Chapman, I sent an e-mail to everyone this afternoon; what is our value out there if the college was to leave town, I will forward e-mail to you.

Lattimore, your concern with enrollment, while I was at the State of the State I meet with the SUNY President and he had brought back information on the charge backs; I would like you to study those and come back to the next meeting and see what the implications are.

Larson, I will

Lattimore, one of the issues is the property owners want to be kept informed every step of the way.

Larson, we are, each of the property owners have received a follow up letter, we intend to schedule a follow up and invite them to it and respond to their questions.

Fearon, there is a concern that students from outside the county pushing students inside the county where they wouldn't be able to get into a class. If we have a class at the college, you have minimum enrollment to support the class, so if you have more students, some of them from outside, helps you to have a broader curriculum that everybody can gain from.

Larson, if that is happening, I would like to know about it, we want our county students to have access, that's why we are here.

Aikman, we have drawing in front of us and it appears that the dorm building would positioned on property that is currently owned by Cayuga County and therefore that is part of our jurisdiction and what we would have to approve. The 2 parcels, that this dorm entity would have a parking lot on it.

Larson, parking lot and a substantial part of it would have a building on it, which is outlined there.

Aikman, so we have to approve to use some property that is owned by Cayuga County taxpayers at this time, secondly in the future it is my understanding that this would be turned back over to the County so then we would be responsible for the asset or the



liability depending on what it could be at that time, because it is going to be modular units so the life expectancy is quite as long as say Lattimore Hall, so there might not be a lot of value to the structure after 15 years. I am worried about the liability that the taxpayers would be taking on if this were to be constructed on our property.

Larson, these are modular units that are built and constructed under very controlled circumstances, so the quality is much greater than 15 years. The concept is we have built funds into the Performa so that we don't wait 15 to 25 before we go in and modernize and maintain the structures. The lease for the project is a multi-year lease and runs for the life of the bonds, probably for 30 years and maybe longer.

Aikman, I would like to see that in this case, including something about a housing market study, and the business decisions that these are being based on is something I would like to read.

Larson, we can certainly do that, the market study is in progress and I will keep you informed.

Didio, what is the status on the environmental study?

Larson, we are working with legal counsel to be sure we fulfill all legal requirements and I would be happy to have legal counsel respond to that.

Didio, what was the deciding factor on where the dorms may be placed?

Larson, we looked at a number of sites, safety was a factor and location to college.

Barski, in a year or two from now, who is going to pay for the extra services?

Larson, the college would move to a 24/7 campus security operation and most of them are Auburn City Police that are working Part-Time for us.

Barski Peace Officers of Police Officers?

Larson, they are armed Peace Officers and are being paid by the college for those hours.

Barski, you say the charge-backs are going to pay for all of this?

Larson, no, the bonds, the student rental fees that is the revenue.

Pinckney, do you have another round of discussion scheduled.

Larson, we don't have a date set, but would like to do in February.

Lattimore, I would like a brief up-date of the downtown Theater Project?

Larson, we are waiting for the court to take action, they are scheduled to respond in February. We have moved forward with the redesign of the building and if everything goes well we would like to break ground sometime this spring and ready maybe May 2014.

Mahunik, seems to be a lack of information about this project, let's get all the information out there so we don't have people asking questions. It's how we pitch it and keep everyone well informed, let's not do the bare minimum.

Barski, do you have a copy of the residence survey.

Larson, yes, I will get a copy to you.

Fearon, could that be e-mailed out?

Larson, yes.

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

Didio, Inter County will have their meeting at the NYSAC in Albany in February, I will bring you an update at the February Legislature meeting.

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, 2013 budget is on your desks, and will be on the County web page. I will have regular spreadsheets next month. We were not successful in the grant application for the dredging of Sodus Point, we have

the right to ask for a debriefing as to why we weren't successful, and I will reach out to the State. I will ask the Health Consortium Consultant to come in possibly in February or March to do a presentation and overview. The Health Insurance Advisory Committee meets quarterly, it is made up of County Employees, representatives from the Health Insurance Consortium and Labor, there meeting is this Thursday at 10:00AM at Soil and Water and on April 11, and that would be a good meeting to attend, good overview of how the consortium works.

**Discussion:**

Fearon, any Legislator can go to those meetings.

Lattimore, our conference is coming up, could you as chairman notify our NYSAC chairman and see if we could have the Governor there, regarding mandates.

Chapman, I think that will be discussed.

**CHAIRMAN'S REPORT:** Michael Chapman, I would like to have the communication from Hon. John J. Ark, Supreme Court Justice, re: executed stipulation of settlement, Cayuga County v. et al. v. Bennett, read for the record. Clerk of the Legislature Sheila Smith read in its entirety and the letter is part of the original minutes. We have 9 people scheduled to go to the NYSAC Conference, let's not all sit in the same meetings, get all the information we can and come back and share that. We are continuing to gather information on the Nursing Home, we met a week ago with Mercy and Laredo people present, at that time we advised them exactly what we needed before we can come back and intelligently discuss any kind of a decision, so we are waiting for more information. We will also be talking to the Department of Health so that we are clear and understand the process as we go forward, as soon as we get that information, we may need to have a special meeting. The radio meeting is February 11, 2013, I hope we can get as many people to come as possible, we need to listen to all the problems and make sure Motorola is listening. We have a lot of money on the line and we need to get these concerns addressed. The calendar that Mr. Axton set up a few months ago, I am indicating on that when I will be in the office, also I spoke with Steve Tobin in IT to get that calendar linked with the google calendar, and that should happen by March 31, 2013 and then we can all be on one system. I can see what the County Administrator and County Attorney have scheduled and I will try to share that with you. I am working on the list of Chairman Appointments; I will have that for you by the next meeting. I would like to propose a clearing house for our grant applications, were are applications or notices of applications late in the game and could have made the application stronger if we had letters of support, or provided a different angle for the grant writer to look at. I am going to get that set up, unless anyone has an objection, we will put it up in the box so we will have that information going forward. Mr. Runkle, Mr. Squires and I went to Syracuse today and met with County Executive Joanne Mahoney we talked about further cooperation, we have an agreement with purchasing and we need to expand those avenues. They have system being installed which will facilitate a better system for all of us and we will try to get more bang for our buck on that agreement, we will also be reaching out to towns and villages to see if they want to come onboard. We also talked about water, and should have by tomorrow a price from Onondaga County on what the water should cost if the line should be expanded down Route 31 from Elbridge to Weedsport. It will be Citizen Reporter Sistina Giordano last meeting with us and I would just like to thank her for her understanding, effort, fairness and completeness.

Lattimore, can we coordinate the grants with the Governor; he has indicated that there is a lot of money for certain projects.

Chapman, we have Wladis on contract and will try and utilize them more and I am utilizing Mr. Runkle in his role as Deputy Chair to be our contact person, that will help us get direction and feedback. I talked with Mayor Quill and Councilor Camardo, there is money out there to do a study on highway consolidation and we will try to engage the city to go in with us on the grant application. The application needs to be in middle to end of March, that is doable and we need to take that step forward. We will continue to talk about avenues that we can pursue jointly, we need to have a greater presence if we expect to be looked and considered for grants. The way to do that is regionally, we already have a radio consortium that reaches all the way to St. Lawrence County, so we need to take advantage of those relationships, in addition I have reached out to the Wayne County Board of Supervisors, everyone up the coast, from our location to Rochester had put in a request for dredging and I'm not aware that any of them has received any kind of grant and that is something, as a body of people who occupy this coast of Lake Ontario.

Discussion:

Lattimore, for Economic Development the Governor has said that he wants to open up the gaming industry.

Chapman, that should be discussed in committee first.

Lattimore, regarding the letter from the judge for Mr. Bennett, what does that mean.

Westphal, it means that Mr. Bennett can participate, subject to the permanent injunction, as a Legislator

#### **APPOINTMENTS AND RE-APPOINTMENTS:**

##### **Cayuga County Community Services Board**

James Stowell, 7445 County House Road, Auburn

Term:

1/1/13 – 12/31/16

##### **Traffic Safety Board:**

Michael Wellauer, County House Rd., Auburn, NY, term 1-1-13 to 12-31-2015

David Gould, County House Rd., Auburn, NY, term, 1-1-13 to 12-31-2015

Lloyd Hoskins, Court St., Auburn, NY term, 1-1-13 to 12-31-15

##### **Cayuga-Cortland Workforce Investment Board**

Diane Piscioti, 2 Hidden Brook Way, Auburn, NY 13021, term – 9-1-12 to 8-31-15

#### **CHAIRMAN APPOINTMENTS AND RE-APPOINTMENTS CON'T:**

##### **Fire Advisory Board:**

Legislator Mark Farrell, 8497 Ball Rd., Weedsport, NY 13166, term 1-1-13 until Chairman appoints replacement.

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

#### **COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a thank you note from Theresa Leonardi for designating November 7, 2012 as "Theresa Leonardi Day in Cayuga County.

2. Received a copy of certified Resolution No. 12 from the Board of Delhi, New York, re: Calling for the governor and State Legislature to Compensate Counties for State-Mandated District Attorney Salary.

3. Received a letter from Gary Finch, Assistant Minority Leader thanking the County employees for their food donations to the local food pantries.

4. Received a signed copy of a letter from Hon. John J. Ark, Supreme Court Justice, re: executed stipulation of settlement, Cayuga County v. et al. v. Bennett.

**Motion by Axton to waive reading of communications, 2<sup>nd</sup> by Cuddeback, all in favor.**

Motion by Didio to make an announcement, Augie Checkini passed away last week, he was an honorable member of the United States Army during World War 2, he received numerous citations and awards, he was a 102 years old when he passed with full Military Honors.

RESOLUTIONS 1-22-13

**RESOLUTION NO. 4-13**

**1/22/13 AP Audit January 2013 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY -DECEMBER 11, 2012 THROUGH DECEMBER 19, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 22, 2013, audit claims against the County of Cayuga in the aggregate sum of \$400,264.68, 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 13, 2011.

Signed by Axton, Fearon, Pecher, Whitman, Pinckney, Mahunik and Cuddeback, all in favor.

**RESOLUTION NO. 5-13**

**1/22/13 AP Audit January 2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY -DECEMBER 20, 2012 THROUGH DECEMBER 31, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 22, 2013, audit claims against the County of Cayuga in the aggregate sum of \$1,005.111.49, 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 13, 2011.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor

**RESOLUTION NO. 6-13**

**1/22/13 AP Audit January 2013 (C)**

**AUTHORIZING THE COUNTY TREASURER TO PAY –JANUARY 1, 2013  
THROUGH JANUARY 7, 2013 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 22, 2013, audit claims against the County of Cayuga in the aggregate sum of \$301,552.21, 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 13, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor

**RESOLUTION NO. 7-13**

**1.22.13 ADM HomeRuleReqToExtAdd'lSalesTax(1%)rev**

**REQUESTING STATE HOME RULE LEGISLATION FOR EXTENSION**

OF ADDITIONAL 1% SALES TAX TO NOVEMBER 30, 2015.

BY: Hon. David Axton , Ways and Means Committee

WHEREAS, the County of Cayuga presently has authority to collect an additional 1% sales tax, but said authority expires as of November 30, 2013; and

WHEREAS, without said additional 1% sales tax, real estate taxes would be further burdened and would be significantly increased; now, therefore, be it

RESOLVED, that this County Legislature hereby requests our State Legislators, Senator Michael Nozzolio, Senator David Valesky, Senator James L. Seward, Senator John A. DeFrancisco, Assemblyman Gary Finch, Assemblyman Robert Oaks and Assemblyman Brian Kolb, to prepare a Home Rule Statute giving the County of Cayuga authority to extend the additional 1% sales tax from November 30, 2013 to November 30, 2015.

Signed by Mahunik, Pecher, Pinckney and Whitman, all in favor

**RESOLUTION NO. 8-13**

**01/22/2013 TRE munisagmntrev**

**ADOPTING RESOLUTION FOR ANNUAL SUPPORT AGREEMENT AND  
LICENSE AGREEMENT FOR MUNIS SOFTWARE**

BY: Mr. David Axton, Chairman Ways and Means Committee

WHEREAS, the County requires annual maintenance and support for its financial software system;

WHEREAS, Tyler Technologies, Inc., MUNIS division, is the provider and licensor of said maintenance;

WHEREAS, this agreement is to be paid for in line item A13254 54019 in the amount of \$ 74,674.03; now therefore, be it

RESOLVED, that the Support and License agreement be approved and effective January 31, 2013 through January 30, 2014; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to sign the Support and License Agreement.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 9-13**  
**1.22.13 COA AgencyCtrsReso2013rev**  
**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS WITH**  
**CERTAIN AGENCIES.**

BY: David Axton, Chairman, Ways & Means Committee.

WHEREAS, certain appropriations were approved in the County Budget adopted for 2013 for certain agencies, in return for which these agencies agree to perform certain services for the benefit of the County of Cayuga; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature be and he is hereby authorized and requested to sign on behalf of the County, certain contracts and articles of agreement with the following agencies:

CAYUGA COUNSELING, INC. OF AUBURN AND CAYUGA COUNTY:

1. Alternative Sentencing - \$24,144.00 – A10144-54504
2. Pretrial Diversion - \$11,000.00 – A10144-54503
3. Pretrial Release - \$18,960.00 – A31504-54118 – paid by Jail.
4. Sexual Assault Victims Advocate Resource (SAVAR) - \$1,877.00 – A10144-54137

CAYUGA COUNTY ARTS COUNCIL, INC. - \$1,000.00 – A75604-54000

CAYUGA COUNTY OFFICE OF TOURISM - \$457,135.00 – A64104-54000

CAYUGA MUSEUM OF HISTORY AND ART - \$8,775.00 – A74504-54000

CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC. - \$1,800.00 – A10144-54139

CAYUGA COUNTY SOIL AND WATER CONSERVATION DISTRICT - \$723,358. – A87304-54000

CENTRALNY REGIONAL PLANNING AND DEVELOPMENT BOARD - \$24,968.00 – A80254-54000

CENTRO - \$176,200.00 – A56304-54000

COMMUNITY PRESERVATION COMMITTEE (WILLARD CHAPEL) - \$1,575.00 – A75204-54000

CORNELL COOPERATIVE EXTENSION ASSOCIATION - \$278,028.00 – A29804-54000

FEDERATION OF CONSERVATION CLUBS - \$900.00 – A87204-54000

MERRY-GO-ROUND PLAYHOUSE - \$5,000.00 – A75404-54000

OPTIONS FOR INDEPENDENCE - \$5,000.00 – A10144-54136

WATER & SEWER AUTHORITY - \$50,000.00 – A10144-54512

LIBRARIES:

Account – A74104-54000

AURORA FREE LIBRARY - \$5,000.00

PORT BYRON LIBRARY - \$5,000.00

FAIR HAVEN LIBRARY - \$5,000.00

POWERS LIBRARY - \$5,000.00

FINGER LAKES LIBRARY SYSTEM - \$2,750.00

SEYMOUR LIBRARY - \$6,000.00

HAZARD PUBLIC LIBRARY - \$5,000.00

SPRINGPORT FREE LIBRARY - \$5,000.00  
STEWART B. LANG MEMORIAL LIBRARY - \$5,000.00  
WEEDSPORT LIBRARY - \$5,000.00

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 10-13**

**1.22.13 HR SafeTrainGrant**

**RESOLUTION TO AUTHORIZE THE CHAIRMAN AND HUMAN RESOURCES ADMINISTRATOR TO APPLY FOR GRANT TO CONDUCT SAFETY TRAINING FOR HIGHWAY, PARKS AND TRAILS, AND BUILDING AND GROUNDS EMPLOYEES**

BY: Hon. David Axton, Chairman, Ways and Means.

WHEREAS, AECC, the county's contracted compliance officer has applied for and received a safety grant in 2012-2013 that would pay for required safety training for highway, building and grounds and parks and trails employees, and

WHEREAS, the application for the safety training grant for 2013-2014 would be prepared by AECC and OSEA at minimal cost to the county; and

WHEREAS, the safety training will have to be conducted whether or not the county is successful in the grant process, and

WHEREAS, there is limited time available to prepare and submit the grant application; Now therefore be it

RESOLVED, authorize the Human Resources Department to submit an application for grant money to conduct required safety training for highway, building and grounds and parks and trails employees.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 11-13**

**1/22/13 HR Civil Srvc fee increase.**

**AUTHORIZATION TO INCREASE THE FEE FOR APPLYING FOR DECENTRALIZED CIVIL SERVICE EXAMS**

BY: Mr. David Axton, Chairman, Ways and Means Committee

WHEREAS, the County charges an application fee for individuals who wish to take Civil Service exams; and

WHEREAS, the current rate charged for exams is \$10 for decentralized exams and \$15 for centralized exams and \$25 for uniformed exams; and

WHEREAS, decentralized exams require more resources from the Cayuga County Civil Service Department than do centralized exams; and

WHEREAS, having two rates for similar exams creates confusion for registrants and administrators alike; and

WHEREAS, even with this increase our fee rates compare favorably with other counties rates; and

WHEREAS, Cayuga County will continue to make a fee waiver available to those individuals who qualify; and

WHEREAS, the Civil Service Commission has approved the increase in the fees for decentralized exams and submits this adjustment to the Cayuga County Legislature for its consideration; now therefore be it

RESOLVED, that the Cayuga County Civil Service Commission is authorized to increase the fee charged for applications for decentralized Civil Service examinations to \$15 per application.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 12-13**

**January 22, 2013 HD East Hill STD 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH EAST HILL FAMILY MEDICAL, INC. FOR THE PROVISION OF STD SERVICES INCLUDING HIV TESTING AND COUNSELING**

BY: Chairman of Health & Human Service Committee  
Chairman of Ways & Means Committee

WHEREAS, the County’s Department of Health is responsible for providing diagnosis and treatment of sexually transmitted diseases (STD’s) under Article 23 of the Public Health Law; and

WHEREAS, East Hill Family Medical, Inc. is certified by the State of New York for screening and treatment of sexually transmitted diseases; and

WHEREAS, the County Health Department has successfully contracted with East Hill Family Medical, Inc. in previous years for the provision of the above-described services, and it is our desire to once again contract with East Hill Family Medical for the provision of these services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with East Hill Family Medical, Inc. for the provision of diagnosis and treatment of sexually transmitted diseases in the amount of \$34,730 and for HIV testing and counseling (HIV Pre-Testing @ \$12/patient; Post-Testing with Positive Results @ \$12/patient; and Post-Testing with Negative Results @ \$6/patient) for the contract period of January 1, 2013 through December 31, 2013; and be it further

RESOLVED, that payment for these services shall be made from Account #A40104 54126 of the 2013 Health Department’s Budget.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 13-13**

**(1/22/13) HD Create/Fill FPNS and Contract with Human Services**

**AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO CREATE A FAMILY PARTNERSHIP NURSE SPECIALIST POSITION IN THE HEALTH DEPARTMENT; AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO FILL THE NEWLY CREATED POSITION; AND CONTRACT WITH THE HUMAN SERVICES DEPARTMENT FOR USE OF THEIR FLEXIBLE FUND FOR FAMILY SERVICES TO COVER THE COSTS OF THE NEW POSITION**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee



WHEREAS, the Health Department will be implementing the evidence-based Nurse Family Partnership Program; and

WHEREAS, to adequately staff this program, it is necessary to hire an additional RN; and

WHEREAS, a New Position Duties Statement was submitted to the Cayuga County Civil Service Commission for review and the Commission has classified the position as a Family Partnership Nurse Specialist, Grade 19; and

WHEREAS, the proposed Family Partnership Nurse Specialist has been budgeted for in the 2013 Health Department Budget; and

WHEREAS, the cost of this new staff (salary and fringe benefits) will be covered through a contract with Human Services using the Department’s Flexible Fund for Family Services (FFFS); NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create a Family Partnership Nurse Specialist position in the Community Health Services Division of the Health Department, Grade 19, and that the Director of Health & Human Services be authorized to fill that position; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of the Health Department enter into a contract with the Human Services Department whereby the FFFS fund will be used to offset the Health Department’ costs of implementing a Nurse Family Partnership Program by covering the salary and fringe benefits of this newly created position.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 14-13**

**Jan. 22, 2013 HD Partnership for Results (NFP)**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH PARTNERSHIP FOR RESULTS, INC. TO ACCEPT \$65,000 FROM PARTNERSHIP FOR RESULTS AS PASS-THROUGH GRANT FUNDING FROM THE ALLYN FOUNDATION TO COVER START-UP COSTS OF THE NURSE-FAMILY PARTNERSHIP PROGRAM**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, the Allyn Foundation has committed \$65,000 of funds to cover the Health Department’s start-up costs (application/training) of the Nurse Family Partnership Program; and

WHEREAS, the funds will be made available through the Partnership for Results; and

WHEREAS, the Health Department will voucher the Partnership for Results for those approved costs in the amount of \$65,000; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health and Human Services enter into a contract with the Partnership for Results, Inc. to accept funding in the amount of \$65,000 as start-up money for the Nurse Family Partnership Program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department’s 2013 Budget in the following manner:

Increase Expenditure Account #40104 54231	\$65,000
Increase Revenue Account #40100 41638	\$65,000

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 15-13**

**1/22/13 HD Amend HRI Integrated Cancer Services Contract 2012  
AMENDING RESOLUTION #384-12 TO ACCEPT ADDITIONAL FUNDS  
FROM HRI TO PROVIDE CLINICAL SERVICES FOR THE INTEGRATED  
CANCER SERVICES PROGRAM**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, Resolution #384-12, entitled HD HRI Integrated Cancer Serv 2012, contract #3499-05, with HRI to provide Clinical Services for the Integrated Cancer Services Program and to accept \$34,471 was approved on October 23, 2012; and

WHEREAS, HRI desires to amend that provision of such contract designated as "Total Contract Amount," by adding an additional \$5,565 making the "Total Contract Amount" \$40,036; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga Count Treasurer be authorized and directed to amend the Health Department's 2013 Budget in the following manner:

Increase Appropriation Account #40234 54000	\$5,565
Increase Revenue Account #40230 43423	\$5,565

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 16-13**

**1/22/13 HS Catholic Charities SSI Max 2013 SNA & TANF  
Authorizing the Chairman of the Legislature and the Director of Health &  
Human Services to Enter into a Contract with Catholic Charities to Provide SSI  
Maximization for Safety Net Assistance (SNA) and Temporary Assistance to  
Needy Families (TANF)**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, counties across NYS have been encouraged to develop strategies to assist Public Assistance individuals (SNA and TANF) who appear eligible to move to SSI approval; and

WHEREAS, these contracts have been successful in helping a number of individuals navigate the application process and move off Public Assistance to SSI benefits; and

WHEREAS, there is a direct reduction in local share benefits paid by the County when SSI is approved; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Catholic Charities to provide SSI Maximization for SNA and TANF clients for the period January 1, 2013 through December 31, 2013 in the amount of \$21,226 for SNA and \$10,934 for TANF ; and be it further

RESOLVED, that these services be paid for from TANF Account #A60604 54000 and SNA Account #A60104 54059 of the Human Services Department's 2013 Budget. Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 17-13**

**January 22, 2013 HS Catholic Charities Case Management 2013  
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
RENEW A CONTRACT WITH CATHOLIC CHARITIES FOR CASE  
MANAGEMENT OF TANF CLIENTS (100% FUNDED)**

BY: Chairman of the Health and Human Services Committee  
Chairman of the Ways & Means Committee

WHEREAS, the County, in an effort to support TANF families to achieve self-sufficiency, has successfully contracted with Catholic Charities to provide case management; and

WHEREAS, these services are used to assist sanctioned or at-risk families to overcome barriers so they can become engaged in appropriate work activities; and

WHEREAS, these services are 100% federally reimbursed through the flexible fund allocation; 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 Catholic Charities to provide Case Management Services for the period January 1, 2013 through December 31, 2013; and be it further

RESOLVED, that the expenses incurred for Case Management Services provided not exceed \$53,581; and be it also

RESOLVED, that the charges for these services be paid from Account #A60604 54000.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 18-13**

**January 22, 2013 HS Catholic Charities PCM 2013  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A  
CONTRACT WITH CATHOLIC CHARITIES FOR THE PROVISION OF  
PARENTING CASE MANAGEMENT**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, Preventive Services are supportive and rehabilitative services provided to children and families that are intended to divert disruption of the family or for those children in foster care and reduce their length in care; and

WHEREAS, preventive services can be categorized as mandated or optional; and

WHEREAS, every social service district is obligated to provide core preventive services to their mandated preventive cases; and

WHEREAS, Parenting Case Management is a core preventive service that needs to be available; and

WHEREAS, based on the new child welfare funding, preventive services are reimbursed open-ended 62% State reimbursement net of Federal; 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 Catholic Charities for Parenting Case Management Program for the period January 1, 2013 to December 31, 2013 in an amount not to exceed \$49,698; and be it further

RESOLVED, that payment for these services be made from Account #A60704 54184 of the 2013 Human Services' Budget.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 19-13**

**January 22, 2013 HS Cayuga Centers Placement Serv 2013  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A  
CONTRACT WITH CAYUGA CENTERS FOR THE PROVISION OF  
“PLACEMENT IN ANOTHER PLANNED PERMANENT LIVING  
ARRANGEMENT” SERVICES (100% FEDERALLY FUNDED)**

BY: Chairman of the Health & Human Service Committee

Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide “Placement In Another Planned Permanent Living Arrangement” to children in Foster Care who have a goal of independent living; and

WHEREAS, Cayuga Centers has the expertise to provide these services to children in foster care; and

WHEREAS, the Human Services Division has established and maintains a good working relationship with Cayuga Centers for such services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cayuga Centers for the contract period of 1/1/13 to 12/31/13 in an amount not to exceed \$13,000 (100% Federally funded) for “Placement In Another Planned Permanent Living Arrangement” services; and be it further

RESOLVED, that the charges for these services be paid from account #A60104 54059 of the 2013 Human Services Budget.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 20-13**

**January 22, 2013 HS Cayuga Centers FPP, ERD, MST, FS 2013  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A  
CONTRACT WITH CAYUGA CENTERS FOR THE PROVISION OF FAMILY  
PRESERVATION SERVICES, EARLY RESIDENTIAL DISCHARGE PROGRAM,  
MULTI-SYSTEMIC THERAPY, AND FAMILY SUPPORT**

BY: Chairman of the Health & Human Service Committee

Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is responsible for providing preventive services to forestall foster care placement; and

WHEREAS, such services are reimbursed by the State at 62% net of Federal; and

WHEREAS, Cayuga Centers has provided a number of preventive services to families in Cayuga County including Family Preservation Program focusing on high-risk CPC cases, MST therapies, high-risk adolescents, and Early Residential Discharge Program

allowing children to come out of costly Residential Care, and Family Support; and WHEREAS, our Human Services Division has successfully contracted with Cayuga Centers to provide these services in the past; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Centers to provide the above services for the contract period of January 1, 2013 through December 31, 2013 at the following costs:

Services	
Family Preservation	\$74.68/Unit of Service
Early Residential Discharge Program (WIT)	Individualized Service Plans at Basic Support Rate \$2,000/Month Operational Supports Coaching at \$30/Hour Therapy at \$50/Session Overnight Respite at \$100/Night
Multi-Systemic Therapy (MST)	\$7,650/Month
Family Support	\$74.68/Unit of Service

RESOLVED, that these services be paid from Account #A60704 54184 of the Human Services Department's 2013 Budget.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 21-13**

**January 22, 2013 HS Partnership for Results 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH PARTNERSHIP FOR RESULTS, INC. FOR THE PROVISION OF PREVENTIVE SERVICES**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, it is the responsibility of the Human Services Division of Health & Human Services to provide preventive services to forestall foster care placement; and

WHEREAS, with Child Welfare Funding, such preventive service contracts are reimbursed at minimum, 62%; and

WHEREAS, through the Partnership for Results, Inc. we can secure the following services at the following annual contract amounts that will assist us in achieving our goals of reducing our number of children in foster care:

Services	Contract Amount
Intensive Supervision Conditional Discharge Program	\$105,702
Multi-Dimensional Preventive Services	\$111,880

NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Partnership for Results, Inc. for the provision of the above listed services for the period of January 1, 2013 to December 31, 2013; and be it further

RESOLVED, that the charges for these services be paid from Account #A60704 54184 of the 2013 Health Department Budget

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 22-13**

**(Jan. 22, 2013) HS Cayuga/Seneca Residential DVS 2013  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE  
CONTRACT WITH CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC.  
FOR THE PROVISION OF RESIDENTIAL  
DOMESTIC VIOLENCE SERVICES**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department is required to provide residential domestic violence services to the people of Cayuga County; and

WHEREAS, Cayuga County Health & Human Services Department has successfully contracted in the past with Cayuga/Seneca Community Action Agency, Inc. for the provision of these services; and

WHEREAS, the NYS Department of Social Services establishes the residential per diem rate; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga/Seneca Community Action Agency, Inc. to provide residential domestic violence services for the period 1/1/13 through 12/31/13 at a per diem rate set by the State; and be it further

RESOLVED, that payment of these services be paid from account #A61094 - 54000 of the 2013 Human Services Budget.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 23-13**

**Jan. 22, 2013 HS Cayuga/Seneca Non-Residential DVS2013  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE  
CONTRACT WITH CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC.  
FOR THE PROVISION OF NON-RESIDENTIAL DOMESTIC VIOLENCE  
SERVICES**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department is required to provide non-residential domestic violence services to the people of Cayuga County; and

WHEREAS, Cayuga County Health & Human Services Department has successfully contracted in the past with Cayuga/Seneca Community Action Agency, Inc. for the provision of these services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga/Seneca Community Action, Inc. to provide non-residential domestic violence services for the period 1/1/13 through 12/31/13 at a cost of \$95,000; and be it further

RESOLVED, that payment for these services be from account #A60704 - 54182 of the 2013 Human Services Budget.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 24-13**

**January 22, 2013) HS Huntington Contract 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE  
CONTRACT WITH HUNTINGTON FAMILY CENTER, INC.**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, the Department of Health & Human Services is responsible to appropriately program for children placed in foster care and/or preventive services; and

WHEREAS, Huntington offers a specialized program that meets the Department of Health & Human Services' needs; and

WHEREAS, the Department of Health & Human Services has successfully contracted with Huntington Family Center, Inc. in the past to provide out patient clinical assessment and services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Huntington Family Center, Inc. for the period of 1/1/13 to 12/31/13 at the following monthly rates:

Assessment	\$800
Individual & Family	\$525
Individual	\$400

and be it further

RESOLVED, that the payment of these services be from account #A61194 - 54000 of the 2013 Human Services Budget.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 25-13**

**January 22, 2013 HS Cayuga Counseling 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A  
CONTRACT WITH CAYUGA COUNSELING SERVICES, INC. FOR THE  
PROVISION OF PINS ADJUSTMENT SERVICES, PARENT AIDE, JUVENILE  
SPECIAL SUPERVISION SERVICES, AND AFTERCARE**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services desires to contract with Cayuga Counseling to provide preventive services to forestall foster care and detention placement; and

WHEREAS, our Human Services Division has in the past successfully contracted with Cayuga Counseling Services, Inc. towards that end to provide PINS Adjustment Services, Parent Aide Services, Juvenile Special Supervision Service; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Counseling Services, Inc. to provide the above services for the contract period January 1, 2013 through December 31, 2013 at the following costs:

	2013
Services	Rates Per Unit of Service
PINS Adjustment	\$64.63
Parent Aide	\$45.91
Juvenile Special Supervision	\$72.13

RESOLVED, that these services be paid from Account #A60704 54185 of the Human Services Department's 2013 Budget.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

### RESOLUTION NO. 26-13

**January 22, 1013 HS DA Contract for Services**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A  
CONTRACT WITH THE DISTRICT ATTORNEY FOR WELFARE FRAUD  
SERVICES (INVESTIGATIVE AND PROSECUTION)**

BY: Chairman of the Health & Human Service Committee  
Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Human Services Department desires to enter into a contract with the District Attorney's Office for Welfare Fraud investigative and prosecution services; and

WHEREAS, the Department will reimburse direct costs of the P.T. Investigator (salary and fringe benefits); and

WHEREAS, the Department will reimburse the District Attorney's Office for prosecution services according to the following schedule:

\$ 500 Review of Investigative Report and/or Mailing of DCA Letter  
\$1,000 Welfare Fraud Prosecution Fee

WHEREAS, we have included these expenses and revenue in the 2013 Human Services' Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Human Services Department enter into a contract with the District Attorney's Office for the period 1/1/13 to 12/31/13 for provision of welfare fraud investigative services; and be it further

RESOLVED, that payment for these services will be from Account #A60104 54118 of the 2013 Human Services Budget.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.



**RESOLUTION NO. 27-13**

**1/22/2013 MH AgmtUpstateDDPTrain1.13**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE PROFESSIONAL PRACTICE GROUP OF THE DEPARTMENT OF PSYCHIATRY AT THE UPSTATE MEDICAL UNIVERSITY FOR PROFESSIONAL STAFF TRAINING**

BY: Patrick Mahunik, Chair, Health and Human Services Committee, and David Axton, Chair, Ways and Means Committee.

WHEREAS, the Mental Health Center of Cayuga County must provide direct patient care to individuals with severe and persistent mental illness, many involving complex behavior problems including alcohol or drug dependence, self-harm, eating disorders, and recurrent suicide attempts; and

WHEREAS, the department has determined that the clinical staff would benefit from Dynamic Deconstructive Psychotherapy training which has been found to significantly reduce those behaviors; and

WHEREAS, the Professional Practice Group of the Department of Psychiatry at the Upstate Medical University is able to provide training and case consultation by a faculty member certified for advanced competency in Dynamic Deconstructive Psychotherapy; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Services be authorized to enter into an agreement with the Professional Practice Group of the Department of Psychiatry at the Upstate Medical University for the provision of an eighteen month training program to Mental Health Center staff at a total cost of \$14,200 to be paid in six (6) installments. Funding for four (4) payments is budgeted in the 2013 County Budget as Professional Services line A43104-54059. The remaining two (2) payments will be budgeted in 2014.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 28-13**

**1/22/2013 MH timewarnercable1.13**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF COMMUNITY SERVICES TO RENEW AN AGREEMENT WITH TIME WARNER CABLE BUSINESS CLASS FOR CABLE SERVICE AT 146 NORTH STREET, AUBURN, NY 13021.**

BY: Patrick Mahunik, Chairperson, Health and Human Services Committee David Axton, 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 Services enter into an agreement with Time Warner Cable business Class to sign a one-year agreement beginning January 1, 2013 to December 31, 2013.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 29-13**

**01/22/2013 MH hillsideagreement2013**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE DIRECTOR OF COMMUNITY SERVICES TO RENEW AN  
AGREEMENT WITH HILLSIDE CHILDREN'S CENTER, INC. TO  
PROVIDE CUSTOMIZED SERVICES.**

BY: Patrick Mahunik, Chair, Health and Human Services Committee, and David Axton, 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 program to serve youth, known as Customized Skill Building Services; and

WHEREAS, the Community Mental Health Center of Cayuga County has 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 Community Services be authorized to renew an agreement with Hillside Children's Center for Customized Skill Building Services at a cost of \$53.48 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 2013 Cayuga County Budget.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 30-13**

**Date of Meeting: 1/22/13 NH cntrlhntngamnt**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN  
AGREEMENT WITH CENTRAD HEALTHCARE FOR MEDICAL SUPPLIES.**

BY: Chairman, Health and Human Services Committee  
Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of medical supplies that are billed by provider to Medicare; and,

WHEREAS the nursing home also has to use supplies that may not be covered under any third party payer; and,

WHEREAS this contract with Centrad Healthcare allows for billing insurances when possible and allows the facility to take advantage of group purchasing agreements when there is a cost to the facility; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized and directed to sign the agreement with Central Healthcare for some medical supplies.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 31-13**

**DATE: 01/22/13 OFA Createfill Senior Clerk Jan13**

**ABOLISHING AN ACCOUNT CLERK TYPIST POSITION IN THE OFFICE FOR THE AGING; CREATING A SENIOR CLERK POSITION IN THAT OFFICE; AND AUTHORIZING THE DIRECTOR OF THE OFFICE FOR THE AGING TO FILL THE NEWLY CREATED SENIOR CLERK POSITION**

BY: Chair, Health & Human Services Committee, and  
Chair, Ways and Means Committee.

WHEREAS, the current employee in an Account Clerk Typist position in the Senior Nutrition Program retired effective December 29, 2012;

WHEREAS, the Civil Service Commission recently reviewed the duties of the position in the Office for the Aging and reclassified the title for the position to more closely reflect the duties of the position; and

WHEREAS, there is funding from the New York State Office for the Aging and the Older Americans Act in the Office for Aging 2013 Budget Line A67721-51001 (Salaries) for this position;  
now, therefore, be it

RESOLVED, that the Cayuga County Legislature create a Senior Clerk position in the Office for the Aging; and upon creation of the Senior Clerk position, abolish the Account Clerk Typist position in the Office for the Aging; and be it further

RESOLVED, that the Director of Office for the Aging be authorized and directed to fill the newly created Senior Clerk position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 32-13**

**DATE: 1/22/13 OFA contracts Jan13**

**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: Chair of the Health & Human Services Committee, and  
Chair of the Ways and Means Committee

WHEREAS, appropriations were approved in the Cayuga County budget for the year 2013 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 \$19,000):

Cayuga County Nursing Home	Skilled Nursing Care
Home Instead Senior Care	Respite Care
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 \$23,200):

Boyle Senior Center (Home Helper Referral)	\$4500
Council of Senior Citizens (Newsletter Postage)	\$3000
Douglas P. Bates, Esq. (Legal Services)	\$6700
RSVP (Senior Volunteer Program)	\$1500
Staffings Healthcare System (Aide Services)	\$7500

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, 2013 through December 31, 2013.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

### **RESOLUTION NO. 33-13**

**Date of Meeting: 1/22/13 NH Medical Billing**

#### **AUTHORIZATION TO CREATE AND HIRE A MEDICAL BILLING AND RECORDS SPECIALIST AND ABOLISH A MEDICAL RECORDS TRANSCRIPTIONIST AT THE CAYUGA COUNTY NURSING HOME.**

BY: David Axton, Chairman, Ways and Means Committee

Patrick Mahunik, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents; and

WHEREAS, it is necessary to have adequate office staff to provide the support services for the residents; and

WHEREAS, the Civil Service Commission has approved the specifications for the position; and

WHEREAS, the job specifications of the a medical billing and records specialist are adequate to perform the necessary tasks; now therefore be it

RESOLVED, that the position of Medical Billing and Records Specialist be hereby created in the Nursing Home; and be it further

RESOLVED, that a position of Medical Transcriptionist be abolished; and be it further resolved

RESOLVED, that the rate of pay be set in accordance to the appropriate Bargaining Compensation Plan, Part I which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire a Medical Billing and Records Specialist as of 1/23/13 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 34-13**

**(Jan. 22, 2013) HS Fill PT RN at LTCAO**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL ONE PART-TIME RN AS A FILL-BEHIND A PT RN IN THE LONG TERM CARE ACCESS OFFICE (LTCAO) ON A LEAVE OF ABSENCE FOR A 2-MONTH PERIOD COMMENCING ON JAN. 28, 2013**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there is a Part-Time RN in the Long Term Care Access Office is taking a Leave of Absence for two months effective January 28, 2013; and

WHEREAS, this Part-Time RN provides assessment and screening for clients needing services; and

WHEREAS, we have found an RN who is willing to fill the Part-Time RN vacancy (Grade 17, Step 1, at an hourly rate of \$23.72) for the two-month leave of absence, and will be working approximately 14 hrs. per week; and

WHEREAS, this position is 100% funded through Medicaid and the Office for the Aging "Point of Entry" Grant, and is included in the 2013 Human Services Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time RN vacancy for the two-month leave of absence at the LTCAO in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Mahunik, Aikman, Barski, Pecher, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 35-13**

**1-22-13 BOE DeptCommissioner Salaries**

**AUTHORIZATION TO REVISE THE SALARY OF THE COMMISSIONERS OF THE BOARD OF ELECTIONS PURSUANT TO THE 2013 BUDGET.**

BY: George Fearon, Government Operations Committee  
David Axton, Ways and Means Committee

WHEREAS, the Legislature approved the 2013 County Budget on December 13, 2012; and

WHEREAS, the 2013 Board of Elections Budget has appropriated salary and fringe benefits to amend the salaries of the two Commissioners of Board of Elections; now, be it therefore

RESOLVED , that the annual salary for the two Commissioners of the Board of Elections be hereby set at \$11,978.00 each, effective 1-1-2013 and ; be it further

RESOLVED, the County Treasurer is hereby authorized to make any journal and accounting entries to carry out the intent of this resolution

Signed by Fearon, Aikman, Barski, Didio, Farrell, Lattimore, Runkle, Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 36-13****1-22-13 IT DNN License Renewal****AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A RENEWAL AGREEMENT WITH DotNetNuke CORPORATION FOR SOFTWARE SUBSCRIPTION SERVICES.**

BY: George Fearon, Chairman of the Government Operations Committee  
David Axton, Chairman of the Ways and Means Committee

WHEREAS, Cayuga County's legacy website is migrating to a new platform utilizing DotNetNuke Corporations hosting platform; and

WHEREAS, Cayuga County's website will continue to be hosted on this platform; and

WHEREAS, Cayuga County has previously contracted with DotNetNuke Corporation for software subscription services to host the County website, NOW THEREFORE BE IT;

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to enter into a software subscription service agreement for \$5,000.00 with DotNetNuke Corporation for the period of 2/15/2013 thru 2/15/2014; 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 Fearon, Aikman, Barski, Didio, Farrell, Lattimore, Runkle, Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 37-13****1-22-13 COL standardworkcorrected****CORRECTED STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS.**

BY: George Fearon, Chairman Government Operations Committee

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, Resolution number 286-12 adopted on July 24, 2011 was advertised and submitted to the New York State Comptroller's Office as required by New York State Law; and

WHEREAS, the NYS Comptroller's Office has requested a corrected Resolution by adopted for corrections; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body: see attached "Corrected" worksheet; and it is further

RESOLVED, further, that the redacted copy of the resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

Signed by Fearon, Aikman, Barski, Didio, Farrell and Runkle, all in favor.

**RESOLUTION NO. 38-13**

**January 22, 2013 PB CntretSFY10toSFY11FOLLOWPA Fundsv2**

**AUTHORIZING THE SIGNING OF A CONTRACT WITH THE OSWEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE TRANSFER OF NYSDEC FUNDING FOR THE FINGER LAKES-LAKE ONTARIO WATERSHED PROTECTION ALLIANCE TO CAYUGA COUNTY, STATE FISCAL YEARS 2010 – 2011 FUNDING**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee  
Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes-Lake Ontario Watershed Protection Alliance, has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for its water quality program under the Finger Lakes-Lake Ontario Watershed Protection Alliance (FOLLOWPA); and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) member Programs to the Oswego County Soil and Water Conservation District (DISTRICT) and the Water Resources Board of FOLLOWPA (WRB) via a single contract amongst NYSDEC, the DISTRICT and the WRB; and

WHEREAS, the County of Cayuga is eligible to receive \$38,250 in State Fiscal Year (SFY) 2010-2011 FOLLOWPA funding, which will be used to enhance, protect and preserve Cayuga County's water resources; and

WHEREAS, these are the same funds already contained in the Planning and Economic Development Department's 2013 budget in the Department's A87410 43994 -A State Aid – FL/FOLLOWPA GRANT revenue account and the Department's A87414 54000 -A FOLLOWPA GRANT expenses account, so no change is necessary in the budget to accommodate this project; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a contract between Cayuga County and the Oswego County Soil and Water Conservation District for the Finger Lakes-Lake Ontario Watershed Protection Alliance as specified in said contract; and to act as the official representative of Cayuga County in connection with any and all contracts between Cayuga County and the Oswego County Soil and Water Conservation District for FOLLOWPA funds; and be it further

RESOLVED, that a signed, certified copy of this resolution be submitted to the District Manager of the Oswego County Soil and Water Conservation District along with said contracts; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same; and be it further

RESOLVED, that this resolution take effect immediately.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher and Whitman, all in favor.

**RESOLUTION NO. 39-13****January 22, 2013 PB MERBWNFIELDSCAMENDMENTv2****AUTHORIZATION TO AMEND CAPITAL "H" PROJECT No. 10-01****(MERIDIAN ENVIRONMENTAL RESTORATION PROJECT) FOR THE ENVIRONMENTAL RESTORATION PROJECT AND AUTHORIZATION FOR THE CHAIRMAN TO SIGN THE AMENDED STATE AID CONTRACT**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee

Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County foreclosed on the site of a former gasoline service station in the Village of Meridian via a Treasurer's Tax Deed dated April 14, 2000 and began an investigation and cleanup process; and

WHEREAS, the Cayuga County Legislature has supported the Meridian Environmental Restoration Project since 2000 by way of Resolutions #230-01, #273-01, #223-04, #253-04, #97-10, #444-10, and #445-10; and

WHEREAS, Cayuga County was awarded funding from the New York State for Clean Water/Clean Air Bond Act funding via an Environmental Restoration Program Grant for \$135,000 in 2008 and received the contract for same in 2009; and

WHEREAS, Cayuga County established Capital H Account No. 10-01 in the amount of \$135,000 for the implementation of the Project with adoption of Resolution #97-10 on February 23, 2010; and

WHEREAS, site investigation and remediation activities in 2010 and 2011 removed roughly 90% of the petroleum contamination and 83% of the lead contamination with the available funding; and

WHEREAS, the New York State Department of Environmental Conservation has approved a State Aid Amendment increasing the Project budget from \$135,000 to \$197,222; and

WHEREAS, the New York State Department of Environmental Conservation has prepared an amended contract for the County to accept the increased funding and requested that it be executed and returned by or before January 26, 2013, now therefore be it

RESOLVED, that Capital H Account No. 10-01 amount is amended from \$135,000 to \$197,222, with State funds increasing from \$121,500 to \$177,500 and in-kind services increasing from \$13,500 to \$19,722; and

RESOLVED, the Chairman is authorized and directed to execute agreements needed to implement this project, subject to the review and approval of the County Attorney; and

RESOLVED, that the County Environmental Engineer is designated the County's project manager for technical details and administration so long as the project stays within the project budget; and

RESOLVED, the County Treasurer is authorized to make the journal and accounting entries necessary to accomplish the foregoing.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher and Whitman, all in favor.



**RESOLUTION NO. 40-13**

**Date: 1/22/13 PT Flowers 1 13**

**AUTHORIZING THE PURCHASE OF FLOWERS FOR THE VARIOUS  
FLOWERBEDS AT EMERSON PARK**

By: Tucker Whitman, Chairperson, Public Works  
David Axton, Chairperson, Ways & Means Committee

WHEREAS, Each year the park purchases flowers for the flowerbeds at Emerson Park, and replaces other landscaping as needed; and

WHEREAS, Part of operating a park is to make it attractive so that people want to visit; and

WHEREAS, Dickman Farms LLC has proven to be a good vendor over the years providing delivery, use of rolling carts and technical support at no charge to the park; and

WHEREAS, Emerson Park has \$3,075 in budget account A71104.54109 for General Landscaping to purchase flowers and other landscaping items; now therefore be it

RESOLVED, that the County Legislature hereby authorizes the Parks and Trails Department to purchase the flowers and related items for Emerson Park at a price not to exceed \$3,075; 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 Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 41-13**

**1/22/2013 BLD COB AC Maintenance agreement 2013rev1**

**AUTHORIZATION TO ENTER INTO AN ASSURED MAINTENANCE  
AGREEMENT FOR THE CHILLER IN THE COUNTY**

**OFFICE BUILDING AC SYSTEM**

BY: Hon. Tucker Whitman, Public Works Committee, and  
Hon. David Axton, Chairman, Ways & Means Committee.

WHEREAS, the Centrifugal Chiller is intricate piece of equipment for the County Office Building AC system and the County does not have an employee that is trained or certified to work on the Chiller part of this system, and

WHEREAS, the Chiller unit was refurbished in 2009 and afterwards the County set up a 3 year Assured Maintenance Agreement in with McQuay Factory Service for preventive service on the chiller part of the AC system with resolution 708-09 and this agreement up for renewal, and

WHEREAS, the new 3 year Agreement annual cost will increase from \$4,586.40 to \$4,929.00 per year for a cost difference of \$342.60 per year and there is funding in account A16204 54001 to cover this agreement; now therefore be it

RESOLVED, that the Buildings and Grounds Department account has sufficient funds for this agreement in account A16204 54001 and that the County enter into a assured maintenance agreement with McQuay Factory Service for preventive service on the Chiller part of the AC system, at a cost of \$4,929.00 per year until January 1, 2016; and be it further

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to enter into a 3 year agreement with McQuay Factory Service; 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 Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 42-13**

**1-22-13 HWY ondsnormvlagreeREV**

**REPEALING RESOLUTION 438-12, AUTHORIZING THE COUNTY CHAIRMAN TO SIGN A FIVE YEAR SNOW REMOVAL AGREEMENT WITH ONONDAGA COUNTY FOR 2012/2013-2016/2017 SEASONS**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, the Public Works Committee has recommended that the County Highway Department continue to conduct snow removal operations on a portion of Onondaga County roads; and

WHEREAS, the present agreement expired on May 31, 2012; and

WHEREAS, Resolution No. 438-12 contains descriptive errors and requires correction; and

WHEREAS, the new agreement is for 5 years beginning in 2012 with the following per mile reimbursement:

2012/13 \$6,600

2013/14 \$6,732

2014/15 \$6,867

2015/16 \$7,004

2016/17 \$7,144

and;

WHEREAS, the Agreement will be reviewed by the County Attorney before the Chairman of the Legislature signs; now therefore be it

RESOLVED, that Resolution No. 438-12 is hereby repealed; and be it further

RESOLVED, to authorize the Chairman of the Cayuga County Legislature to sign the Snow and Ice Control Agreement with Onondaga County for the 2012/13 -2016/17 seasons.

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 43-13**

**Date: January 22, 2013 HWY fillMEOL2479**

**REPEALING RESOLUTION 484-12, AND AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A MOTOR EQUIPMENT OPERATOR – LIGHT (2479) WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 484-12 contained descriptive errors and requires correction; and

WHEREAS, a Motor Equipment Operator Light position was vacated due to promotion; and

WHEREAS, this MEO – Light position is critical to the operation of the highway department’s operations; and

WHEREAS, this position (Position Control #002479) has been budgeted for the entire year of 2013; now therefore be it

RESOLVED, that Resolution No. 484-12 is hereby repealed; and be it further

RESOLVED, to authorize the Highway Superintendent to fill this open position from within the department and be it further

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

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 44-13**

**1/22/13 COA-LL seizpropertyfromcriminalacts FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013 A LOCAL LAW AUTHORIZING THE CIVIL SEIZURE AND FORFEITURE OF PROPERTY USED IN CONNECTION WITH MISDEMEANOR CRIMINAL ACTS**

BY: MR. Steve Cuddeback, Chairman, Judicial & Public Safety.

MR. Dave Axton, Chairman, Ways and Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on January 22, 2013, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_ FOR THE YEAR 2013, A LOCAL LAW AUTHORIZING THE CIVIL SEIZURE AND FORFEITURE OF PROPERTY USED IN CONNECTION WITH MISDEMEANOR CRIMINAL ACTS”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on February 26, 2013, at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Cuddeback, Whitman, Axton, Fearon, Mahunik, Pecher and Pinckney, all in favor.

**RESOLUTION NO. 45-13**

**1.22.13 911 SoftwareNewWorld**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN CONTRACT WITH NEW WORLD SYSTEMS TO UPGRADE OUR CAD, MAPPING, RECORDS MANAGEMENT, AND AVL SERVICES.**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes New World Systems for Computer Aided Dispatch, Records Management, Mapping, and Automatic Vehicle Locator (AVL) services, and

WHEREAS, New World Systems has submitted a contract for upgrade purposes; and

WHEREAS, pricing of the contract is a one- time fee of \$13,500; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54063 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract for upgrading purposes, with New World Systems for the amount of \$13,500; and be it further

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

Signed by Cuddeback, Axton, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

### **RESOLUTION NO. 46-13**

#### **Action Date 1/22/13 911 TriTechINCmaintenanceagreement AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A ONE YEAR RENEWAL SOFTWARE MAINTENANCE AGREEMENT WITH TRI TECH INC.**

BY: Steven Cuddeback, Chairperson, Judicial & Public Safety Committee

David Axton, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 9-1-1 Communications center utilizes hardware and software from Tri Tech Inc. to receive emergency telephone calls for assistance, and display the caller's telephone number and location information; and,

WHEREAS, it is critical that this hardware and software functions twenty-four hours per day, seven days per week without interruption or "down time"; and,

WHEREAS, Nine One One Inc. has submitted an agreement renewal for service and maintenance of their software, for a one year period; and,

WHEREAS, there is money in the 9-1-1 Communications System Budget Account Number A30204 54019, Computer Support, specifically for this purpose; and,

WHEREAS, the software is proprietary and must therefore be maintained by the vendor Tri Tech Inc.; now therefore be it,

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign the annual service and maintenance agreement with Tri Tech Inc. for the amount of \$16,200.00 for the period of October 1, 2012 through October 31, 2013; and be it further

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

Signed by Cuddeback, Axton, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

### **RESOLUTION NO. 47-13**

#### **1/22/13 SHR-CPS Incentive Grant AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO ACCEPT GRANT MONIES FROM THE NEW YORK STATE CHILD PASSENGER SAFETY (CPS) GRANT PROGRAM AND THE TREASURER'S DEPARTMENT TO AMEND THE 2013 LAW ENFORCEMENT BUDGET**

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

Hon. David Axton, chair Ways and Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was awarded a \$5,000.00 Child Passenger Safety grant from the National Highway Traffic Safety Administration through the New York State Governor's Traffic Safety Committee; and

WHEREAS, all expense has been approved through the grant which is 100% funded: now therefore be it

RESOLVED, that the 2013 Cayuga County Sheriff's Law Enforcement Operating Budget be amended to allow the following changes: An increase in the Revenue Line A31100 44390 Traffic Enforcement of \$5,000.00 and an increase in the Expenditure Account A31100 54244 Grant Expense of \$5,000.00: and be it

RESOLVED, that the Cayuga County Sheriff's Office be allowed to purchase child safety seats and necessary items to effect this grant; and be it further

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

Signed by Cuddeback, Axton, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 48-13**

**1/22/13 SHR NYSSA Traffic Grant**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A GRANT FROM THE NEW YORK STATE SHERIFFS' ASSOCIATION'S SHERIFFS' COOPERATIVE TRAFFIC SAFETY INITIATIVE**

BY: Hon. Steven Cuddeback, chair Judicial and Public safety Committee  
Hon. David Axton, chair Ways and Means Committee

WHEREAS, monies were awarded from the New York State Sheriffs' Association's Sheriffs' Cooperative Traffic Safety Initiative Grant for the Cayuga County STEP (Selective Traffic Enforcement Program); and

WHEREAS, the New York State Sheriffs' Association's Sheriffs' Cooperative Traffic Safety Initiative Grant would aid in identifying traffic safety problems in the Cayuga County Jurisdiction and to develop and implement various countermeasures, with emphasis on selective enforcement; and

WHEREAS, the New York State Sheriffs' Association's, Sheriffs' Cooperative Traffic Safety Initiative Grant, would provide funding for supplemental traffic enforcement, educational activities, related training, and in some instances, equipment for the Cayuga County STEP; and

WHEREAS, the Cayuga County Sheriff's Department qualified for the Grant in the amount of \$9,300.00 for Overtime wages only; and

WHEREAS, payroll taxes and the associated benefits are not covered by the grant and will remain the obligation of the County; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the New York State Sheriffs' Association's Sheriffs' Cooperative Traffic Safety Initiative Grant; and be it further

RESOLVED, the Sheriff's 2013 Operating Budget, Revenue Account Line A31100 44390 (Fed Aid - Traffic Enforcement Gr) needs to be increased in the amount of \$9,300.00, and be it further

RESOLVED, that the Salary Line A31101 51003 (Salary Overtime) be increased in the amount of the Grant (\$9,300.00), and the benefits will be available due to a military leave of absence in the Sheriff's Department during 2013 and be it further

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

Signed by Cuddeback, Axton, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 49-13**

**Date: 1/22/13 SHR patrol vacancy**

**AUTHORIZE THE SHERIFF TO FILL ONE VACANT DEPUTY SHERIFF POSITION IN THE LAW ENFORCEMENT DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

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

Hon. David Axton, chair Ways and Means Committee

WHEREAS, a vacancy in the Cayuga County Sheriff's Department Law Enforcement Division has occurred due to the resignation of a Deputy Sheriff (Position Control No. 001910-SYS) effective January 3, 2013; and

WHEREAS, the services provided by the position of Deputy Sheriff are critical for maintaining the smooth and efficient operations of the Sheriff's Office Law Enforcement Division; and

WHEREAS, this position is clearly designated and accepted in the 2013 Cayuga County Sheriff's Law Enforcement Budget Line - Salaries Full Time (A31101 51001); now therefore be it

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

RESOLVED, the employee hired will be placed at the appropriate step within the Deputy Sheriff's Police Association Compensation Plan for 2007-2011; and be it further

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

Signed by Cuddeback, Axton, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

**Motion by Didio to go into Executive Session at 8:17PM, re: Camardo v Cayuga County and the employment history of a particular person, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Didio to come out of Executive Session at 7:40PM, 2<sup>nd</sup> by Bennett, all in favor.**

**Motion by Didio to adjourn at 7:40, 2<sup>nd</sup> by Bennett, all in favor.**

**MINUTES**  
**SPECIAL CAYUGA COUNTY LEGISLATURE MEETING**  
**MONDAY, FEBRUARY 11, 2013 AT 6:30pm**  
**160 GENESEE ST, 6<sup>TH</sup> FLOOR,**  
**CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman, 6:32 PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present, except excused David Axton, Stephen Barski, Tucker Whitman, and Paul Pinckney.

**OTHERS:** Amanda Wright Deputy Clerk of Legislature, Paul Hartnett-Madison County, Melissa Hannan-Madison County, Mike Allen-Oswego County, Bob Duclos-C&S, Rick Angelillo-Motorola, Aaron Boone-Motorola, Chick Langone, and Jeff Willis-Finger Lakes.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: Work Session on the 911 Radio Communication System**

**Denise:** What is that we can do short and long term to improve the portable coverage? What are issues our, what has been addressed with Motorola, and what they are doing to help?

**Aaron:** Motorola's obligation was to provide a mobile based coverage to the County and exceeded the goals. The areas that are further away from the tower sites do not have very good portable coverage because of the distance. Short term solution would be to place the antennas to the top of the Cato site and would have to adjust the other sites so they will interplay with one another. This would give Weedsport better portable coverage. It is just a short term limited fix that would not be comprehensive throughout the County. Long term would be to add more sites that were originally proposed. There were only 9 deployed when the original plan was for 15. If the 6 sites are added back in Motorola would put them in areas that will make them most the effective.

**Denise:** We asked in the last progress meeting, January 8<sup>th</sup>, for Motorola to provide us with a new response in regards to adding a tower site.

**Aaron:** It will take a couple months to come up with the location and the complete design. Motorola has not yet come up with a final design for the sites.

**Chapman:** Why does there need to be a new model made? The system is not working and it is unacceptable. It should not take two months when there was already an original model set in place.

**Aaron:** Motorola will work with the original model, but there are different parameters now than in the initial model. Now, it is more complex because everything is more locked in place but it can be done and two months might be an excessive amount. It might be able to be done in a shorter period of time.

**Denise:** What is the paging coverage at today?

**Aaron:** An estimate of around 67 % of the County is covered

**Denise:** In regards to the static on the pagers, where are we at with that?

**Aaron:** Did you try the suggestions Motorola gave to fix that situation?

**Denise:** We did but it caused a hot mic and extreme delay between dispatch.

**Aaron:** The hot mic could be resolved by operator training.

**Denise:** There are still a lot of complaints with false paging.

**Aaron:** Motorola has hired a company to come in and investigate particularly in Northern part of the County. They will monitor the spectrum and see who may be using it with us and causing interference with pagers.

**Denise:** Asked why there is such a delay for the DVR's.

**Rick:** It's just a manufacturing cycle and they take time. They are custom made.

**Farrell:** Since the DVR's are supposed to extend the coverage of the portables. Will the DVR's really correct the problem if we are having issues with the portables now without the DVR's?

**Aaron:** They will solve the local problem. The repeater will be in the vehicle and the officer can within range of the vehicle and still have good portable coverage.

**Denise:** The problem is the vehicle always has to be on the scene.

**Mark:** If the DVR's do not work can they be returned?

**Aaron:** They can be returned and adjusted for someone else.

**Farrell:** If the DVR's do not work there needs to be a Plan B that will correct the problem, because time is an issue. The portables are a vital link and need to be working.

**Aaron:** The true fix is to build the system out for the best portable coverage. Right now the portable coverage is 87-89%, but Weedsport area is too far away from site and does not have great coverage. Short term is hopefully the DVR's, so Fireman and Officers can at least have reasonable coverage when they leave their vehicle.

**Farrell:** The next would be to put up more tower sites if none of these measures work.

**Duclos:** Raising antenna and DVR's are more short-term fixes. Motorola needs to go back and really give more long term solutions. There needs to be a plan from Motorola for where the tower sites will be best suited. In the end there will need to be long term fixes.

**Chapman:** It was talked about in a prior meeting that Motorola might be able to enhance paging coverage by putting up some antennas on high structures in the area. Can you expand on the expense and the improvement we could see from it?

**Aaron:** By putting a paging transmitter on a high structure it would extend the paging coverage. Some existing cell sites would also work with the paging equipment if owners would agree to it. The transmitters could also be used again even if more sites are built.

**Denise:** How much time would it take for paging equipment?

**Rick:** 4-5 weeks

**Chapman:** What is the cost associated?

**Rick:** In the contract we knew paging would be an issue. There is a line item in the contract for \$113,000 for some type of connectivity back into the system.

**Chapman:** We are looking to Motorola for pager coverage information. We also need to know about additional sites and the priority of their location. What effects they will have on the system and coverage. Something needs to happen and definite answers need to be given to solve the problem. On February 25<sup>th</sup>, we will have a room full of first responders and we need to have some answers for them.

**Aaron:** Does the County have property that they own where the sites can go?

**Chapman:** There is land and there are places that we can explore.

**Denise:** Real Property can give a list of County owned land and it can be researched.

**Denise:** Next topic is the need for spare batteries to resolve the issue with the portables,



because they will need to go into reconditioning mode. Cost is around \$65.00 for one battery.

**Aaron:** They should not be in vehicles they should really be in an office on charge because they do need the reconditioning capability somewhere. The spare batteries would solve the problem of the reconditioning.

**Denise:** The game plan is to get a proposal from Motorola in regards to which new sites will give us the most beneficial coverage, additional paging sites, raising the antennas, and looking into County owned land with Real Property for new sites.

**Chapman:** Will the raised antennas really be something that will show improvement or will the cost outweigh the reward?

**Aaron:** If we go down the path of raising the antennas in Cato they won't have to come back down. They are integrated the design information is ready they just need to be licensed. It will help the coverage and they will not have to be removed if there is an expansion of sites.

**Denise:** Motorola does their role and we do ours, as far as looking at coverage for what we need.

**Aaron:** Do you want us to start with a full build out or partial build out with a site or two. It is very different from an engineering stand point.

**Duclos:** Can we look at center to County up instead of worrying about the South?

**Aaron:** That would be a partial build out and we can work with any approach that we would like.

**Chapman:** Wouldn't it make sense to prioritize the areas based on the severity of the problem and what will each site give us?

**Denise:** So, something near Victory and something near Weedsport to start and look at the significant problem areas.

**Aaron:** We can start that way.

**Rick:** Motorola can price out site by site so you can know the cost of each site.

**Chapman:** We can cross the cost bridge later we want to know what the coverage improvements will be.

**Chapman:** In the meantime, Motorola will be conversing back with Denise so we will see some progress at the February 25<sup>th</sup> meeting.

**Motion by Didio to adjourn at 7:46 PM, 2<sup>nd</sup> by Fearon.**

**MINUTES**  
**SPECIAL CAYUGA COUNTY LEGISLATURE MEETING**  
**MONDAY, FEBRUARY 25, 2013 AT 6:30pm**  
**160 GENESEE ST, 6<sup>TH</sup> FLOOR,**  
**CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman, 6:31 PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present, except excused David Axton, Stephen Barski, and Cynthia Aikman.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: Work Session on the 911 Radio Communication System**

Chapman: We asked Motorola to prioritize the need and the position for any additional towers. Also, to address the portable coverage, increasing pager coverage, and discussed the possibility of putting small antennas on large structures throughout the area that is suffering from poor coverage.

Duclos: First, going to discuss short term and long term solutions. Currently there are 9 sites being used to propagate coverage. The County purchased a mobile coverage system from Motorola; the contract is to provide a system that covers 95 percent mobile coverage not portable. Motorola did a coverage acceptance test to show that they are providing the coverage that they were required to cover under their contract. The result showed that only 4 tiles out over 2000 did not meet the mobile coverage requirements. Duclos shows the maps for the coverage as of right now. He explains paging coverage being less powerful than hand held radio and paging coverage is dramatically worse than the portable coverage in many areas especially the Northern part of the County. What do we need to do to improve the coverage? Most would think to just build the 6 sites that were not included. The computer models are somewhat conservative and it's not necessary to put up all the sites that were originally proposed. There are three different options and each one involves a different number of sites and different locations for the sites. He states that whatever is decided to be done needs to be done in a timely fashion and will need to find site locations that can be readily constructed. We worked with county planning and real property to look at all of the municipally owned properties in Cayuga County and to see if they would coincide with needed location sites.

He starts to summarize the first three options. The portable coverage right now is 86-87% and the mobile coverage is 90-95%. First option is adding 2 sites in the Towns of Victory and Mentz. The site in Victory is on town owned property located less than a mile from original site. Mentz site is located less than half a mile from the original site. These additional sites would give 92.5% portable coverage.

The second option is an additional site in Montezuma including the Mentz and Victory sites. It would be located just north of 5 & 20 in the southern part of the town. Overall summary of adding that site is that it will increase portable coverage to around 93.3%.

Runkle: Does paging coverage parallel portable coverage?

Duclos: No the paging coverage is less than portable coverage because it is a less powerful receiver. There will be incremental improvements in paging but not as much as portable. The third option is adding a tower in Ira; the town owns a piece of land that could be used. It would provide very effective coverage for Ira and surrounding areas. The addition of all 4 sites would give 94.3% coverage. In summary, the end result is to decide how many sites to add and where.

Farrell: Asks if the cell tower in Mentz is no longer an option.

Duclos: We reached out to owners of certain towers that would be useful and the initial quote was 4000 a month. At the end of the day it is not cost effective at all to rent space. It would be better to build.

Farrell: If we go back to the option that gives 92% for the portable and pagers, does the system have the capability to have coverage from the portable units?

Duclos: The way the system works is it's an on network system. If someone pushes the button to talk on the radio rather than going directly to that person it goes to the nearest tower then gets relayed back. If someone was in an area where there was not any coverage there are off network frequencies programmed in the radios. These frequencies are able to do point to point communication.

Farrell: In the worst case scenario if we had to settle for less than what we wanted to they would still be able to have on the scene capability to run operations. It will not go from to scene to the nearest tower and back, but from unit to unit.

Duclos: Starts discussing short measures such as the DVR option. Denise worked out an arrangement with Oswego to loan us two DVR's. They are being programmed right now. They are being used as a trial in the village of Weedsport which allows people with portables to communicate adequately back to the 911 center on the trunk system rather than go off network.

Chapman: Did you look at a tower between Ira and Victory that would have serviced both areas?

Aaron: We can certainly try that, but it has not been looked at.

Chapman: In the original plan did we go and explore or obtain licenses for the proposed tower sites?

Langone: The County has licenses for the 9 sites that exist today and we did not license the original 15 sites. One of the criteria is there must be an intent to build so what was licensed was what was actually purchased.

Chapman: What would the turnaround time be to get a license if this plan or a portion of this plan was accepted?

Langone: It would be a few months until we get the final design it's hard to say we have to overlay that on the existing coverage.

Chapman: Is there a provision to allow us to operate on a temporary basis?

Langone: Typically it is problem going across international borders. In the case of Canada it makes it a bit harder, but it we can pursue all avenues to get the licensing expedited.

Duclos: When you originally license the 9 sites you established a footprint. It's not the sites in Mentz or Montezuma that are going to be the most significant impediment to licensing. It is the sites particularly in the northern area on the perimeter that would have the potential to make the greatest impact over the border or with neighboring users it what kind of drives questions that might make licensing take longer. He says Langone looked at what the impacts of a larger system would be even though only 9 were applied for.

Langone: Until we get today's design and then go back we are not sure if anything changed. The idea is to stay within the footprint of what we have today that is already licensed.

Chapman: None of the sites proposed are north of any sites right now and are inside the perimeter, so why would that be an issue?

Langone: Frequency coordination applies all the way around. The challenge of getting sites licensed is in all areas. We have to coordinate all around to make sure we do not interfere with places surrounding the County.

Duclos: Part of moving forward once a decision is made would be to get the licensing taken care of. There is also site development, ordering towers, and infrastructure. He asks Langone if those two processes could happen in parallel.

Langone: Once we know where the sites are and what the design is that the County approves the licenses can proceed.

Mark Strong (Moravia Fire Dept.): What are the dials currently set at right now and what can we run them at?

Duclos: All of the transmitters are not turned up to their maximum power right now. The licenses that the County currently has are only based on a certain amount of wattage. They can start to interfere with one another and provide worse coverage if turned up in some situations.

Aaron: The power output is set to match the licenses. Part of this whole conglomeration of criteria is we have to develop a footprint, which is a fancy way of saying the outer perimeter of a certain signal around the County and that's what we have built the 9 sites to. As we move forward adding new sites the simplest way to license is to keep the energy from the new sites within the existing footprint we already submitted for coordination.

Duclos: There was a short term test done one being in Cato and the other being at the PSB site. They turned up output power and it did not have significant coverage difference.

Scott (Victory Fire Dept.): What are the optimum percentages for paging and portable coverage in the North?

Duclos: Percentages are County wide average, so that does not mean the coverage in the northern part of the County could be more than that. There is really no right answer in what the right or proper amount of coverage is there is not a NFPA requirement. Most of the counties in this general area have been building systems with 95% portable coverage it is generally the target percentage.

Whitman: What is portable coverage right now?

Duclos: 86-87%

Whitman: Which one of these scenarios would get us to 95%?

Duclos: The one that would get you closest is the 4 site addition that would give 94.3% coverage.

Whitman: Say we want to start one site at a time. Can we license all 4 right now and then find that 3 is sufficient and we aren't going to build a 4<sup>th</sup> site?

Langone: We would try and include a slow growth and give a couple of years.

Duclos: From a licensing standpoint you could initially license for five sites then if you elected not to do that down the road you could withdraw.

Begley: If pager coverage turned out to be inadequate many pager booster stations could be built around the County to fill in the blanks. This was proposed by some other vendors.

Duclos: We have tried to look at this as not taking a band aid approach to solving the problem. Ultimately one or two paging sites will not get to the bottom of the problem. Less costly but felt it was more important to have a comprehensive outline of what would be necessary.

There are things being done short term. One is the paging antenna at the Cato site will be raised. Motorola has looked at it and found it will provide better coverage in the Town of Victory area. The second thing is a trial being done in Weedsport with DVR's.

Scott Kehoe (Fleming): Who is legally responsible for this?

Westphal: We will all be responsible is the short answer.

Denise: There should be a new cost estimate by April 1<sup>st</sup>.

Whitman: Is it really going to take till April 1<sup>st</sup> to get those numbers? The sooner we can get numbers the sooner things can get moving.

Rick: We want to get the numbers close to where they were last time. Hopefully within a two week time period we can get those numbers.

Burns: What is the coverage percentage for pagers?

Aaron: County wide right now the pager coverage is at 67%. 2 sites- up to 78%, 3 sites – up to 83%, 3 sites- up to 86%.

Chapman: Would it be the pleasure of the body to utilize executive session at the Legislature meeting and take some time to come up with some further questions and material we require. Then we can communicate directly with Motorola to help us make us a decision.

Chapman: Some personnel have experienced travel around the area not far from home and the portable says out of range.

Aaron: That could just be because of poor portable coverage in the location that they are at.

Chapman: We have more modern vehicles than we used to have. Is there anything that Motorola has looked at in these vehicles that could cause interference with the portables or pagers?

Aaron: That is very possible.

Chapman: Is there any documentation that there are certain device that may interfere with it?

Aaron: Not to my knowledge.

Fearon: Can an external antenna be plugged in that will enhance portable?

Aaron: Yes but it is no quick fix.

Denise: Ask Aaron to discuss the testing of frequencies.

Aaron: A company will be coming in to set up some monitoring equipment to look if interference is being generated that would log instances of falsing. They will look at over the course of a week and report back.

Denise: We are reprogramming some pagers, Scott Kehoe has had issues with his pager falsing and we reprogrammed with the new software and he has not had any problems since. So, for some people that are having problems we can get a few of those reprogrammed and if it helps the can go ahead and do them all.

Scott: The bulk of the falsing has been fixed in the town of Victory but now it happens outside of the County.

Denise: Hopefully when the antenna is raised it will help County coverage.

Aaron: Antenna change in Cato will make things better but not completely solve the problem.

Denise: Asking submitted questions by Fire Departments. ..In regards to the pager set up for the siren activation, is the pager connected to the siren a permanent solution?

Aaron: Yes that is the permanent solution; it is what was proposed and accepted.

Aaron: In the case of Victory and Weedsport there is not enough signal coming out of the collection cables and we are going to fix that with directional antennas.

Duclos: Asks Aaron if raising the antenna in Cato will improve the situation at the fire station.

Aaron: Yes it will improve it and hopefully make the siren trip.

Langone: FCC instituted last year that tower heights above 200 ft. requires an ASR (Antenna Site Registration). Which will happen in Cato so the process requires the County to go out on public notice such as what you would do for zoning and takes around 30 days. We need to start process as soon as possible.

Duclos: In the short term what we would do is raise the antenna up to the very top to where it won't exceed the 199 ft. threshold. Which it will still provide a significant improvement over what we have right now and give additional time to get the ASR.

Scott: What is the optimum height?

Duclos: The higher it goes the better the coverage without having to add height to the tower.

Denise: Ask about the radios going in to recondition mode and what is the recovery time frame?

Aaron: The issue is the charger being in the vehicle and if it just so happens that it's time to recycle the battery it will discharge them down to almost zero. The solution is to put the charger in the fire house and also to have spare batteries.

Chapman: When it goes into the cycle and you get a call you have nothing. We talked about this last meeting and were given a price of \$65.00 for spare batteries.

Rick: We could work out some sort of deal if there is a

Denise: (Submitted question) What is the plan for Cayuga County to communicate with Wayne County on the new system?

Whitman: Assured that there would be a patch to communicate with Wayne County.

Jeff: Need to reach out to Wayne County; they have two UHF stations that could help communication when you are in their County.

Whitman: We were told it would work with Wayne County. It is really important that they communicate.

Chapman: It is up to the department heads and fire coordinators to make this happen. It should happen from the top down not from the bottom up.

Denise: I will speak with Jim Lee.

Chapman: We hope to get information we need and discuss tomorrow. Unfortunately we can't get the towers put up immediately and it will take time. We will continue to work on this as quickly as possible. This project will be an everyday process. There will always be new products and upgrades will need to be done.

**Motion to adjourn at 8:28 PM by Didio, 2<sup>nd</sup> by Bennett.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
FEBRUARY 26, 2013 AT 6:30PM**

**CALL TO ORDER: Hon. Michael Chapman, Chairman at 6:32 PM.**

**ROLL CALL: Sheila Smith, Clerk of the Legislature, all Legislators present, except excused Axton and Barski**

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

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

Mike Glowacki, Member of the County Planning Board and very active with the Weedsport community.

John Servais, a Cayuga County Employee for 9 years as an Automotive Mechanic for the Highway Department.

**PRESENTATIONS: None**

**PROCLAMATION: The Year of Harriet Tubman in Cayuga County January 1, through December 31, 2013.** The proclamation will be presented to Rev. G. Carter of the Harriet Tubman Home and his wife Christine.

**EMERGENCY AUTHORIZATION FOR SPENDING:  
HWY ROOF REPAIR AT 91 YORK ST.**

DEPT.: Highway

Reason for emergency spending:

WHEREAS, the highway roof sustained damage on January 24, 2013, a section of the roof, approximately 6ft x 60 feet was damaged and needs to be repaired immediately; and

WHEREAS, JB Roofing, Skaneateles Falls has agreed to do the work at a cost of \$4,800.00, copy attached, and now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign the work order from JB Roofing to repair the roof at 91 York St.

Signed and approved by: Whitman, Aikman, Chapman, Axton, Pecher, and Squires

**EMERGENCY AUTHORIZATION FOR HIRING:**

WHEREAS, it has been past practice to have a resolution adopted to fill vacancies for the past several years due to restrictions on hiring adopted by the Legislature; and,

WHEREAS, departments are still processing resolutions to fill established positions which are in the current adopted budget per past practice; and

WHEREAS, a procedure needs to be in place to hire on an emergency basis; Now therefore be it agreed that the undersigned, pursuant to past practice and the County Manager, do hereby authorize on an emergency basis the filling of the following:

Department: County Clerk

Title of position: Part-time Recording clerk

REASON: medical leave, temporary replacement

Signed and approved by: Fearon, Axton, Aikman, Pecher, Chapman, and Squires

**Motion by Pinckney for both Emergency Authorizations, 2<sup>nd</sup> by Whitman, all in favor.**

**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. Legislator Paul Pinckney for: **Bill Rankin-Attached, Rosina Wolezek-Attached**

**Discussion:**

**Farrell:** Asks Fred what the Legislators role is going to be during the process if they do not support the process to make the project not go through?

**Westphal:** He says his answer will depend on some assumptions drawn from various meetings. There will have to be a discussion with the Legislators about the acquisitions of the property and whether the County will accept the 3 parcels of land. SEQRA is going to be an issue and he is not sure if the College or the County will be the lead agency on the SEQRA. If it is the County than the Legislature would have to choose to be the lead agency and then move that process forward. The College could choose to be its own lead agency and then the County may be an involved party. His understanding is there will be some type of lease agreement between the County as the owner of the land and whatever the development company is with most likely a lease for several years. The County would have to approve that and depending on the length of lease if it goes for more than five years there would have to be local law subject to a public hearing on the County Legislature signing the lease for more than 5 years. Those are the ones he is aware of whether there are more or not will depend on what the project looks like should it move forward.

**Farrell:** There was talk that the County would be involved in the bonding that takes place.

**Westphal:** I do not think that it is the County. He believes at the Planning Board meeting and Ways and Means there was an issue about reconstituting the Cayuga County Development Corporation. It is his understanding that that would be the entity that does the bonding. Whether the next entity can go out in the market and get bonds from a bank he does not know. Asks to keep in mind, he will use this as a platform with the City Local Development Corporation does not have ability to issue Civic Facility bonds and this point which also extends being the College dormitory project.

**MINUTES: For Approval: 11/27/12, 12/5/12, 12/13/12, 1/2/13, 1/8/13, and 1/10/13 Motion by Didio, 2<sup>nd</sup> by Cuddeback, all in favor.**

**For Reading: 1/22/13 & 2/11/13**

**CCC REPORT: Dr. Daniel Larson**



**Discussion:**

Larson: Discusses the responsiveness of the College to the concerns that were expressed by the neighbors in January. He describes the new layout and the placement of the new student housing project. Originally it was going to be 120 feet from the Prospect St. right of way. We modified the plan due to the concerns of the neighbors and now the entrance from Prospect St. no longer exists. The parking lot started at 70 cars and is now down to about 55 cars. The entire complex has been moved 60 ft. west. The issue of taxes has been raised, the 2 houses continue to exist and the vacant lot as well, those 3 parcels pay about 9,600 in taxes every year. If you think about 300 students and their potential spending and say they spend 1,000 dollars a year locally, multiply that by the sales tax rate and there would be a definite increase in sales tax revenue. There was a question about the cost to tax payers. This project is built on student revenue itself covering all of the immediate costs for the project, including campus safety costs. In terms of traffic we believe by making these changes we are helping to address the neighbors' concerns. Fundamentally what this project is trying to accomplish is to put together an academic community on campus.

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

**Didio:** An update on the Owasco Lake Inspection Committee. We did a study and reviewed the Owasco Lake Watershed Inspectors, Karen Jacobs, 2013 work plan and she is going to concentrate on the violation process. She has also completed a packet of educational material. It will be distributed to rental property and new home owners. There was also a report done by Bruce Natale on the water quality of Owasco Lake and it will be presented March 9th.

**COUNTY ADMINISTRATOR'S REPORT: Tom Squires-Attached****Discussion:**

Following up on the NYSAC discussion, one of the proposals in the Governor's budget was to smooth the pension costs for municipalities. The very basics of it are that a County would opt in for a 25-30 year period of time and it would start with pension rates at a flat 12%. Right now the rates are at an average of 20-21% on top of salary cost. There are a lot of unknowns with the proposal and the state controller could kill proposal outright. As it appears right now it seems the state is trying to solve a problem they created by using our money and charging us interest to do so. He discusses the ACI, Electronic Payments Programs that we have to pay vendors and the savings.

**Runkle:** Asks how much we have saved so far?

**Squires:** There is the ACI which is the electronic funds transfer and the credit card through Bank of America where we make credit card payments to vendors. When we make payments on those two things we get a 1% rebate back from Bank of America. If you combine them we had savings of \$58,519 starting October 2012 and \$4,751 in 2013 so far.

**Lattimore:** He brings up that he asked to have someone from Excellus to come and talk about the effect of Obama care.

**Squires:** They will be here sometime in March or April. They will do a recap to go over the numbers for the consortium and answer questions the Legislature has about impacts of Obama Care.

**Lattimore:** Asks about doing a work session to discuss the proposal of reducing the Legislatures benefits.

**Squires:** Says it would not a bad idea to do a work session.

**Fearon:** A special Legislature meeting on the presentation might be best so there is adequate time.

### **CHAIRMAN'S REPORT: Michael Chapman**

#### **Discussion:**

He talks about going with Warren Albrecht and Robert Bower to a meeting with Onondaga County in regards to obtaining a second water source for Cayuga County and receiving some rates. Onondaga had to go back and relook at their figures. He talks about continuing to meet each week with our Standard Nursing Home Committee and gathering information to hopefully have some construction schedules ready soon. The Legislature can then decide whether or not to combine forces with Mercy or if we will have to step back. He talks about the 911 radio system and continuing to look into it and gathering information about expanding the system. He will be going to a meeting on March 7<sup>th</sup> with Squires, Spingler, and a member from the Wladis Group to Albany to meet with the Homeland Security Office. In hopes that they will be able to offer some information, advice, and guidance since we have not received Grant monies for the past two years this could have applied to our radio system. Also, he will be meeting with Senator Defranisco about advocating for us on projects like the Homeland Security Grants and other Grants in the works.

#### **APPOINTMENTS AND RE-APPOINTMENTS:**

##### **Cayuga County Records Advisory Committee: All Terms: 2-1-13 to 12-31-14**

George Fearon, 5641 State Rte 90. Cayuga, NY 13034

Cynthia Aikman, 17 Liberty St., Auburn, NY, 13021

William Hulik Jr., 3150 Horan Ave., Auburn, NY 13021

Jodie Nickerson, 4 Center St., Union Springs, NY 13160

Linda Frank, 77 Steel St., Auburn, NY 13021

Stephen Tobin, 160 Genesee St. 5<sup>th</sup> Floor, IT Dept., Auburn, NY 13021

Mary Ann Marr, 152 Genesee St, Surrogates Court, Auburn, NY 13021

##### **Alcohol & Substance Abuse Subcommittee of the CSB**

##### **Term:**

Dale Parker, 1430 Powers Rd, King Ferry 13081

1/1/13 – 12/31/16

Rome Canzano, 2 South St., Suite 22, Auburn 13021

1/1/13 – 12/31/16

**Cayuga County Planning Board:** Members serve until the locality they represent submits a new nomination.

Cynthia Stephenson, 3590 Blumer Rd., Jordan, NY 13080

Ron Podolak, 5002 North Rd., Auburn, NY 13021

#### **WQMA:**

Doug Kierst, 7413 County House Rd., Auburn, NY 1302- The position is coterminous with position.

**Chairman's Appointments for 2013**

**Judicial and Public Works Board of Jurors (serves at the pleasure of the board)**

Michael Didio, 6 Clymer St, Auburn, NY – serves at the pleasure of the board

**Cayuga County Traffic Safety Board**

Michael Chapman, 11290 Myers Rd., Cato, NY – Legislator – Leg Term

**Fire Advisory Committee**

Mark Farrell, 8497 Ball Rd. Weedsport, NY 13166 – Legislator – Leg Term

**PUBLIC WORKS**

**Parks & Trails Commission**

Joseph Runkle, 3252 Barrington Way, Auburn, NY – Legislator – Leg Term

**Ag & Farm Protection Board (coterminous with position)**

Michael H. Chapman, 11290 Myers Rd. Cato, NY – Chairman of the Legislature

Paul Pinckney, 2035 Pinckney Road, Auburn, NY - Legislator

**Ward O'Hara Ag Museum Board of Directors**

Paul Pinckney, 2035 Pinckney Road, Auburn, NY – Legislator– Leg Term

**HEALTH & HUMAN SERVICES**

**Board of Health**

Hans Pecher, 1219 Bartnick Rd., Genoa, NY – Legislative Appt term:

Cynthia S. Aikman, 17 Liberty St. Auburn, NY 13021 term: 1-1-13 to 12-31-13

Michael H. Chapman, Chairman of the Legislature - Ex-Officio member

Raymond Bizzari, Director of Mental Health – Ex-Officio member

Debra English, Director Nursing Home – Ex-Officio member

**Office for the Aging Advisory Board**

Michael H. Chapman , Chairman of the Legislature, 160 Genesee St., Auburn, NY

Hans Pecher, 1219 Bartnick Rd. Genoa, NY –Legislator

**Cayuga County Youth Board**

Mark Farrell, 8497 Ball Rd., Weedsport, NY –Legislator indefinite term

**Community Service Board**

Patrick Mahunik, 2 Frederick St., Auburn, NY – Legislator; term:

Michael Chapman, 11290 Myers Rd., Cato, NY – Legislator term:

**Health Consortium Board of Directors**

Michelle Anthony, Pinckney Rd., Auburn, NY term: 1/1/13 – 12/31/13

Marla, Connelly, 17 Burt Ave., Auburn, NY 13021, term – 1/1/2013 to 12/31/2013

**PWDD sub-committee**

Joseph Runkle, 3252 Barrington Way, Auburn, NY – Legislator– Leg Term

**PLANNING**

**Cayuga - Cortland Workforce Investment Board.**

Michael H. Chapman, 160 Genesee St., 6<sup>th</sup> Floor, Auburn, NY – Chairman of the Legislature

**Cayuga County Soil & Water Conservation**

Stephen Barski, 55 Dayton St., Auburn, NY – Legislator

Paul Pinckney, 2035 Pinckney Road, Auburn, NY – Legislator– Leg Term

**Cayuga County Office of Tourism:**

Cynthia S. Aikman 17 Liberty St., , Auburn, NY - Legislator – Leg Term

**CNY Regional Planning Board:**

Paul Pinckney 2035 Pinckney Rd. Auburn, NY – Legislative Appointment – ex-officio

Michael H. Chapman, 160 Genesee St., 6<sup>th</sup> Floor, Auburn, NY – Chairman - ex-officio

Cynthia Aikman, 17 Liberty St., Auburn, NY – Legislative Appointment

**Fish & Wildlife Management Board**

Michele Wunderlich, Planning Dept., 160 Genesee St. 5<sup>th</sup> Fl Auburn, NY – Leg Appt.  
term: 1/1/12 – 12/31/13

Lance Robson, Landowner, 365 Center St. Rd., Auburn, NY term: 1/1/13 – 12/31/14

Dennis Rhoads, Sport Rep., 7219 Hatfield Rd., Cortland, NY term: 1/1/12-12/31/13

Dennis Zach, Sports Alternate, 97 N Lewis St., Auburn, NY term: 1/1/12-12/31/13

**Forest Practice Board**

Paul Pinckney, 2035 Pinckney Road, Auburn, NY - Legislative Appointment

**Cornell Co-op Extension (serves at pleasure of board)**

Stephen Barski, 55 Dayton St., Auburn, NY – Legislative Appt.

David Axton, 8160 State St. Rd. Port Byron, NY

**GOVERNMENT OPERATIONS****Election Board**

George Fearon, 5641 State Route 90 N, Cayuga, NY – Legislative Appointment

**Ethics Board**

Paul VanVorce, 1281 Sherwood Rd., Aurora, NY: term: 1/1/13 – 12/31/17

**Inter-County Association of Western NY**

Michael Didio, 6 Clymer St, Auburn, NY – Leg Term

Michael H. Chapman, Chairman

**WAYS & MEANS****Deferred Compensation (legislative appointments /serve at pleasure of Chairman)**

Michael Chapman, 11290 Myers Rd., Cato, NY

Timothy Lattimore, PO Box 1674, 63 South St., Auburn, NY

Thomas Squires, Co. Admin, 160 Genesee St., Auburn, NY

James Orman, Co. Treasurer, 160 Genesee St., Auburn, NY

Michael Russell – HR Director

**Tobacco Serialization Settlement Board:**

Michael H. Chapman, Chairman, 160 Genesee St., Auburn

David Axton, Chair/Ways & Means, 160 Genesee St., Auburn

Michael Didio, Majority Leader, 160 Genesee St., Auburn

**College Board of Trustees**

George Fearon, Legislator, 5641 State Route 90N, Cayuga, NY-expires 6/30/14

**Cayuga County Water & Sewer Authority**

Mark Farrell, 8497 Ball Rd., Weedsport, NY-Legislative Appointment

**Cayuga County Public Utility Service Agency (CCPUSA)**

Timothy Lattimore, PO Box 1674, 63 South St., Auburn, NY- Ex-Officio (expires 2014)

**Motion by Didio to move the reading of the Chairman's Appointments for 2013, 2nd by Pinckney, all in favor.**

**Motion by Cuddeback to approve the Chairman's Appointments for 2013, 2<sup>nd</sup> by Farrell, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

- 1.) Letter to Chapman, from NY Association of Convenience Stores regarding youth access tobacco enforcement program.
- 2.) Letter to Squires, from Cayuga County Council of Senior Citizens regarding them being opposed to the closing of Cayuga County Nursing Home and merger with Mercy Health and Rehab Center.
- 3.) Letter to Smith, from State Assembly Minority Leader Brian Kolb, acknowledging receipt of Resolution No. 7-13 which is requesting a State home rule legislation for an extension on the additional 1% sales tax, to November 30, 2015.
- 4.) Received a Resolution from the County of Fulton, urging Congress to Amend the Federal Property and Administrative Services Act of 1949 regarding purchasing of Professional Services.

**Motion by Cuddeback to waive the reading of the Communications and Announcements, 2<sup>nd</sup> by Pinckney, all in favor.**

**RESOLUTIONS 2-26-13**

**RESOLUTION NO. 50-13**

**2/26/13 APAudit February 2013 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
JANUARY 8-28, 2013 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **February 26, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$2,700,935.66, 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 13, 2012.

Signed by Cuddeback, Fearon, Mahunik, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 51-13**

**2/26/13 APAudit February 2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
JANUARY 29-FEBRUARY 11, 2013 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **February 26, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$847,583.71, 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 13, 2012.

Signed by Cuddeback, Fearon, Mahunik, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 52-13**  
**2/26/13 RP correctThroopbillFeb**  
**AUTHORIZING CORRECTION OF TAX ERRORS IN THE**  
**TOWN OF THROOP**

By: David Axton, Chairman, 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 2013 County 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 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 2013 County Tax Roll shall also be corrected as follows:  
 Town of Throop: Tax Map # 100.00-1-25.714. This parcel had an unpaid school tax applied to it. The school district has recently found out the school tax was paid, but not entered into their database. The unpaid school tax should be removed from this parcel. Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 53-13**  
**2/26/13 TRE CrtfillRpCik**  
**AUTHORIZATION TO ABOLISH PART-TIME SR. ACCOUNT CLERK AND**  
**CREATE AND FILL A REAL PROPERTY CLERK WITHIN THE COUNTY**  
**TREASURER'S OFFICE.**

BY: Mr. David Axton, Chairman, Ways and Means Committee

WHEREAS, due to the resignation of the Senior Account Clerk in the Treasurer's Office it is necessary to create and fill a position to replace the tax collection expertise of the employee; and

WHEREAS, the County Treasurer has interviewed and selected a former employee of this office who at one time worked as a Real Property Clerk here; and

WHEREAS, within Civil Service regulations this former employee is allowed to return as a Real Property Clerk to this office; and

WHEREAS, this position is funded in the Treasurer's 2013 budget, A13251-51001 at a rate of \$19.59/Hr. now, therefore be it

RESOLVED, that the County Treasurer is hereby authorized to fill the position of Real Property Clerk in accordance with the Civil Service Rules and Regulations and the policies of Cayuga County; and be it further

RESOLVED, that the position of part-time Senior Account Clerk, Position Control Number 006266 be hereby abolished.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, and Whitman, all in favor.

**Motion by Lattimore to change from a 5 year contract to a 3 year contract, no 2<sup>nd</sup>.**

**RESOLUTION NO. 54-13**

**2/26/13 COA ntnwdddefcompv**

**AUTHORIZING RENEWAL OF AGREEMENTS WITH NATIONWIDE RETIREMENT SOLUTIONS, NATIONWIDE FINANCIAL SERVICES INC. AND NATIONWIDE TRUST COMPANY FOR CONTINUATION OF THE COUNTY OF CAYUGA’S DEFERRED COMPENSATION PLAN FOR FIVE (5) YEARS.**

BY: Hon David Axton, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga’s Deferred Compensation Plan has been provided administrative services by Nationwide Retirement Solutions, with Nationwide Financial Services Inc. serving as financial organization and Nationwide Trust Company serving as trustee; and

WHEREAS, agreements between the County of Cayuga and Nationwide Retirement Solutions, Nationwide Financial Services Inc. and Nationwide Trust Company to provide such services expired on June 3, 2012; and

WHEREAS, Nationwide Retirement Solutions, Nationwide Financial Services Inc. and Nationwide Trust Company have continue to provide services to Cayuga County Employees; and

WHEREAS, the County of Cayuga has chosen to retain Nationwide as their sole provider and renew such agreements for a five (5) year period to expire June 2, 2017; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the contract renewal for the above referenced agreements with Nationwide Retirement Solutions, Nationwide Financial Services Inc. and Nationwide Trust Company for five (5) years, ending on June 2, 2017.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 55-13**

**2/26/13 COA-LL deputy treasurer I & II FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013 A LOCAL LAW TO REAFFIRM THE POSITION OF DEPUTY COUNTY TREASURER I AND CREATE THE POSITION OF DEPUTY COUNTY TREASURER II.**

BY: Mr. David Axton, Chairman, Ways and Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on February 26, 2013, a proposed local law entitled

**“LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013, A LOCAL LAW TO REAFFIRM THE POSITION OF DEPUTY COUNTY TREASURER I AND CREATE THE POSITION OF DEPUTY COUNTY TREASURER II.”**

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on March 26, 2013, at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street,

Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, and Whitman, all in favor.

**Majority Vote: All voted aye, except excused-Axton and Barski. Total 776/117**

**RESOLUTION NO. 56-13**

**2/26/13 COA dfndlibrariesrev1**

**MOTION BY AIKMAN TO AMEND TO EXCLUDE THE FINGER LAKES LIBRARY ASSOCIATION FROM THE DEFUNDING, 2<sup>ND</sup> BY LATTIMORE, ALL IN FAVOR EXCEPT WHITMAN VOTING NO. MOTION AS AMENDED WAS DEFEATED BY A MAJORITY VOTE, NOES-AIKMAN, FARRELL, RUNKLE, FEARON, CUDDEBACK, BENNETT, LATTIMORE, AND CHAPMAN. AYES, DIDIO, PECHER, WHITMAN, PINCKNEY, AND MAHUNIK. EXCUSED AXTON AND BARSKI. VOTE-495/271/117 DIRECTING THE COUNTY ADMINISTRATOR TO DEFUND THE APPROPRIATION FOR LIBRARIES IN CAYUGA COUNTY IN THE 2014 BUDGET.**

By: Hon David Axton, Chair Ways and Means Committee

WHEREAS, the County appropriation for the expenditure of tax payer dollars to libraries located in the County of Cayuga has been decreasing over the last several years; and

WHEREAS, the time has arrived for the libraries to be self-supporting and to rely on their tax base for funding; and

WHEREAS, it is the opinion of the Ways and Means Committee that for the fiscal year 2014 and for future fiscal years the County of Cayuga will no longer provide financial support to the libraries in Cayuga County; now therefore be it

RESOLVED, that the County Administrator as the budget officer is hereby directed to exclude funding for libraries and the Finger Lakes Library Association, Account No. A7401-54000, for fiscal year 2014, and in all other future years said library funding shall be non-existent.

**RESOLUTION NO. 57-13**

**2/26/13 HD Rabies Program (2012-2017)**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A 5-YEAR AGREEMENT WITH THE NYS DEPARTMENT OF HEALTH TO ALLOW THE HEALTH DEPARTMENT CONTINUED PARTICIPATION IN THE ZOONOSES (RABIES) PROGRAM**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the NYS Department of Health administers the mandated Zoonoses (Rabies) Program for the State of New York; and

WHEREAS, funding in an amount not to exceed \$137,724.10 has been made available for the Cayuga County Health Department to continue to participate in this mandated program for a five-year period; the first year being April 1, 2012 – March 31, 2013. The estimated grant award for each 12-month period of this 5-year contract will be \$27,544.82; and



WHEREAS, this funding will be budgeted in account #A40100 43420 of the Health Department's Budget for each of the five years periods of the contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a 5-year contract with the NYS Department of Health to participate in the mandated Zoonoses Program.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 58-13**

**2/26/13 HD Creating Healthy Places 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT 100% STATE FUNDING TO CONTINUE TO PARTICIPATE IN THE CREATING HEALTHY PLACES IN CAYUGA COUNTY PROGRAM**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Health Department was awarded a grant "Creating Healthy Places to Live, Work and Play;" and

WHEREAS, the Health Department has received a renewal contract from the State for the period 4/1/13 – 3/31/14 in the amount of \$175,000 to continue its participation in the Creating Healthy Places in Cayuga County Program; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of Legislature and the Director of Health & Human Services accept funding in the amount of \$175,000 to continue the Health Department's participation in the above named program for the period 4/1/13 through 3/31/14; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into subcontracts as necessary to implement the Creating Healthy Places in Cayuga County Program; and be it also

RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department's 2013 budget in the following manner:

Increase Revenue Account #A40240 43424 \$175,000

Increase Expense Account #A40244 54000 \$175,000

and be directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 59-13**

**2/26/13 HS Cemetery Contract Fort Hill 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH THE FORT HILL CEMETERY TO PROVIDE FOR INDIGENT BURIALS**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, the County has the obligation to provide burials to indigent persons without available resources; and WHEREAS, per contract with Fort Hill Cemetery signed on February 3, 2012, Fort Hill Cemetery had agreed to provide 10 burial plots for indigent persons at a cost of \$700 per plot; and

WHEREAS, there are currently 2 burial plots remaining from the original 10; and

WHEREAS, Fort Hill Cemetery has agreed to provide us with 20 additional burial plots at the same cost of \$700 per plot; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Fort Hill Cemetery for the purchase of 20 additional burial plots for indigent persons at a cost of \$700 per plot; and be it further

RESOLVED, that these expenses be paid from account #61404 54000 (Safety Net) of the Human Services Budget.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

### **RESOLUTION NO. 60-13**

**2/26/13 HS Create/Fill Temp Caseworker Child Welfare 2013**

#### **AUTHORIZING THE COUNTY LEGISLATURE TO CREATE A TEMPORARY CASEWORKER POSITION (90 DAYS OR LESS) IN THE CHILD WELFARE UNIT OF HUMAN SERVICES (75% FUNDED) AND AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL THE NEWLY CREATED POSITION.**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Child Welfare Unit of Human Services currently has one full-time caseworker, position control #002278, out on a six-month medical leave which started on January 3, 2013; and

WHEREAS, we currently have access to a fully-trained caseworker who is willing to work for us on a temporary basis; and

WHEREAS, this position is reimbursed at a minimum of 75% State and Federal funding; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature be authorized and directed to create one temporary caseworker (Grade 17) for a period of 90 days or less to help manage the caseload in the Child Welfare Unit of Human Services, and that the Director of Health & Human Services be authorized and directed to fill the newly created position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 61-13**

**2/26/13 HS Chapel House 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE  
CONTRACT WITH CHAPEL HOUSE**

**(TEMPORARY HOMELESS SHELTER FOR MEN)**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, Chapel House opened a facility that offers temporary shelter to men in need; and

WHEREAS, this shelter has provided service to those income eligible individuals in need of shelter; and

WHEREAS, in accordance with Social Services Regulations, local DSS is required to provide temporary shelter for eligible homeless families and individuals who are financially eligible and have no housing resources available to them; and

WHEREAS, the costs incurred by the local district are State reimbursed at 29%;  
NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Chapel House for the period January 1, 2013 through December 31, 2013 at a rate of \$32/day, per person; and be it further

RESOLVED, that these expenditures will be paid out of account #A6140 54000 of the 2013 Human Services Budget.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 62-13**

**2/26/13 HS Hillside R&R MAPPS Foster Parents 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A  
CONTRACT WITH HILLSIDE CHILDREN'S CENTER FOR THE  
RECRUITMENT, TRAINING AND RETENTION OF FOSTER PARENTS**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department (DSS) desires to collaborate with Hillside Children's Center (HCC) in an effort to recruit, train and retain foster parents serving particular groups of children and youth; and

WHEREAS, HCC leadership will work with the DSS leadership to develop an overall approach to drawing on the mutual strengths of HCC and DSS in the recruitment and training of foster parents; and

WHEREAS, HCC will participate in the planning, and then be responsible for, the delivery of community-outreach oriented recruitment activities and also will be involved in the MAPPS (Model Approach to Partnership in Parenting) Program, which is recommended by the Office of Children and Family Services as a pre-certification training program for prospective foster parents; and

WHEREAS, HCC will embed one Foster Family Specialist (1 full-time equivalent) at the County's DSS to provide home-finding services in conjunction with DSS staff;  
NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to contract with Hillside Children's Center for the recruitment, training and retention of foster parents for the period March 1, 2013 to February 28, 2014 at the cost of \$65,057.93; and be it further

RESOLVED, that these expenses be paid from account #60104 54059 of the 2013 Human Services Budget.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

### **RESOLUTION NO. 63-13**

**2/26/13 HS Employment & Training 2013**

#### **AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO CONTRACTS WITH CAYUGA COUNTY EMPLOYMENT & TRAINING DEPARTMENT FOR PROVISION OF SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services has need to provide employment and training services to public assistance recipients to meet the obligations of the Work Requirement Program; and

WHEREAS, our Human Services Division has successfully contracted with Cayuga County Employment and Training Department in the past for provision of these services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cayuga County Employment and Training to provide employment and training services to public assistance recipients for a period 1/1/2013 to 12/31/2013 at a cost of \$128,000; and be it further

RESOLVED, that the charges for these services be paid out of account #A60104 54189 of the 2013 Human Services Budget.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

### **RESOLUTION NO. 64-13**

**2/26/13 HHS Information Tech Contracts**

#### **AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A HEALTH DEPARTMENT CONTRACT AND A HUMAN SERVICES DEPARTMENT CONTRACT EACH WITH THE COUNTY'S INFORMATION TECHNOLOGY DEPARTMENT FOR PROVISION OF SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Information Technology (IT) Department provides services to support PCs, laptops, servers, e-mail, internet, phones, printers and other related computer equipment; and

WHEREAS, the Health and Human Services Departments desire to maximize Federal and State reimbursement for existing County expenses; and

WHEREAS, the Health and Human Services Departments will reimburse the County's IT Department based on the respective departments' computer users applied to the total IT personnel costs or as otherwise specified by their State Agencies; and

WHEREAS, funds have been budgeted in the respective Health and Human Services Departments' 2013 budgets for these services, and the cost of these contracts will not exceed the amounts budgeted; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into two respective contracts (one with the Health Department and one with Human Services Department) with the Information Technology Department for provision of services; and be it further

RESOLVED, that expenses incurred will be paid out of Account #A40104 54059 (Health Department – Prof. Services) and #A60104 54059 (Human Services – Prof. Services).

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 65-13**

**2/26/13 MH Rent2.2013**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A LEASE AGREEMENT WITH UNITY HOUSE OF CAYUGA COUNTY, INC**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center has available building space; and

WHEREAS, Unity House of Cayuga County, Inc. is in need of space for mental health programming; and

WHEREAS, resolution number 423-12 authorized the Director of Community Services to enter into negotiations for use of space in the Mental Health Building, the terms of which required review by the Cayuga County Legislature; now, therefore, be it

RESOLVED, that the Director of Community Services and the Chairman of the Cayuga County Legislature be authorized to sign a lease with Unity House of Cayuga County, Inc. for three thousand (3,000) square feet in the Mental Health Building located at 146 North Street, Auburn, NY 13021 at the following rates:

1,370 square feet of dedicated space \$11.00 per square foot

1,630 square feet of space shared with the Mental Health Center

When operated as an Intensive Psychiatric Rehabilitation Program \$4.00 per square foot

When converted to a Personalized Recovery Oriented Services \$7.70 per square foot

All rates will be increased by three percent annually, and be it further

RESOLVED, that the term of the lease shall automatically be extended and renewed for successive annual terms of twelve (12) months each, beginning on January 1<sup>st</sup> of the year immediately succeeding the then existing term unless and until either party shall have given written notice to the other of its intention to terminate this lease, no less than sixty (60) days prior to the expiration of the then existing term.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 66-13**

**02/26/13 MH RentNegotiations2.13**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO NEGOTIATIONS REGARDING A LEASE AGREEMENT WITH CAYUGA/ SENECA COMMUNITY ACTION AGENCY**

**SAFE HAVEN’S PROGRAM**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center has available building space; and

WHEREAS, the Cayuga/Seneca Community Action Agency, Inc. through its Safe Haven’s Program, is in need of space for supervised visitation and exchange services; and

WHEREAS, Cayuga County was awarded \$348,979.00 for this supervised visitation and safe exchange program and designated as the lead applicant with the Cayuga/Seneca Community Action Agency as the implementing agency; and

WHEREAS, a site visit was conducted on November 13, 2012 by the Vera Institute of Justice and the conclusion of that visit was that this space was a viable site; now, therefore, be it

RESOLVED, that the Director of Community Services is authorized to enter into negotiations regarding a lease with Cayuga/Seneca Action Agency, Inc. one thousand four hundred and twenty eight (1,428) square feet in the Mental Health Building located at 146 North Street, Auburn, NY 13021; and be it further

RESOLVED, that the terms of the lease shall be presented by resolution to and approved by the Cayuga County Legislature prior to entering into any agreement. Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 67-13**

**2/26/13 MH BudAdjustCHAD2.13**

**AMENDING THE MENTAL HEALTH 2013 BUDGET TO INCREASE STATE AID FUNDING FOR CONFIDENTIAL HELP FOR ALCOHOL AND DRUGS, INC.**

BY: Mr. Patrick Mahunik, Chairperson, Health and Human Services Committee  
Mr. David Axton, Chairperson, Ways and Means Committee.

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

WHEREAS, additional state aid has been allocated to Confidential Help for Alcohol and Drugs, Inc. as an adjustment to funding and received by the County in 2013 , and

WHEREAS, these 100% state funds were not anticipated in the 2013 budget and it is now necessary to reflect those dollars to allow the County to make payment to CHAD, Inc.; now, therefore, be it

RESOLVED, that the 2013 budget be modified as follows:

Increase line	A43500-43492	CHAD	Revenue by	\$175,200
Increase line	A43504-54315	CHAD	Expense by	\$175,200

and be it further

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

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 68-13**

**2/26/13 MH PsychContract2.2013rev**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT FOR PSYCHIATRIC SERVICES FOR CHILDREN AND YOUTH**

WHEREAS, the Community Mental Health Center must provide psychiatric services to children and youth with severe and persistent mental illness; and

WHEREAS, services are currently provided by the Department of Psychiatry at Upstate on a contractual basis at a rate of \$242 per hour; and

WHEREAS, we have determined that identical services can be obtained at a rate of \$190 per hour by contracting Michael Pratts, MD., PLLC; and

WHEREAS, contracted services are beneficial as they do not incur additional costs for fringe benefits, time off resulting in lost revenue for the department, or legacy retirement costs; and

WHEREAS, in the event of psychiatric vacancy it would be advantageous to have an existing relationship with a contract provider able to provide services with minimal disruption; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community be authorized to enter into an agreement with Michael Pratts, MD., PLLC for the services of a licensed psychiatrist specializing in the treatment of children and youth for the provision of psychiatric services; and be it further

RESOLVED, that the contract with the Department of Psychiatry at the Upstate Medical University for these same services be terminated.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 69-13**

**2/26/13 NH tmwrnragmnt**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH TIME WARNER CABLE FOR TELEVISION SERVICES.**

BY: Patrick Mahunik, Chairman, Health & Human Services Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, the Nursing Home residents enjoy television services in their rooms; and

WHEREAS, those services have been provided in a satisfactory manner by Time Warner Cable; and

WHEREAS, competitive pricing was reviewed; and

WHEREAS, Time Warner Cable has installed the equipment and lowered the pricing for this contract cycle; 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 five years with Time Warner Cable at a cost of \$993.60 per month with annual increases not to exceed 3%. Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 70-13**

**2/26/13 NH acptrfengproposal**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR ARCHITECT/ENGINEERING ROOF REPLACEMENT OR RESTORATION OF THE ROOF AT THE NURSING HOME.**

BY: Patrick Mahunik, Chairman, Health & Human Services Committee  
David Axton, Chairman, Ways & Means Committee

WHEREAS, the roof at the Nursing Home needs to be updated, and  
WHEREAS, a request for proposals was sent out to multiple regional firms; and,  
WHEREAS, nine (9) firms responded with proposals; and,  
WHEREAS, the following proposals were received at rates not to exceed:

Techtronics:	\$ 15,200
Beardsley:	\$ 19,800
Mussachio:	\$17,100
QPK Design:	\$ 20,460
Laberge:	\$21,228
Bonacci Architects:	\$ 24,150
William Taylor:	\$13,298
Soderholm Engineering:	\$ 14,905
Keystone:	\$42,110

:and,  
WHEREAS, two (2) firms were eliminated due to noncompliance with the specifications in the RFP; and,

WHEREAS, comparison was made of the remaining proposals considering the services to be performed and costs; and,

WHEREAS, the proposal submitted by Beardsley Design Associates contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to Beardsley Design and Associates for a rate not to exceed \$19,800 (Nineteen thousand eight hundred dollars);and be it further,

RESOLVED, that the project be paid through the fund balance of the nursing home. Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 71-13**

**2/26/13 NH SYRtmndalarm**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH SYRACUSE TIME ANDALARM.**

BY: Patrick Mahunik, Chairman, Health and Human Services Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for testing and monitoring of the fire alarm system; and,



WHEREAS Syracuse Time and Alarm has installed the system and,  
WHEREAS Syracuse Time and Alarm is able to perform the bi-annual inspections as required by the State Department of Health; Now therefore be it

RESOLVED that Syracuse Time and Alarm test, inspect and monitor the fire alarm system for the nursing home for 2013 at the cost of \$ 2,798.00 (Two thousand seven hundred ninety-eight dollars).

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 72-13**

**2/26/13 OFAContractsFeb13**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN CONTRACTS WITH VARIOUS SUBCONTRACTORS.**

BY: Mr. Patrick Mahunik, Chair, Health & Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, appropriations were approved in the County budget for the year 2013 for various subcontractors (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 and directed to enter into contracts with the subcontractors listed below:

April 1, 2013 through March 31, 2014:

EISEP (Expanded In Home Services for the Elderly)	*Total of EISEP Services
Home Instead Senior Care	not to exceed \$198,500
Seneca Cayuga ARC	
Staffkings Healthcare Systems, Inc.	

CSE (Community Services for the Elderly) & AAA (Area Agency on Aging Transportation Funds)

Transportation Project, Inc.	\$53,500
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CSE (Community Services for the Elderly) & CSI (Congregate Services Initiative)

Boyle Senior Center, Inc.	\$5,500
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and be it further

RESOLVED, that the Office for the Aging is authorized and directed to enter into contracts with the above referenced subcontractors in an amount not to exceed the above referenced sums.

Signed by Mahunik, Axton, Cuddeback, Fearon, Pecher, Pinckney, Whitman, Runkle, Lattimore, Bennett, and Aikman, all in favor.

**RESOLUTION NO. 73-13**

**2/26/13 CEMO emndrules of orderRev**

**AUTHORIZING THE AMENDMENT OF THE RULES OF ORDER - CAYUGA COUNTY LEGISLATURE TO REFLECT THE MOVEMENT OF EMERGENCY MEDICAL SERVICES FROM HEALTH AND HUMAN SERVICES TO JUDICIAL AND PUBLIC SAFETY AND TO ADD CEDA AS LETTER (b) UNDER PLANNING AND ECONOMIC DEVELOPMENT.**

BY: Mr. George Fearon, Chairman Government Operations

WHEREAS, from time to time the Cayuga County Legislature reviews its Rules of Order-Cayuga County Legislature and thereafter considers making changes thereto; and

WHEREAS, in February of 2012 the Cayuga County Emergency Medical Services was removed from under the purview of the Health Department and placed back into Emergency Management; the reason for placement under HHS and Elane Daly was for grant reporting purposes; and

WHEREAS, the grant is no longer therefore there is no need to continue Cayuga County Emergency Services under the purview of the Health Department; and

WHEREAS, the Planning Committee asks that Cayuga Economic Development Agency, Inc. be added to the lists of Departments or agencies that report to the Planning Committee; now therefore be it

RESOLVED, that the Rules of Order-Cayuga County Legislature shall be amended as follows:

### III-COMMITTEES

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

#### 3. Planning and Economic Development

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

#### 4. Health and Human Services

- a. Animal Protection Organizations
- c. Health Department
- d. Long Term Care
- e. Mental Health
- f. Nursing Home
- g. Office for the Aging
- h. Social Services
- i. Youth Bureau

#### 6. Judicial and Public Safety

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

Signed by Fearon, Aikman, Didio, Farrell, Lattimore, and Runkle, all in favor.

### RESOLUTION NO. 74-13

2/26/13 HR plcyuniquesklsrev

#### APPROVING A POLICY ALLOWING EMPLOYEES WITH SPECIFICALLY IDENTIFIED SKILLS TO BE TEMPORARILY ASSIGNED TO OTHER AGENCIES UNDER EMERGENCY CIRCUMSTANCES, AND TO BE KEPT WHOLE.

BY: George Fearon, Chairman, Government Operations.

WHEREAS, Cayuga County employs persons who have skills and abilities that may be needed by other agencies during emergencies; and

WHEREAS, the need for those skills may occur at a time when the employee is expected to be at work for Cayuga County; and

WHEREAS, the public good may be best served by allowing that employee to apply her/his unique skill in the emergency situation; and

WHEREAS, the employee may be adversely affected if she/he were to go without pay during the time committed to the emergency, now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby implements a policy to authorize employees with unique skills to be utilized during emergency circumstances; be it further

RESOLVED, that the policy will provide a process by which those skills are identified, inventoried and authorized for use; and be it further

RESOLVED, when authorized, the employee will be compensated for the time they would have been scheduled for work with Cayuga County; and be it further

RESOLVED, that the employee will be considered to be on leave time; and be it further

RESOLVED, the employee will not have her/his vacation, personal leave, vacation, sick leave, holiday or compensatory time balances reduced by the time the employee is authorized to participate in the emergency situation.

RESOLVED, that this resolution shall take effect immediately.

Signed by Fearon, Aikman, Didio, Farrell, Lattimore, Runkle, Axton, Cuddeback, Mahunik, Pecher, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 75-13**

**2/26/13 COL standardworkweek**

**RE: STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS**

BY: George Fearon, Chairman, Government Operations Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body: see attached; and it is further

RESOLVED, that the redacted copy of the resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

Signed by Fearon, Aikman, Lattimore, Runkle, Axton, Cuddeback, Mahunik, Pinckney, and Whitman, all in favor, except Pecher.

**RESOLUTION NO. 76-13****2/26/13 VET DATABASErev****AUTHORIZATION FOR THE COUNTY VETERANS OFFICE TO PURCHASE A LICENSE IN ORDER TO OBTAIN A CONTINUOUSLY UPDATED CAYUGA COUNTY VETERANS "READ-ONLY" DATABASE.(2/3)**

BY: Mr. George Fearon, Chairperson, Government Operations Committee  
 Mr. David Axton, Chairperson, Ways and Means Committee

WHEREAS, it is vital that the County Veterans Office have an updated list of veterans who file their Military Discharge Papers (Form DD214) in the County Clerk's Office; and

WHEREAS, the County Clerk maintains the Form DD214's in their office and has the ability to share this information with the County Veterans Office via electronic records in a read-only format; and

WHEREAS, the cost of getting this continuous updated information through Xerox is a onetime cost of \$800 for the license and \$160 per year for support of that database; and

WHEREAS, \$960 of the funding for the database will be needed from Contingency Fund Account #A10164-54000; now therefore be it

RESOLVED, that the County Veterans office is authorized to get the updated veterans information via electronic records; and be it further

RESOLVED that the County Treasurer transfer \$960 from the Contingency Fund Account No. A10164-54000 to Account No. A65104 54018; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized to make the necessary journal entries and adjustments to accomplish the same.

Signed by Fearon, Aikman, Lattimore, Runkle, Axton, Cuddeback, Mahunik, Pecher, Pinckney, and Whitman, all in favor.

**Approved by 2/3 Vote: All voted aye, except excused Axton and Barski. 216/33**

**RESOLUTION NO. 77-13****2/26/13 HHS Amend 2013 Human Services Budgetrev****AMEND 2013 HUMAN SERVICES BUDGET IN ORDER TO FUND THE COUNTY SHARE OF THE CAYUGA COUNTY NURSING HOME'S INTER-GOVERNMENTAL TRANSFER (2/3).**

BY: Patrick Mahunik, Chairman of the Health and Human Services Committee  
 David Axton, Chairman of the Ways and Means Committee

WHEREAS, Section 2808 of the Public Health Law provides for Medicaid Upper Payment Limit (UPL) payments to public nursing facilities operated by a County (also known as Inter Governmental Transfer); and

WHEREAS, the Federal Centers for Medicare and Medicaid Services have approved New York State's plan for State fiscal year 2011-2012; and

WHEREAS, the Cayuga County Nursing Home qualifies under this provision to receive \$1,139,744 in UPL payments; and

WHEREAS, in order for the Nursing Home to receive these funds, the County must provide a local share match of 48.28% of the UPL payment, or \$550,268; and

WHEREAS, the funds for the required local share match were designated within the General Fund Balance, during the 2013 budget process, for this purpose; NOW THEREFORE BE IT;

RESOLVED, that the County Treasurer is authorized and directed to make the following transfers within the 2013 Cayuga County Budget:

Accounts:

Increase #A61004 54239 IGT payment	\$550,268
Decrease #A 19090 General Fund Balance	\$550,268

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 Mahunik, Aikman, Bennett, Pecher, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**Approved by 2/3 Vote: All voted aye, except excused Axton and Barski. 216/33**

**RESOLUTION NO. 78-13**

**2/26/13 E&Tlattingagmnt**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO SIGN AN AGREEMENT WITH CARL LATTING TO SPEAK AT CAYUGA  
WORKS CAREER CENTER'S  
YOUTH LEADERSHIP FORUM**

BY: Paul Pinckney, Chairman, Planning & Economic Development Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, Cayuga County Employment & Training Department is sponsoring a Youth Leadership Forum on April 12, 2013; and

WHEREAS, Cayuga County Employment & Training Department wants to contract with Carl Latting to be the Plenary Speaker for this Youth Leadership Forum; and

WHEREAS, The Cayuga County Employment & Training Department has funds from various foundations available in the amount of \$3,100.00, Acct # CD63704-54118, to pay for the Plenary Speaker, therefore, be it RESOLVED, that the Chairman of the County Legislature is authorized to sign an agreement with Carl Latting to be the Plenary Speaker at Cayuga Works Career Center's Youth Leadership Forum on April 12, 2013; 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 Pinckney, Aikman, Cuddeback, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher, and Whitman, all in favor.

**RESOLUTION NO. 79-13**

**2/26/13 PB OLTesting\_FLInstitute**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE AN  
AGREEMENT BETWEEN THE FINGER LAKES INSTITUTE AND CAYUGA  
COUNTY FOR IMPLEMENTATION OF THE FY 2013 OWASCO LAKE AND  
STREAM MONITORING PROGRAM**

BY: Hon. Paul Pinckney, Chair, Planning and Economic Development Committee  
Hon. David R. Axton, Chair, Ways and Means Committee

WHEREAS, the water quality of Owasco Lake is important to Cayuga County and its residents; and

WHEREAS, the Owasco Lake Watershed Management Plan recommended that the water quality of Owasco Lake and its tributaries be monitored; and

WHEREAS, the Owasco Lake Watershed Management Council (OLWMC) was incorporated to bring specific focus to strategic plans and actions to improve and protect the water quality of Owasco Lake and created a Watershed Inspection Committee (WIC) under the OLWMC and charged the WIC with the responsibility to align data collection and lake monitoring with the watershed inspection program efforts; and

WHEREAS, Dr. John Halfman, of the Finger Lakes Institute, has proposed an Owasco Lake and Stream Monitoring Program for 2013 (the Project) which has been presented to the OLWMC Watershed Inspection Committee for review and recommendation, and the WIC recommended that the Project be funded in full; and

WHEREAS, the total Project cost is \$25,500, while the Planning & Economic Development Department's WQMA budget has \$28,000 available in FY 2013 budget item A87404-54059 specifically allocated for professional services and targeted research related to Owasco Lake and Stream monitoring; and

WHEREAS, Cayuga County deems it to be in the public interest and benefit to enter into an agreement to conduct this lake and stream monitoring on its main drinking water source; and

WHEREAS, the Cayuga County Attorney has reviewed the Finger Lakes Institute professional services proposal in the context of the ongoing research and data collection conducted by Dr. Halfman and the Finger Lakes Institute on Owasco Lake and its major stream tributaries, and has concluded that the proposed agreement should be considered a sole source procurement agreement for professional services; and

WHEREAS, Cayuga County is funding this Project on the behalf of, and as its contribution to, the Owasco Lake Watershed Management Council;

NOW, THEREFORE BE IT

RESOLVED, by the Cayuga County Legislature as follows:

1. The Chairman is authorized and directed to sign such documents as may be necessary to implement this Project so long as costs do not exceed the Project cost of \$25,500; and
2. That the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the administration of the Project; and
3. This resolution shall take effect immediately.

Signed by Pinckney, Aikman, Cuddeback, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher, and Whitman, all in favor.

### **RESOLUTION NO. 80-13**

**2/26/13 PB\_HHWGRANT13**

### **AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE.**

BY: Hon. Paul Pinckney, Chair, Planning and Economic Development Committee  
Hon. David R. Axton, Chair, Ways and Means Committee

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Cayuga, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; NOW, THEREFORE, BE IT

RESOLVED by the Legislature of the County of Cayuga:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and
2. That the Chairman of the Legislature, or his designee, is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and the Chairman is authorized to sign the resulting contract if said application is approved by the STATE; and
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the STATE for the STATE share of such costs, and that \$40,000.00 has been properly budgeted for by the Cayuga County Planning and Economic Development Department (FY 2013 Special Programs Account A80204 54164) to be utilized for this purpose; and
4. That four (4) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application prepared and submitted by the Cayuga County Department of Planning & Economic Development; and
5. That the County Administrator's Office is hereby authorized to advertise for and receive sealed proposals for a hazardous waste service provider for this project; and
6. That the Chairman of the Legislature is hereby authorized and directed to sign such documents as may be necessary to implement this project so long as costs do not exceed the available budget; and
7. That the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the same; and
8. That this resolution shall take effect immediately.

Signed by Pinckney, Aikman, Cuddeback, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher, and Whitman, all in favor.

**RESOLUTION NO. 81-13**

**2/26/13 COA CrossRoadtransfer**

**AUTHORIZING THE ABANDONMENT OF CROSS ROAD IN THE TOWN OF FLEMING**

WHEREAS, a parcel of land known as Cross Road that is located in the Town of Fleming, New York, that runs from Route 38 to Sand Beach Road, was abandoned to the Town of Fleming by Official Order of the New York State Department of Public Works, Highway Division, dated February 11, 1942.

WHEREAS, clear ownership of this road between the County and the Town of Fleming was hard to establish in the past; and

WHEREAS, by Resolution Nnumber 631-09, Cayuga County discontinued Cross Road as a county highway and conveyed its interest to the Town of Fleming; and

WHEREAS, by its Resolution dated March 9, 2010, the Town of Fleming rejected transfer of Cross Road for maintenance; and

WHEREAS, on December 29, 2010, Cayuga County, by Quit Claim deed, transferred its interest in Cross Road to the adjacent landowner pursuant to Highway Law, Section 118a; and

WHEREAS, it was later determined that the County requires the property be transferred by Deed to Cayuga County before the County transfers its interest by deed for title to be clear; and

WHEREAS, by its Resolution dated December 27, 2012, the Town of Fleming transferred any interest it has in Cross Road to Cayuga County; and

WHEREAS, by Quit Claim dated December 27, 2012, the Town of Fleming executed its transfer of its interest in Cross Road to Cayuga County; and

WHEREAS, it is still in Cayuga County's best interest not to maintain this road and it is still of no use to the County; and

WHEREAS, under Highway Law Section 118a, sections of road that are of no further use to the County for highway purposes may be abandoned to the abutting property owners; and

WHEREAS, the Town of Fleming will require an easement to maintain, inspect, and repair its water and sewer lines that run under the land; now therefore be it

RESOLVED, that the Chairman of the Legislature is authorized to execute the transfer of the Cross Road from the Town of Fleming to Cayuga County and Right of Way and Easement to the Town of Fleming so the Town may maintain, inspect, and repair its water and sewer lines under the land; and it further be

RESOLVED, that the Chairman of the Legislature is authorized to execute a Correction Deed of the Quit Claim dated December 29, 2010, of the land known as Cross Road, in the Town of Fleming, New York, to the adjacent property owner known as Cross Road, in the Town of Fleming, New York.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Pinckney, Fearon, and Cuddeback, all in favor.

### **RESOLUTION NO. 82-13**

**2/26/13 RP Amend Res58of 1982and Res2 of 1984rev**

### **AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AND EXECUTE A DEED AND OTHER RECORDING DOCUMENTS TO RESTRICT THE USE OF PROPERTY COMMONLY KNOWN AS TAX MAP No. 101-1-7.1 IN THE TOWNS OF THROOP AND AURELIUS.**

BY: Hon. Tucker Whitman, Chair, Public Works Committee

Hon. David Axton, Chair, Ways & Means Committee

WHEREAS, Resolution No. 58 of March 16, 1982 authorized the purchase of land along the now or formerly known Owasco Outlet from the New York State Electric and Gas Company; and

WHEREAS, the resolution provided in part "RESOLVED, that any changes in use of the property shall be agreed upon by the County and the two towns" (Throop and Aurelius); and

WHEREAS, the deed of conveyance did not recite the provisions of Resolution No. 58 of 1982 that any changes in the use of the property shall be agreed upon by the County and the Town of Aurelius and the Town of Throop; and



WHEREAS, Resolution No. 2 of January 4, 1983 accepted the conveyance of property in the Towns of Throop and Aurelius from the New York State Electric and Gas Company and authorized the County Treasurer to pay prorated taxes thereof therefore in the amount of \$2,182.15; and

WHEREAS, Resolution No. 2 of 1983 did not contain the provision from Resolution No. 58 of 1982 which provided in part "RESOLVED, that any changes in the use of the property shall be agreed upon by the County and the two towns" (Throop and Aurelius); and

WHEREAS, this County Legislature wishes to correct that error or omission and state that any changes in the use of the property shall be agreed upon by the County and the Town of Aurelius and the Town of Throop; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to execute the necessary documents to re-convey the property to itself and impose the condition that any changes in use of the property shall be agreed upon by the County and the Town of Aurelius and the Town of Throop.

Signed by Whitman, Axton, Mahunik, Pecher, Cuddeback, and Pinckney, all in favor.

### **RESOLUTION NO. 83-13**

**2/26/13 BLD Architect services for HPO roofrev**

#### **AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN ANY AGREEMENT WITH AJH DESIGN FOR ARCHITECT SERVICES TO OVERSEE HISTORIC POST OFFICE ROOFING PROJECT.**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and Hon., David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 249-09 authorized going out for RFP's for Projects in the Downtown Campus and Resolutions 411-09 and 469-09 awarded project design to Larson Design and set up Capital "H" Project No. 09-02 for the Historic Post Office; and

WHEREAS, Larson Design has closed their New York Office and sub contracted with AJH Design to supply local support for the Historic Post Office projects, AJH Design owner and staff worked for Larson Design and did the design work for the Historic Post Office project before Larson closed their office, and

WHEREAS Larson Design's agreement expired on 12/31/12 so it would be advantages for the County to deal directly with the professionals that will conduct the work and an agreement with AJH Design and cut out the middle man, now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to sign any agreement for the architect services for the Historic Post Office roofing project with AJDH Design; and be it further the cost not to exceed \$3,800.00; AND BE IT FURTHER

Resolved, that the funding for the agreement will come out of Capital "H" project 12-03; AND BE IT FURTHER

RESOLVED, that Superintendent of Buildings and Grounds will oversee the roofing project; 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 Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 84-13****2/26/13 BLD Truck Purchase 2013 rev 4****AUTHORIZATION TO PURCHASE A TRUCK AND PLOW FOR THE BUILDINGS AND GROUNDS DEPARTMENT AND SURRENDER 2003 SEDAN FOR AUCTION OR TRANSFER.**

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

WHEREAS, the Cayuga County Legislature established a Equipment Reserve Fund in January 2012 with Resolution 43-12 and transferred \$15,000.00 in to the fund from the 2011 unexpended and unappropriated fund;; and

WHEREAS, with resolution 485-12, \$15,000.00 was transferred from the unexpended and unappropriated fund for a total of \$30,000.00 in the Fund; and

WHEREAS, the Buildings and Grounds Department has been down to one truck since the Departments 1999 Ford Truck was totaled in 2010 and the Department has relied on utilizing Parks and Trails 1995 Dodge truck in the winter; and

WHEREAS, while the 1995 Truck works well for Parks and Trails in the summer it is not a reliable vehicle for plowing snow in the winter time and a dependable vehicle is needed to keep the 9 parking areas in the Downtown office complex clear of ice and snow for the safety of Tax Payers and County Personnel; and

WHEREAS, a dependable vehicle is needed in the Buildings and Grounds Department for the year around delivery of supplies, equipment and Maintenance personnel between building in Cayuga County; now therefore be it

RESOLVED, that \$27,500.00 from the Buildings Equipment Reserve Fund be transferred to Equipment Account A16202 52000; and be it further

RESOLVED, that the Superintendent of Building and Grounds be authorized to purchase a ¾ ton 4x4 truck from the State Bid for vehicles award number 22539 and a snowplow for the truck not to exceed \$27,500.00 utilizing account A16202 52000; and be it further

RESOLVED, that the current 2003 Chevy sedan ,vin number 1G1ND5253M679041, be surrendered to the Clerk of the Cayuga County Legislature for auction or transfer upon the acceptance of the new replacement vehicle; 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 Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 85-13****2/26/13 HWY cnsldthwyIRAre3****MEMORIALIZING SUPPORT FOR PARTICIPATION IN A STUDY REGARDING SHARED SERVICES WITH MUNICIPAL ENTITIES, AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE GRANT APPLICATION DOCUMENTS.**

WHEREAS, the County of Cayuga and the Town of Ira desire to consider the implications of the sharing of services or functional consolidation of the Town of Ira Highway Department with the Cayuga County Highway Department; and

WHEREAS, sharing of such services may result in a streamlining of municipal resources and will promote municipal economy among all the participating municipal subdivisions; and

WHEREAS, to this end, the County of Cayuga together with the Town of Ira seeks to apply for a joint grant from the New York State Local Government Efficiency Grant Program to assist with funding a feasibility study to assess the possible sharing or consolidation of the highway services; now therefore be it

RESOLVED, that the County of Cayuga is hereby authorized to submit an application through the Local Government Efficiency Grant Program for purposes of conducting a feasibility study considering the implications of sharing or consolidating highway services between the County of Cayuga and the Town of Ira; and be it further

RESOLVED, that the County of Cayuga shall act as Lead Applicant and the Town of Ira shall act as co-applicant, with the Town Supervisor or his designee acting as Co-Applicant Contact Person and with the Cayuga County Administrator, or his designee, acting as the Lead Applicant Contact Person and that such Lead Applicant Contact Person shall execute all financial and/or administrative process relating to the grant program; and be it further

RESOLVED, that the project for which the grant application shall be submitted is for the County of Cayuga and the Town of Ira to conduct a feasibility study to determine whether there are financial and operational efficiencies to be achieved in the event that the participants either share or consolidate highway; and be it further

RESOLVED, that the parties will contribute the required local match portion of the grant, if awarded, according to separate agreement between them; and be it further\

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to execute documents required to apply for the New York State Local Government Efficiency Grant Program..

Signed by Whitman, Axton, Mahunik, Pecher, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 86-13**

**2/26/13 HWY summerhelp13**

**AUTHORIZATION TO HIRE 10 SEASONAL LABORERS**

BY: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, summer is the prime construction season as well as the period when many regular employees take time off; and

WHEREAS, funding is allocated in Account D51101 51005 of the 2013 highway budget for the hiring of seasonal laborers for an 18 week period; and

WHEREAS, the decrease in the size of the Highway Department over the last few years has made the reliance on seasonal employees more critical than in the past to get work done in the short summer construction season; and

WHEREAS, the lack of these seasonal employees would seriously hamper the operations of the department during prime construction season; and

WHEREAS, many of the tasks that need to be done are seasonal in nature commencing from the beginning of June to the end of September; now therefore be it

RESOLVED, that the County Highway Superintendent be hereby authorized to hire 10 seasonal laborers to start in May and end in September for a period not to exceed 18 weeks to accomplish the added seasonal tasks required by the highway department; and be it further

RESOLVED, that the seasonal personnel be paid at an hourly rate of \$10.00 without fringe benefits except those that are required by law; and be it further

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 87-13**

**2/26/13 HWY fillsignmaintI2432**

**AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO FILL A SIGN MAINTENANCE PERSON I POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a Sign Maintenance I position was vacated on 1/27/13 due to promotion; and

WHEREAS, this Sign Maintenance I position is critical to the highway department's operations; and

WHEREAS, this position (Position Control #002432) has been budgeted for the entire year of 2013; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position from within the department and be it further

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 88-13**

**2/26/13 HWY pickuptrkpurchREV**

**AUTHORIZATION FOR THE HIGHWAY SUPERINTENDENT TO PURCHASE A 2013 FORD PICK UP TRUCK**

BY: Tucker Whitman Chairman, Public Works Committee

David Axton, Chairman, Ways and Means Committee

WHEREAS, in the 2013 Highway Department budget, funds were budgeted in account DM51302 52002 in the amount of \$27,000 for the replacement of one (1) 2000 Ford Explorer; and

WHEREAS, the County can purchase a replacement pick-up truck with necessary options for a total cost not to exceed \$27,000 from State bid award/contract #225359/PC65855 thereby eliminating the need and cost of bidding; and

WHEREAS, this pick-up truck is a necessary and critical component of the Highway Department for materials and crew transportation for road maintenance, resurfacing, and reconstruction projects; now therefore be it

RESOLVED, the Highway Superintendent is authorized to purchase one pick-up truck off of the State bid not to exceed \$27,000 utilizing the appropriated and budgeted funds in account DM51302 52002; and be it further

RESOLVED, that after acceptance from the vendor and then completion of the appropriate modifications, the department will surrender to the Clerk of the Legislature a 2000 Ford Explorer or similar class light duty truck; 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 Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 89-13**

**2/26/13 PT CCE Youth Fair Ag Museum 2 13**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF CAYUGA COUNTY (CCE) TO ALLOW THE 2013 YOUTH FAIR TO BE HELD AT THE WARD W. O'HARA AGRICULTURAL MUSEUM AND THE DR. JOSEPH F. KARPINSKI SR. EDUCATIONAL CENTER AT EMERSON PARK IN JULY OF 2013**

BY: Tucker Whitman Chairperson, Public Works

David Axton Chairman Ways and Means

WHEREAS, for the last three years CCE has held their annual youth fair at the Ward W. O'Hara Agricultural Museum located in Emerson Park; and

WHEREAS, CCE has requested to have the 2013 event at The Ward W. O'Hara Agricultural Museum and The Dr. Joseph F. Karpinski Sr. Educational Center at Emerson Park; and

WHEREAS, CCE has agreed to provide the necessary tents and set-up and removal expenses from external donations and the reimbursable funds provided by the Cayuga County Legislature; and

WHEREAS, CCE and 4H agrees to provide staff, judges and insurance for the event, and

WHEREAS, the events over the last three years were very successful and well received; and

WHEREAS, CCE, a group of dedicated volunteers and the Cayuga County Parks Department are hoping to build on the success of the last three years and make the 2013 event even bigger; now, therefore, be it

RESOLVED, that the Cayuga County Attorney is hereby authorized and directed to work with CCE to develop an agreement acceptable to both parties; and be it further

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney all in favor.

**RESOLUTION NO. 90-13****2/26/13 P&TSchwartzGrant 3 13rev****AUTHORIZING THE PARKS AND TRAILS DEPARTMENT TO ACCEPT A \$7,000 GRANT FROM THE SCHWARTZ FAMILY FOUNDATION INC. TO PURCHASE CONEX AUDIO TOUR UNITS FOR THE WARD W. O'HARA AGRICULTURAL MUSEUM AND THE DR. JOSEPH F. KARPINSKI SR. EDUCATIONAL CENTER**

BY: Chairperson, Public Works, Tucker Whitman

Chairperson, Ways &amp; Means Committee, David Axton

WHEREAS, the Ag Museum attendance for 2013 was 16,883 people consisting of individuals, families, school groups and tour buses; and

WHEREAS, the Ag Museum is typically staffed with one person making it difficult for patrons to inquire and learn about the many exhibits at the museum; and

WHEREAS; the Museum Director found "audio tour units" that would allow patrons to tour the museum independently and still get information about the exhibits; and

WHEREAS; the Museum Director conducted a fundraiser to raise money for 20 of the Conex Audio Tour units with chargers at a cost of \$7,000; and

WHEREAS, the Schwartz Family Foundation Inc. has generously donated the entire \$7,000 to allow the purchase and programming of the units; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer and the Cayuga County Parks Department is hereby authorized to accept the \$7,000 donation and to increase county revenue Account Number A13250-42705; and be it further

RESOLVED, that the Cayuga County Parks and Trails Department and the Cayuga County Agricultural Museum Commission are authorized to purchase the Conex Audio Tour units for \$7,000.00 and increase county expense Account Number A71114-54224. Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 91-13****2/26/13 PT EmersonParkVendorFeeRev 2 26 13****APPROVING AN INCREASED VENDOR FEE FOR VENDORS WISHING TO USE ELECTRICAL POWER WHEN THEY ARE NOT ON PARK GROUNDS AND APPROVING THE PARKS USE OF THE ATTACHED AGREEMENT DRAWN UP BY THE COUNTY ATTORNEY**

BY: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways &amp; Means Committee

WHEREAS, the vendor fees at Emerson Park were established by Resolution 93-12 at \$50/day or \$250/annually; and

WHEREAS, the parks department has allowed vendors to casually use park power in support of their vending as long as the power use is temporary and in support of an event; and

WHEREAS, a vendor has requested we consider allowing them to use power 24/7; and

WHEREAS; the County Attorney and the County Code Enforcement Officer have determined that such use is legal if the vendor meets the following criteria:

1. Extension cords can only be used for portable appliances.
2. Extension cords must be protected from environmental damage.

- 3. Extension cords can only be used for temporary power, not to exceed 90 days.
- 4. The vendor signs the attached agreement; and

WHEREAS, there are many power stations around the park that could be used by vendors to meet this criteria; and

WHEREAS, if a vendor desires to have additional power stations added to the park they may do so at their expense with the approval of the Parks Commission; and

WHEREAS, the parks department believes there should be an additional charge of \$100/cord for providing this service to annual vendors; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby revise Resolution 93-12 establishing a fee for annual vendors requiring power on more than a casual basis at \$100/cord used; and be it further

RESOLVED, that the Cayuga County Parks Department is authorized to execute the vendor agreement reflecting this change.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 92-13**

**2/26/13 PT Seasonal Help 2 13**

**AUTHORIZING THE HIRING OF SEASONAL STAFF FOR THE PARKS & TRAILS DEPARTMENT FOR THE 2013 SEASON**

BY: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS, it is necessary to hire additional seasonal staff at Emerson Park, West Barrier Bar, Sterling Nature Center, Owasco Flats and the County Trails to accomplish the increased workload preparing for, during and after the summer season; and

WHEREAS, it is anticipated that in order to accomplish this extra work up to forty-nine (49) full-time equivalent seasonal positions will be needed, which will include:

Fourteen (14) Laborers, eight (8) Lifeguards, three (3) Head Lifeguards, four (4) Maintenance Crew Leaders, twelve (12) Park Security Guards, one (1) Supervising Park Security Guard, one (1) Building Maintenance Mechanic, two (2) Building Maintenance Persons and four (4) Cleaners as recommended by the Committee or as otherwise provided by law; now, therefore, be it

RESOLVED, that the Park Maintenance Supervisor is hereby authorized to hire up to forty-nine (49) full time equivalent seasonal positions as stated above, to be paid as follows:

Laborers	\$7.25/hr. (Or minimum wage if higher)
Lifeguards	\$8.50/hr. (Or minimum wage plus \$1.00 if higher)
Head Lifeguards	\$9.25/hr. (Or minimum wage plus \$1.50 if higher)
Maintenance Crew Leaders	\$8.75/hr. (Or minimum wage plus \$1.00 if higher)
Park Security Guards	\$10.00/hr. (Or minimum wage plus \$2.00 if higher)
Supervising Park Security Guard	\$15.00/hr.
Building Maintenance Mechanic	\$15.00/hr.
Building Maintenance Persons	\$11.50/hr.
Cleaners	\$8.75/hr. (Or minimum wage plus \$1.00 if higher)

and be it further

RESOLVED, that the funding for the above-stated positions shall be paid from appropriated funds in the 2013 Parks & Trails Department Budget Account # A71101-51005, total not to exceed the budgeted amount of \$111,871.00.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 93-13**

**2/26/13 PT Museum PT Help 2 26 13**

**REVISING RESOLUION 543-11 WHICH AUTHOURIZED THE HIRING OF UP TO EIGHT PART-TIME MUSEUM AIDES AND ONE PART-TIME MUSEUM ASSISTANT TO ALLOW UP TO 14 PART-TIME MUSEUM AIDES AND ONE PART-TIME MUSUEM ASSISTANT FOR THE WARD W. O'HARA AGRICULTURAL MUSEUM AND THE DR. JOSEPH F. KARPINSKI SR. EDUCATIONAL CENTER**

BY: Tucker Whitman, Chairman, Public Works

David Axton, Chairman, Ways & Means Committee

WHEREAS, in the last nine years the Ward W. O'Hara Agricultural Museum has enjoyed much growth and success including most recently the addition of The Dr. Joseph F. Karpinski Sr. Educational Center; and

WHEREAS, the growth and success of the Museum is reflected in the attendance numbers for the facility increasing from 2,800 in the year 2006 to 16,883 in the year 2012; and

WHEREAS, the climate controlled Educational Center has made it possible to keep the Museum open year round; and

WHEREAS, the increased open hours has resulted in increased demands on the museum staff and volunteers; and

WHEREAS, the Museum Director, PT and the Park Director have determined up to six (6) more Museum Aides PT for a total of up to fourteen (14) Museum Aides PT and the one Museum Assistant PT may be needed to cover the additional hours of operation of the museum; and

WHEREAS, the hourly pay rate for the Museum Aides shall be set at \$7.75 per hour or NYS minimum wage, whichever is greater, and

WHEREAS, the hourly rate for the Museum Assistant shall be set at \$8.50 per hour or NYS minimum wage plus \$0.75, whichever is greater, and

WHEREAS, the Ward W. O'Hara Agricultural Museum Commission and the Cayuga County Parks Commission both support this proposed change; and

WHEREAS, the funding for the above-stated positions shall be paid from appropriated funds in the 2013 Parks & Trails Department Budget for the Agricultural Museum, Account # A71111-51002 (Salaries, PT) with total for all fifteen (15) positions not to exceed the budgeted amount of \$16,318; now, therefore be it

RESOLVED, that the Parks and Trails Department is hereby authorized to hire up to fourteen (14) Museum Aides PT and one Museum Assistant PT to meet year round needs of The Ward W. O'Hara Agricultural Museum and The Dr. Joseph F. Karpinski Sr. Educational Center in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.



**RESOLUTION NO. 94-13**

**2/26/13 PT Museum Director PT Salary 2 26 13**

**INCREASING THE HOURS WORKED BY THE MUSEUM DIRECTOR PT AND  
INCREASING THE SALARY FOR THE POSITION ESTABLISHED PER  
RESOLUTION 586-05 TO REFELCT THE INCREASED HOURS**

BY: Tucker Whitman, Chairman, Public Works

David Axton, Chairman, Ways & Means Committee

WHEREAS, in the last nine years the Ward W. O'Hara Agricultural Museum has enjoyed much growth and success including most recently the addition of The Dr. Joseph F. Karpinski Sr. Educational Center; and

WHEREAS, the growth and success of the Museum is reflected in the attendance numbers for the facility increasing from 2,800 in the year 2006 to 16,883 in the year 2012; and

WHEREAS, the climate controlled Educational Center has made it possible to keep the Museum open year round; and

WHEREAS, the increased open hours has resulted in increased demands on the Museum Director PT; and

WHEREAS, the Museum Director, PT position is listed in the County of Cayuga Compensation Plan Updated 7/27/12 for non-bargaining employees at an annual salary of \$11,850 which was based on the person working an average of 16 hours per week at an hourly rate of \$14.24/hour; and

WHEREAS, the park director when formulating the 2013 budget did include an increase in salary for the Museum Director, PT position to \$14,736 allowing for an additional 3.9 yours per week to 19.9 hours per week at the same hourly rate of \$14.24/hour; and

WHEREAS, the Ward W. O'Hara Agricultural Museum Commission and the Cayuga County Parks Commission both support this proposed change; and

WHEREAS, the funding for the above-stated position shall be paid from appropriated funds in the 2013 Parks & Trails Department Budget for the Agricultural Museum, Account # A71111-51002 (Salaries, PT); now, therefore be it

RESOLVED, that the salary for the Museum Director, PT position be set at an annual salary of \$14,736 effective 3/1/13; and be it further

RESOLVED, that the salary be revised in the Cayuga County Compensation Plan, Part II, for Non-Bargaining Employees.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 95-13**

**2/26/13 BLD Create part time maintenance position rev2**

**AUTHORIZATION TO CREATE AND FILL A PART-TIME MAINTENANCE  
POSITION IN THE BUILDINGS AND GROUNDS DEPARTMENT TO ASSIST  
AT THE COUNTY HOUSE ROAD COMPLEX AND TO AMEND 2013  
BUILDINGS AND GROUNDS BUDGET. (2/3).**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and  
Hon., David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, the Buildings and Grounds Staff at the County House Road Complex maintains two buildings, the Public Safety Building and the Nursing Home, both are 24/7 operations, and due to the 24/7 operation there is added maintenance to maintain these buildings, and

WHEREAS, at the Public Safety Building, where the newest section is now 13 years old, and with the guests at this facility continually trying to destroy the facility. You can multiply each year by 3.5 to come up with the wear and tear the facility is experiencing compared to a regular office building, and

WHEREAS, with the new 911 system, it has fallen to the Buildings and Grounds to inspect the new 911 towers twice each month, and with the checking of the new towers and old sites, there are 13 sites that are being inspected, it takes on the average 20 hours each month to drive and inspect each site, and

WHEREAS, the Sheriff has been awarded State Certification for the Public Safety Building and with this Certification reduction in insurance cost, upkeep of the facility is important to keep this certification and for the health and safety of the guest and employees at the facility, now therefore be it

RESOLVED, that a Part-Time Maintenance position, 19.5 hours per week with no benefits, be created in the Buildings and Grounds Department to be stationed at the County House Road complex to assist with the Maintenance at that Complex and that funding for this position (\$18,890.00) be taken from Contingency Account No. A10164-54000 and that the in the amount of \$ 17,400.00 for salary to be transferred into Account A16201 51002 and that the amount of \$1,490.00 for FICA be transferred into Account A16201 58001 for a total of \$18,890.00; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized and directed to fill the position of Maintenance Mechanic part time in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga; 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 Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**Approved by 2/3 Vote: All voted aye, except excused Axton and Barski. 216/33**

### **RESOLUTION NO. 96-13**

**2/26/13 911 emgcommsysrev**

### **AUTHORIZING THE CAYUGA COUNTY LEGISLATORS TO AUTHORIZE FUNDING FOR IMPROVEMENTS OF THE NEW EMERGENCY COMMUNICATIONS SYSTEM**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee  
Mr. David Axton, Chairperson, Ways & Means Committee-

WHEREAS, Cayuga County citizens, visitors and first responders deserve a reliable, interoperable communications network that will ensure a prompt response to any incident; and

WHEREAS, Cayuga County has implemented a new Emergency Communications System; and

WHEREAS, paging and portable coverage are not sufficient in the Northern part of

Cayuga County and Motorola has submitted coverage maps suggesting that raising antenna heights will potentially have significant improvements in the coverage; and

WHEREAS, the cost to make the improvements will cost approximately \$30,000; now therefore be it

RESOLVED, the Cayuga County Legislature approve the additional funding, not to exceed \$30,000 to make the necessary site modifications; and be it further

RESOLVED, that money be transferred from contingency account number A10164 54000 to Capital H Project No. 10-03; and be it further

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

Signed by Cuddeback, Axton, Bennett, Didio, Pinckney, Whitman, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO. 97-13**

**2/26/13 911 policyreviewcommrev1**

**AUTHORIZING THE CAYUGA COUNTY LEGISLATORS TO INCREASE THE MEMBERSHIP ON THE POLICY REVIEW AND OVERSIGHT COMMITTEE (PROC) FOR CAYUGA COUNTY E-911 AND THE NEW EMERGENCY COMMUNICATIONS SYTEM**

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

WHEREAS, Cayuga County citizens, visitors and first responders deserve a reliable, interoperable communications network that will ensure a prompt response to any incident; and

WHEREAS, Cayuga County has implemented a new Emergency Communications System; and

WHEREAS, updated Policies and Protocols are necessary in order to ensure the safe, secure, and timely handling of any radio transmissions; and

WHEREAS, this Committee currently consists of a representative from the following agencies / departments: Cayuga County 911, Emergency Management, Fire Advisory Board, City of Auburn Fire / Police, Cayuga County Sheriff’s Office, the Village Police Departments, & New York State Police; and

WHEREAS, the terms are for four years with the initial appoints for a staggered terms as indicated below:

New York State Police	January 1, 2012 - December 31, 2012
Cayuga County Sheriff’s Office	January 1, 2012 - December 31, 2012
Village Police Departments	January 1, 2012- December 31, 2013
City of Auburn Fire / Police (2 members)	January 1, 2012 - December 31, 2014
Fire Advisory Board	January 1, 2012 - December 31, 2014
Cayuga County 911	January 1, 2012 - December 31, 2015
Emergency Management	January 1, 2012 - December 31, 2015

WHEREAS, the fire/ems agencies have requested additional participation and membership on the committee; now therefore be it

RESOLVED, the Cayuga County Legislature will add one additional representative to the Policy Review and Oversight Committee, to be appointed by the Cayuga County Association of Emergency Services, to assist and advise the 911 Administrator in maintaining these policies and procedures in order to maintain control of the new emergency communications system; and be it further

RESOLVED, that the Administrator will submit the names yearly of those members who should be appointed by the County Legislature to the Policy Review and Oversight Committee.

Signed by Cuddeback, Axton, Whitman, Fearon, Pecher, and Pinckney, all in favor.

**RESOLUTION NO. 98-13**

**2/26/13 SHR MOD of OPER STGDN grant**

**AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2012 SHERIFF'S GRANTS BUDGET ACCORDING TO AN APPROVED MODIFICATION OF THE 2011 OPERATION STONEGARDEN GRANT FROM THE OFFICE OF HOMELAND SECURITY.**

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

WHEREAS, the Cayuga County Legislature resolved to accept the 2011 Operation Stonegarden Grant from the Office of Homeland Security in April 2012 through Resolution #169-12, towards the purchase of approved equipment and reimburse the County for overtime and fringe benefits on overtime expended on operational details with the United States Border Patrol; and

WHEREAS, a request was processed and approved by the Department of Homeland Security to reallocate \$40,000.00 of that funding from the purchase of equipment to overtime and fringe benefits: now therefore it is hereby

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the modification to the 2011 Operation Stonegarden Grant; and be it

RESOLVED, that the 2011 Cayuga County Sheriff's Grant budget be amended to decrease the expenditure lines: Equipment Trackable Account A31132 52100 by \$40,000.00, and increase DHSES Stonegarden 11 Account A31134 54562 by \$40,000.00; and be it further

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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO. 99-13**

**2/26/13 SHR PurchasePickupTruck**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A PICKUP TRUCK (CBRNE PRIME MOVER) WITH FUNDS AWARDED THROUGH THE 2011 OPERATION STONEGARDEN GRANT FOR USE BY THE LAW ENFORCEMENT DIVISION**

BY: Mr. Steve Cuddeback, Chair, Judicial and Public Safety Committee, Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, purchased two snowmobiles and a trailer with funds awarded by the New York State Division of Homeland Security and Emergency Services under the 2010 Operation Stonegarden Grant to facilitate law enforcement partnerships and enhance border enforcement capabilities in its efforts to address border security issues; and

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, was

granted monies from the New York State Division of Homeland Security and Emergency Services under the 2011 Operation Stonegarden Grant to be applied towards the purchase of approved equipment and reimbursement of overtime expended on operational details with the United States Border Control (Resolution No. 169-12); and

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, received approval through the 2011 Operation Stonegarden Grant to purchase a pickup truck (New York State Contract No. PC65855) to use for towing the aforementioned trailer and snowmobiles, as well as other Road Patrol functions; and

WHEREAS, due to the awarding of the 2011 Operation Stonegarden Grant, there are sufficient funds in the Sheriff's 2013 Law Enforcement Equipment Trackable Line A31132 52100 to purchase a new pickup truck (CBRNE Prime Mover) for an amount not to exceed \$35,000, and \$6,000 in Line Number A33134 54562 DHSES Stonegarden 11 to accommodate insurance and maintenance fees; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office is authorized to purchase a new pickup truck for a cost not to exceed \$35,000.00 and pay insurance and maintenance fees as incurred of \$6,000.00; and it is further

RESOLVED, that the purchase of the new vehicle will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, and Pecher, all in favor.

**RESOLUTION NO. 100-13**

**2/26/13 SHR Purchase Seven Patrol Cars**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE SEVEN  
(7) NEW MARKED PATROL CARS TO REPLACE EXISTING PATROL CARS  
THAT HAVE EXCEEDED THEIR USEFUL LIFE SPAN AND HAVE  
ACCUMULATED HIGH MILEAGE.**

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

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, presently has seven (7) marked patrol cars that have exceeded their useful life span and have accumulated high mileage; and

WHEREAS, pursuant to NYS Contract No. PC65855, the Cayuga County Sheriff's Office can purchase seven (7) new patrol vehicles for a cost not to exceed \$210,000.00, which price includes detailing and outfitting of necessary radio equipment; and

WHEREAS, there are sufficient funds in the Sheriff's 2013 Law Enforcement Equipment Trackable Line A31132 52100 to purchase seven (7) new marked vehicles; and

WHEREAS, the following seven (7) existing patrol vehicles will be delivered to the Clerk of the Cayuga County Legislature for disposal upon the delivery of the seven (7) new patrol vehicles to the Cayuga County Sheriff's Office: (1) 2003 Ford Crown Victoria, VIN 2FAHP71W73X178431 (119,158 miles); (2) 2007 Dodge Durango, VIN 1D8HB38N07F584875 (110,794 miles); (3) 2007 Chevy Impala, VIN 2G1WS58R479415786 (123,850 miles); (4) 2007 Chevy Impala, VIN 2G1WS58R279415902 (141,688 miles); (5) 2006 Ford Crown Victoria, VIN 2FAHP71WO7X100790 (121,327 miles); (6) 2008 Chevy Impala, VIN 2G1WS553481352110 (110,767 miles); and (7) Chevy Impala, VIN 2G1WS58R279415902 (141,688 miles); and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase seven (7) new patrol vehicles pursuant to NYS Contract No. PC65855 for a cost not to exceed \$210,000; and it is further

RESOLVED, that upon the delivery of the seven (7) new patrol vehicles, the seven existing patrol cars will be delivered to the Clerk of the Cayuga County Legislature for disposal; and further be it

RESOLVED, that the purchase of these seven (7) new patrol vehicles will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, and Pecher, all in favor.

### **RESOLUTION NO. 101-13**

**2/26 LEG NYSAFE ACT rev**

#### **MOTION BY FARRELL TO AMEND THE FIRST RESOLVED TO REMOVE**

**(questions the Constitutionality and enforceability of the NY SAFE Act and reconsider the NY SAFE Act and to repeal same NY SAFE Act) and to add to the first resolved- (engage in a more thoughtful discussion of the NY SAFE Act and delay the enactment of the NY SAFE Act for one year), 2<sup>nd</sup> by Didio; Amendment failed by show of hands: not in favor Fearon, Cuddeback, Pinckney Mahunik, Whitman, Runkle and Lattimore, in favor of amendment Aikman, Farrell and Didio. Bennett and Pecher no show of hands. Resolution as originally written approved by majority vote all voting aye except voting no Aikman, Farrell, Fearon and Mahunik. Excused Axton and Barski.**

#### **ASKING THE STATE OF NEW YORK TO REPEAL THE NY SAFE ACT**

BY: Hon. Tucker Whitman

Hon. Han Pecher

WHEREAS, NY SAFE Act, or Secure Ammunition and Firearms Enforcement Act, was signed into law by Governor Andrew Cuomo on January 15, 2012; and

WHEREAS, the undersigned Cayuga County Legislators question whether the Constitutionality and enforceability of the NY SAFE Act; and

WHEREAS, the undersigned Legislators urge the Governor, the New York State Senate and the New York State Assembly to reconsider the NY SAFE Act and to repeal same; now therefore be it

RESOLVED, that the Cayuga County Legislature questions the Constitutionality and enforceability of the NY SAFE Act and urges the Governor of the State of New York, the New York State Senate and the New York State Assembly to reconsider the NY SAFE Act and to repeal same NY SAFE Act; and be it further

RESOLVED, that a certified copy of this Resolution be sent to Governor Como, State Legislators, Senator Michael Nozzolio, Senator David Valesky, Senator James L. Seward, Senator John A. DeFrancisco, Assemblyman Gary Finch, Assemblyman Robert Oaks and Assemblyman Brian Kolb.

Signed by Chapman, Runkle, Whitman, Axton, Pecher, Lattimore, Cuddeback, Didio, Pinckney, and Bennett.

**Passed by Majority Vote: Ayes-Didio, Pecher, Whitman, Pinckney, Runkle, Cuddeback, Bennett, Lattimore, and Chapman, Noes-Aikman, Farrell, Fearon, and Mahunik, Excused-Axton and Barski. 549/217/117**

**Motion by Didio to go into executive session at 8:30PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Pinckney to come out of executive session at 8:47PM. 2<sup>nd</sup> by Pecher, all in favor.**

**Motion by Runkle authorizing Ricardo Galbato to commence and continue an action against Douglas Waterbury and Ontario Realty, Incorporated on behalf of Cayuga County, 2<sup>nd</sup> by Didio, all in favor.**

**Motion by Fearon to go back into executive session at 8:50PM, 2<sup>nd</sup> by Mahunik, all in favor.**

**Motion by Cuddeback to come out of executive session at 9:29PM, 2<sup>nd</sup> by Bennett, all in favor.**

**Motion by Didio to adjourn at 9:29PM, 2<sup>nd</sup> by Runkle, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
March 26, 2013 at 6:30PM**

**WELCOME:** In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note the elevators will not function. If anyone is unable to use the stairway, please go to caucus room #2 located behind the chambers and emergency personnel will be notified.

Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 6:30PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present except excused Pinckney.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:**

**PUBLIC HEARING: Opened at 6:32PM - TO ADOPT LOCAL LAW NO. ----- FOR THE YEAR 2013, A LOCAL LAW TO REAFFIRM THE POSITION OF DEPUTY COUNTY TREASURER I AND CREATE THE POSITION OF DEPUTY COUNTY TREASURER II.**

**PRESENTATIONS:** Nick Mazza, The Bonadio Group-Attached  
Dr. Daniel Larson, President CCC – update on College property-Attached  
Bank of America-Attached

**PROCLAMATIONS:** Martin “Marty” Francis Conkright  
Colon Cancer Awareness Month  
Howard “Buck” Haines IV

Letter of Appreciation Award presented to Gary Duckett for Dr. Joseph Karpinski for the generous gift towards the July Third event.

Chapman recognizes the members of Leadership Cayuga that are attending the meeting.



**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.

**Legislator Stephen Barski for Rosina Wilczek, Auburn, NY-Attached**  
**Legislator Joseph Runkle for Bernie Simmons, Auburn, NY-Attached**

**MINUTES:** For Approval: 1/22/13 & 2/11/13

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

For Reading: 2/25/13 & 2/26/13

**CCC REPORT:** Dr. Daniel Larson-Attached

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

Lattimore mentions Weedsport receiving an award from NY Water Environmental Association. He mentions Jim Saroodis and the Village of Weedsport practicing the principals of asset management and sustainability in regards to the Water and Sewer Infrastructure for over a decade

Didio discusses the Inter County of Western NY. Cayuga County will for the first time sponsor the NYSAC meeting in October. The accomplishments at these meetings there were a number of Resolutions and also a report about what is going on in Albany. He also mentions the NY SAFE Act Resolutions and 52 out of the 62 Counties in NY have introduced the Resolution and 40 of those have passed it. He talks about Jim Hoffman Chairman of the Wayne County Legislator who gave an update on the BV7 plan. It has been revised by the people who are trying to flood out the southern shore of Lake Ontario and they are in motion again. Mr. Hoffman heads up a task force which Cayuga County is behind we do have 6 miles of shore in Lake Ontario. The Lake Management Council will soon have a website.

**Local Law Public Hearing closed at 7:47PM.**

**COUNTY ADMINISTRATOR'S REPORT:**

Squires discusses his spreadsheets the sales tax is preliminary since it's early in the year and a big portion of sales tax comes in during the holiday shopping season. The forecast number is skewed because of the large accrual reversal from the previous year. He talks about conference call with Moody's it was a Bond rating call. Moody's was checking in with a series of specific questions they wanted to work through. The questions were regarding fund balance, tax base questions, the budget, sales tax, and a little bit about the borrowing we will be doing in April. We are going to borrow 22 million and change primarily for the Fulton campus expansion, thee 911 project and a couple of other projects such as trucks and the post office roof. They will release a report in draft form and then we have two hours to look at the report to look for any inaccuracies. Then we respond back and they will issue a final report on our credit rating and what their outlook for us is we will then distribute it. He also wanted to draw attention to a memo he did for Ways and Means about payroll. The current payroll system is an ADP system and the current version is not compatible with Windows. There is a team that has been working diligently looking for different payroll service providers. In May the team will come to the Legislature to present what they believe is the best payroll system to use. He has some preliminary numbers of the best estimate at this point and time. In 2012 we

appropriated 4.8 million dollars of fund balance to balance the budget. We expect to use for the budget of operations is 2.1 million dollars which includes the 550,000 of IGT matching money. He takes time to thank the Legislature and Department Heads. Farrell talks about in Dr. Larson's presentation and in it he spoke of 3.4 million dollars in chargeback funds and the County usually receives annually like 200,000 to 250,000. He asks what the distinguishing difference in those numbers is. Squires explains there are two kinds of chargebacks that come one being the capital chargeback which is the money that flows to the County which he believes is \$250,000 maybe a little more than that. That is a 300 dollar per FTE charge and it is restricted for capital projects to be used at the college. He believes what Dr. Larson is referring to with the 3.4 million dollars is the operating chargebacks that is a couple of thousand dollars per FTE. That is the operating amount that the college needs.

**CHAIRMAN'S REPORT:** Michael Chapman

Chapman talks about a tentative date to meet back with Onondaga County in regards to securing a second source of water from them. We also will be making a follow up call in regards to whether or not their purchasing system is up and running so that we can start working with them in tandem.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga County Industrial Development Agency Term: 3/26/13 – 12/31/14**

Carol Contiguglia, 125 S. Herman Ave., Auburn, NY 13021

John Latanyshyn, 5663 Silver St. Rd., Auburn, NY 13021

Paul Lattimore, 363 Cottonwood Lane, Auburn, NY 13021

Raymond Lockwood, 1877 State Rte. 326, Auburn, NY 3021

Joseph Runkle, 3252 Barrington Way, Auburn, NY 13021

Herb Marshall, 8016 Powers Road, Port Byron, NY 13140 **Corrected Term: 1/01/12-12/31/13**

**Cayuga County Planning Board:**

**Term - Members serve until a locality they represent submits a new nomination**

Carl Cuiplylo, 6007 Lake St., Cayuga, NY 13034

Norm Withers, 22 W. Cayuga St., Moravia, NY 13118

Michael James Scanlon, 8314 State rte. 34, Weedsport, NY 13166

**Cayuga County Development Corporation Term: 4/1/13-3/31/14**

Michael Chapman, 160 Genesee St. Auburn, NY 13021

John Latanyshyn, 5663 Silver St. Rd., Auburn, NY 13021

William Ryan, 36 Homer St., Union Springs, NY 13160

Christopher Geherin, 6185 Oakridge Rd., Auburn, NY 13021

Ted O'Hara, 1290 Chamberlain Rd., Auburn, NY 13021

**Cayuga County Public Utility Service Agency- Term: 4/1/13-3/31/17**

John Montone, 159 Lake Avenue, Auburn, NY 13021

Matthew McArdle, 6030 East Lake Road, Auburn, NY 13021

**Central New York Regional Planning and Development Board-Term: 1/1/13-12-**

**31/13**

Stephen F. Lynch, 7 Tuxill Square, Auburn, NY 13021  
Vijay K. Mital, 52 Kearney Ave., Auburn, NY 13021  
Steve Zabriske, P.O. Box 119 441 Main St., Aurora, NY 13026  
Keith Welch, 3149 Center Rd., Moravia, NY 13118

**Motion by Didio to waive the reading of the appointments, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Vote to approve appointments, all in favor.**

**Discussion:**

**Aikman asks for assistance from her fellow Legislators to start appointing more women to the committees.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a Resolution from the Town of Cato, calling on the Governor of the State of New York and the New York State Legislature to suspend and repeal the NY SAFE Act.
2. Received a Resolution from the Town of Ira, calling on the Governor of the State of New York and the New York State Legislature to suspend and repeal the NY SAFE Act.
3. Letter to Smith, from State Assembly Minority Leader Brian Kolb, acknowledging receipt of Resolution No. 101-13, which is calling for the repeal of the New York SAFE Act.

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

**RESOLUTIONS 3-26-13**

**RESOLUTION NO. 102-13**

**3/26/13 APAudit March 2013 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY FEBRUARY 12-25, 2013  
AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **March 26, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$612,908.95, 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 13, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, and Barski (on behalf of Pinckney, all in favor.

**RESOLUTION NO. 103-13****3/26/13 AP Audit March 2013 (B)****AUTHORIZING THE COUNTY TREASURER TO PAY FEBRUARY 26, 2013  
AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **March 26, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$2,451.67, 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 13, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, and Barski (on behalf of Pinckney), all in favor.

**RESOLUTION NO. 104-13****3/26/13 AP Audit March 2013 (C)****AUTHORIZING THE COUNTY TREASURER TO PAY  
FEBRUARY 27-MARCH 11, 2013 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **March 26, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$1,648,854.52, 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 13, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, and Barski (on behalf of Pinckney), all in favor.

**RESOLUTION NO. 105-13****3-26-13 ADM Tourism****AUTHORIZING THE TRANSFER OF 2013 BUDGET FUNDS IN THE  
TOURISM PROMOTION ENTITY ACCOUNT**

BY: Hon. Paul W. Pinckney, Chairman, Planning &amp; Economic Committee

Hon. David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, the 2013 Adopted Budget included a separate line within the Tourism Board's budget for the Promotion of the County; and

WHEREAS, it has since been determined that it is in the best interests of the County that the amount of \$60,985.00 should be transferred from account A64104 54143 to A64104 54000 for the operating expenses of the Tourism Board for the year 2013; now therefore be it;

RESOLVED, that contractual line A64104 54000 be increased by \$60,985.00 and account A64104 54143 be decreased in the amount of \$60,985.00; 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, Cuddeback, Fearon, Mahunik, Pecher, Whitman, and Barski (on behalf of Pinckney), all in favor except Aikman.

**RESOLUTION NO. 106-13**

**3-26-13 ADM DeferredCompCiaschirev**

**AWARD THE PROPOSAL FOR THE DEFERRED COMPENSATION COUNTY  
AUDITING SERVICES**

BY: Mr. David Axton, Ways and Means Committee

WHEREAS, proposals were received on March 22, 2012 for various auditing services for Cayuga County; and

WHEREAS, Cayuga County is in need of auditing and accounting services, namely, preparation of Cayuga County's Deferred Compensation; and

WHEREAS, after careful review of the proposals received the proposal from Ciaschi, Dietershage, Little, Mickelson & Company, LLP and have been identified as having the lowest responsible bid and they are qualified providers of the services at a reasonable cost to the County; and

WHEREAS, the cost of each audit of the Deferred Compensation Plan for the fiscal years 2011, 2012 and 2013 is \$3,000 for each year; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to enter into a contract with Ciaschi, Dietershage, Little, Mickelson & Company, LLP at the amounts listed above.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, and Barski (on behalf of Pinckney), all in favor.

**RESOLUTION NO. 107-13**

**(3/26/13) COA LL deputy treasurer I & II ADP**

**TO ADOPT LOCAL LAW NO. 1 FOR THE YEAR 2013, A LOCAL LAW TO  
REAFFIRM THE POSITION OF DEPUTY COUNTY TREASURER I AND  
CREATE THE POSITION OF DEPUTY COUNTY TREASURER II.**

BY: MR. DAVID AXTON, Chairman, Ways and Means Committee.

WHEREAS, Local Law No. 1 for the year 2013, a Local Law to reaffirm the position of Deputy County Treasurer I and create the position of Deputy County Treasurer II; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 1 for the year 2013 on March 26, 2013 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 1 for 2013, reaffirming the position of Deputy County Treasurer I and creating the position of Deputy ; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the proposed said Local Law in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, and Barski (on behalf of Pinckney), all in favor.

**RESOLUTION NO. 108-13**  
**3/26/13 TRE filldepcotresII**

**AUTHORIZATION TO RE-AFFIRM THE POSITION OF DEPUTY  
TREASURER I FILL DEPUTY COUNTY TREASURER II WITHIN THE  
COUNTY TREASURER'S OFFICE**

BY: Mr. David Axton, Ways and Means Committee

WHEREAS, due to the re-location of the employee acting in this position it is necessary to create a position to perform the supervision of the tax collection unit; and

WHEREAS, funding for this position is available for this in the 2013 budget, A13251-51000;

WHEREAS, this is a critical position that supervises the entire tax collection process within the County Treasurer's office; now, therefore be it

RESOLVED, that the position of Deputy Treasurer II (exempt) be hereby created to perform the supervision of the tax collection process; and be it further

RESOLVED, that the annual salary be set at \$55,000 and be placed in the Cayuga County Compensation Plan for 2013; and be it further

RESOLVED, any future increases in salary be in accordance with other non-bargaining positions in the Cayuga County Compensation Plan; and be it further

RESOLVED, that the County is hereby authorized to fill the position of Deputy County Treasurer II in accordance with Civil Service Rules and Regulations and the policies of Cayuga County; and be it further

RESOLVED, that the position of Deputy Treasurer I be re-affirmed.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, and Barski (on behalf of Pinckney), all in favor.

**RESOLUTION NO. 109-13**  
**3/26/13 HD NYSDOH Bureau of EI**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN  
AGREEMENT WITH NYS DOH BUREAU OF EARLY INTERVENTION TO  
PROVIDE EARLY INTERVENTION COORDINATION SERVICES FOR THE  
EARLY INTERVENTION PROGRAM.**

BY: Mr. Patrick Mahunik, Chairman of Health & Human Services Committee

Mr. David Axton, Chairman of Ways & Means Committee

WHEREAS, the Early Intervention Program serves children from birth to 2 years old; and

WHEREAS, the Cayuga County Health Department has historically provided Early Intervention (EI) Service Coordination for the program for many years; and

WHEREAS, the NYS Department of Health, Bureau of Early Intervention is newly requiring the Department to enter into an agreement with the State to set forth the terms and conditions for participation in the Early Intervention Program and to establish the obligations, expectations and relationship between the

State, municipalities within the State and the provider; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into an agreement with the NYS Department of Health, Bureau of Early Intervention to set forth the terms and conditions for participation in the Early

Intervention Program and to establish the obligations, expectations and relationship between the State, Municipalities within the State and the Providers, effective April 1, 2013.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski (on behalf of Pinckney), Barski, Aikman, Bennett, and Runkle, all in favor.

**RESOLUTION NO. 110-13**

**3-26-13 HS Fill Caseworker Child Welfare (2013)**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL  
A CASEWORKER VACANCY IN CHILD WELFARE UNIT**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there is a caseworker vacancy, Grade 17, in the Child Welfare Unit of Human Services (position control #002145) effective February 26, 2013; and

WHEREAS, this position is responsible for managing a caseload of open preventive and foster care cases in the Child Welfare Unit of Human Services and the services provided are mandated services; and

WHEREAS, this position is reimbursed at a minimum of 75% State and federal funding; and

WHEREAS, this is a funded position in the Human Services Department's 2013 budget; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services is authorized and directed to fill the Caseworker position in the Child Welfare Unit in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski (on behalf of Pinckney), Barski, Aikman, Bennett, and Runkle, all in favor.

**RESOLUTION NO. 111-13**

**3-26-13 HS Create&Fill Sr. Clerk - Abolish Account Clerk**

**AUTHORIZING THE COUNTY LEGISLATURE TO CREATE A SR. CLERK  
POSITION IN THE ACCOUNTING DIVISION OF HUMAN SERVICES;  
ABOLISH AN ACCOUNT CLERK POSITION IN THAT UNIT; AND  
AUTHORIZE THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL  
THE NEWLY CREATED SR. CLERK POSITION**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, an Account Clerk (position control #002229) in the Accounting Division of Human Services, has submitted her letter of retirement effective March 24, 2013; and

WHEREAS, upon receipt of the aforementioned letter of retirement, the Department reviewed the job duties of this position and determined that the title of Sr. Clerk would be more appropriate; and

WHEREAS, funding is available in the Human Services 2013 Budget to support this position; and

WHEREAS, the position is 75% State and Federal funded; NOW, THEREFORE, BE IT

RESOLVED, that upon approval and classification of the Sr. Clerk position by the Cayuga County Civil Service Commission, the Cayuga County Legislature be authorized to create one Sr. Clerk position, Grade 8, in the Accounting Division of Human Services, and abolish the Account Clerk position (#002229), Grade 5, in the Accounting Division of Human Services; and be it further

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the newly created Sr. Clerk position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski (on behalf of Pinckney), Barski, Aikman, Bennett and Runkle, all in favor.

**RESOLUTION NO. 112-13**

**3-26-13 HS Leave Bank 2013**

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

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, an employee of the Cayuga County Human Services Department has a serious illness requiring treatment that will necessitate at this time a medical leave of indefinite duration; and

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

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

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

All other leave shall have been exhausted by the employee.

All County employees may be permitted to donate personal, vacation or comp. time in no less than half-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.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski (on behalf of Pinckney), Barski, Aikman, Bennett, and Runkle, all in favor.

**RESOLUTION NO. 113-13**

**3-26-13 MH.Medaille.StudentAgreement2013**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO AN  
AGREEMENT WITH THE MEDAILLE COLLEGE**

BY: Mr. Patrick Mahunik , Chair, Health and Human Services Committee  
Mr. David Axton , Chair, Ways and Means Committee.



WHEREAS, the Cayuga County Community Mental Health Center and Medaille College are mutually desirous of providing for the establishment, direction and operation of a fieldwork experience to aid in the clinical educational experiences requisite to social work students of the School of Social Work; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Community Mental Health Center be authorized to enter into the attached agreement with Medialle College for the period of May 1, 2013 through April 30, 2015.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski (on behalf of Pinckney), Barski, Aikman, Bennett, and Runkle, all in favor.

**RESOLUTION NO. 114-13**

**3-26-13 NH karadiologysrvcs**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO RENEW AN AGREEMENT WITH K & A RADIOLOGY SERVICES.**

BY: Patrick Mahunik, Chairman, Health and Human Services Committee

David Axton, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of radiology services; and,

WHEREAS K & A Radiologic Technology Services has provided those services for many years satisfactorily; and,

WHEREAS services are billed to third party payers whenever possible; and,

WHEREAS the services that are the responsibility of the facility are discounted at a rate of 20% of the allowable fee schedule if paid within 45 days of the invoice; 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 K & A Radiologic Technology Services.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski (on behalf of Pinckney), Barski, Aikman, Bennett, and Runkle, all in favor.

**RESOLUTION NO. 115-13**

**3-26-13 COA 2013 TASC CO ATTY FEE rev**

**AUTHORIZING THE ALLOCATION OF THE 2013 ATTORNEY FEES PAID FROM THE CAYUGA COUNTY TOBACCO ASSET SECURITIZATION CORPORATION AND THE AMENDMENT OF THE 2013 COUNTY BUDGET**

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

Hon. David Axton, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Tobacco Asset Securitization Association Corporation recently paid over to the County Attorney's Office the sum of \$5,866.00 for the 2013 legal and administrative fees; and

WHEREAS, the said monies should be allocated to the County Attorney's budget; and

WHEREAS, it is requested that the sum of \$5,866.00 be allocated between the following accounts as referenced in the 2013 Cayuga County Budget: Professional Dues 14204-54058, Law Books A14204-54122 and Training A14204-54135 and then divided into thirds plus or minus; now therefore be it

RESOLVED, that revenue line A14200-41274, miscellaneous fees, be increased by the sum of \$5,866.00 and that the following accounts: Professional Dues 14204-54058, Law Books A14204-54122 and Training A14204-54135 be increased by \$1,955.00, \$1,955.00 and \$1,956.00 respectively; 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, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski, Pinckney, Aikman, Didio, Lattimore, and Farrell, all in favor.

### RESOLUTION NO. 116-13

#### 3-26-13 COA administrator resign

#### **AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN THE FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE COUNTY OF CAYUGA AND THE COUNTY ADMINISTRATOR.**

BY: Hon. George Fearon, Chair Government Operations Committee

Hon. David Axton, Chair Ways and Means Committee

WHEREAS, the parties hereto entered into an employment agreement dated March 31, 2010; and

WHEREAS, the term of employment was agreed upon to be for a three (3) year, nine (9) month and two (2) day period commencing March 30, 2010 and terminating at midnight on December 31, 2013; and

WHEREAS, the agreement provides that in the event that the County Administrator wishes to terminate this contract prior to its expiration date, the County Administrator shall give the Legislature at least one hundred and twenty (120) days prior written notice and resign his position as County Administrator; and

WHEREAS, the Legislature and the County Administrator have agreed that the last day of work for the County Administrator shall be 5:00pm April 12, 2013; and

WHEREAS, the terms and conditions of the employment agreement dated March 31, 2010, not herein above modified, shall continue; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the First Amendment to the Employment Agreement between the County of Cayuga and the County Administrator, a copy of which is annexed hereto and made a part hereof.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski, Pinckney, Aikman, Didio, and Farrell, all in favor.

### RESOLUTION NO. 117-13

#### 3.26.13 COA consultantcoadmrev4

**Motion by Mahunik to amend the sum to be \$20,000, 2<sup>nd</sup> by Farrell. Majority vote to amend Resolution passed, Ayes-Didio, Aikman, Whitman, Axton, Farrell, Runkle, Fearon, Mahunik, and Chapman, Noes- Pecher, Cuddeback, Bennett, Barski, and Lattimore, Excused-Pinckney, 544/277/62. 2/3 vote on the amended Resolution defeated (166 votes needed to pass), Noes- Pecher, Cuddeback, Bennett, Barski, and Lattimore, Ayes- Didio, Aikman, Whitman, Axton. Farrell, Runkle, Fearon, Mahunik, Chapman, 79/153/17. Motion by Fearon to vote on the original Resolution with the sum of \$10,000, 2<sup>nd</sup> by Aikman. 2/3 vote passed, all voting aye except excused Pinckney, 232/17.**

**AUTHORIZING THE HIRING OF A CONSULTANT TO ASSIST THE COUNTY LEGISLATURE IN ITS SEARCH FOR A COUNTY ADMINISTRATOR AND PROVIDING FUNDING. (2/3)**

BY: Hon. George Fearon, Chairman, Government Operations Committee  
Hon. David Axton, Chairman, Ways & Means Committee

WHEREAS, Local Law No. 1 for the year 2010 established the Office of County Administrator; and

WHEREAS, the County Administrator position will be vacant as of April 13, 2013 and the Cayuga County Legislature is engaging in a search for a candidate for the position of County Administrator ; and

WHEREAS, Dominic Mazza of The Bonadio Group has agreed to assist as a consultant to the County Legislature in its search for a new County Administrator; and

WHEREAS, there are insufficient monies in Account No. A10104 54059; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an agreement with The Bonadio Group to assist the County Legislature in its search for a replacement for the position of Cayuga County Administrator; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign a consulting agreement between the County of Cayuga and The Bonadio Group, which agreement shall be effective March 13, 2013; and be it further

RESOLVED, that the sum of \$10,000.00 be transferred from Account No. A10164 54000, Contingency to Account No. A10104 54059, Professional Services; and be it further

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

Signed by Axton, Fearon, Whitman, Barski (on behalf of Pinckney), Barski, Aikman, and Farrell.

**RESOLUTION NO. 118-130**

**3-26-13 ADM amend2013budgetemplrcgntnrev**

**AUTHORIZING THE AMENDMENT OF THE 2013 BUDGET TO TRANSFER THE SUM OF \$5,000.00 FROM THE CONTINGENCY ACCOUNT NO. A10164 54000 FOR THE EMPLOYEE RECOGNITION PROGRAM TO ACCOUNT NO. A14304 54134 FOR EMPLOYEE RECOGNITION. (2/3)**

BY: Hon. George Fearon, Chair, Government Operations Committee  
Hon. David Axton, Chair, Ways & Means Committee

WHEREAS, a presentation was made at the Government Operations Committee concerning employee recognition, suggestions and feedback program; and

WHEREAS, the Government Operations Committee supports the program and approved the transfer of \$5,000.00 from the Contingence Account F for the implementation of the program; now therefore be it

RESOLVED, that the sum of \$5,000.00 be transferred from Contingency Account Fund, Account No. A10164 54000 to A14304 54134; 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, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Barski (on behalf of Pinckney), Barski, Aikman, and Farrell, all in favor.

**Resolution passed by 2/3 vote all voted aye, except excused Pinckney, 232/17.**

**RESOLUTION NO. 119-13**

**3-26-13 PB IRA\_NYS\_AGPlan Agrmnt**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN CAYUGA COUNTY AND THE TOWN OF IRA FOR THE CAYUGA COUNTY DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT TO PREPARE A TOWN OF IRA AGRICULTURE AND FARMLAND PROTECTION PLAN**

BY: Paul Pinckney, Chairman, Planning & Economic Development Committee

David R. Axton, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Department of Planning & Economic Development (“Planning Department”), on behalf of the Town of Ira (the “Town”), have prepared a grant application to the New York State Department of Agriculture & Markets (“NYS Ag & Markets”) for the preparation of a Town Agriculture and Farmland Protection Plan (“Town of Ira Ag Plan”), successfully securing \$25,000 in NYS Ag & Markets grant funds for the Town of Ira to offset the Town cost in completing the Town of Ira Ag Plan (“Town of Ira Ag Planning Grant”); and

WHEREAS, the Town of Ira has formally requested that the Planning Department provide the full staff support and technical assistance needed to work with the Town to prepare, present and adopt a Town of Ira Ag Plan as defined in the Town of Ira Ag Planning Grant contract between the Town and NYS Ag & Markets; and

WHEREAS, the Director of Planning has worked with the Town to develop a certain Memorandum of Agreement between Cayuga County and the Town outlining the Scope of Work, Roles and Responsibilities, Deliverables for the planning process and defining the reimbursement from the Town to the Planning Department as contribution for the department’s significant allocation of staff resources and time associated with the Town of Ira Ag Plan (the “Agreement”); and

WHEREAS, the County Legislature supports this allocation of Planning Department Staff and wishes to authorize the Chairman of the Legislature to execute the Agreement; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Planning be hereby authorized to execute the Agreement between the County and the Town; and be it further

RESOLVED, that the Treasurer’s office is hereby authorized and directed to increase Planning Department FY2013 A8020-41271 budget line (Revenue – Planning Local Assistance) by \$25,000 to accommodate the Fee to be paid by the Town to the County as reimbursement for CCPED preparation of the Ira Ag Plan as outlined in the Agreement; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, Whitman, Aikman, Barski, Farrell, and Lattimore, all in favor.

**RESOLUTION NO. 120-13**

**3-26-13 PB Auth\_CntyAgPlan\_CornellServices ver1**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE A SERVICES CONTRACT ALLOWING THE PLANNING DEPARTMENT TO UTILIZED CORNELL UNIVERSITY STUDENT INTERNS TO COMPLETE COMPONENTS OF THE COUNTY-WIDE AGRICULTURE AND FARMLAND PROTECTION PLAN BEING PREPARED UNDER A NEW YORK STATE DEPARTMENT OF AG & MARKETS GRANT WITH THE CAYUGA COUNTY MATCHING FUNDS FOR THE INTERNSHIPS FULLY PAID OUT OF THE GRANT FUNDS**

BY: Paul Pinckney, Chair, Planning and Economic Development Committee  
David R. Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County has been awarded and has executed contracts for a New York State Department of Agriculture and Markets (NYSDAM) Grant for the preparation of a County-wide Agriculture and Farmland Protection Plan (the "County Ag Plan") through the State's Farmland Protection Planning Grant (FPPG) Program in the amount of \$50,000 (the "Grant") with a portion of the Grant budget and state grant funds specifically allocated for use of student interns to complete a portion of the County Ag Plan under Planning Department supervision; and

WHEREAS, the Planning Department has identified a summer intern program for graduate students through the Department of City and Regional Planning at Cornell University which offers a matching grant of \$1,875 to place graduate students in a 10-week (20-hours per week) summer internship program (Cornell Graduate Intern Program) and requires a matching contribution of \$1,875 that will be available through the Grant; and

WHEREAS, the Cornell Graduate Intern Program requires participating agencies to execute a contract with Cornell outlining the roles and responsibilities of Cornell City and Regional Planning, the graduate student interns and the sponsoring agency; and

WHEREAS, on June 26, 2012 the Cayuga County Legislature approved Resolution #255-12 (6-12-PL-2) authorizing the Chairman of the Legislature to execute the required documents necessary to receive and administer the grant; and

WHEREAS, the County Legislature wishes to expressly authorize the Chairman to execute a contract with the Cornell Graduate Intern Program if Cornell University and the County Planning Department identify a successful graduate intern candidate to work with the Planning Department on the County Ag Plan with the County portion to be paid out of the Grant with no direct cost to the County; Now, THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature, as follows:

Section 1. The Chair of the Cayuga County Legislature is hereby authorized and directed to execute the required documents and agreements necessary to participate in the Cornell Graduate Intern Program as described herein, with the Cayuga County matching funds of \$1,875 to be paid out of the NYS the proposed grant funds if awarded by the State's Farmland Protection Planning Grant. And be it further,

RESOLVED, that this resolution shall take effect immediately.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, Whitman, Aikman, Barski, Farrell, and Lattimore, all in favor.

**RESOLUTION NO. 121-13****3-26-13 PB CCDCreorg\_OBO\_CivFacBndsrev5**

**RESOLUTION (i) AUTHORIZING THE ASSUMPTION OF SOLE MEMBERSHIP OF THE CAYUGA COUNTY DEVELOPMENT CORPORATION (THE "CORPORATION"); (ii) APPOINTING THE BOARD OF DIRECTORS OF THE CORPORATION; (iii) AUTHORIZING THE CORPORATION TO PERFORM ESSENTIAL GOVERNMENTAL FUNCTIONS INCLUDING ACTIVITIES ASSOCIATED WITH JOB CREATION AND THE PROMOTION OF COMMUNITY AND ECONOMIC DEVELOPMENT INITIATIVES; AND (iv) AUTHORIZING THE CORPORATION TO ISSUE CERTAIN BONDS ON BEHALF OF THE COUNTY.**

BY: Mr. Paul Pinckney, Chair, Planning & ED Committee

Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, it the policy of the State of New York to promote the economic welfare and prosperity of its inhabitants and to actively promote, attract, encourage and develop economically sound commerce and industry; and

WHEREAS, Cayuga County (the "County") is tasked with the responsibility and burden to promote the health, safety and general welfare of the residents of the County by, among other things, preventing unemployment and economic deterioration, including by increasing and maintaining employment opportunities and attracting and sustaining economically sound commerce; and

WHEREAS, it is essential for the County to support the operation of not-for-profit corporations within the County to increase the employment opportunities for residents of the County and, in furtherance of that objective, the ability to provide financing through the issuance of tax exempt and taxable bonds to projects of not-for-profit corporations is essential to the continued development, construction, improvement and operation of projects by not-for-profit corporations; and

WHEREAS, in furtherance of the public purposes set forth above, the County wishes to assume sole membership of the Cayuga County Development Corporation (the "Corporation"), a local development corporation previously established pursuant to Section 1411 of the New York State Not-For-Profit Corporation Law (the "N-PCL" and collectively, the "LDC Act") and a Certificate of Incorporation filed on June 19, 2002 (the "Certificate"), and

WHEREAS, in furtherance of the foregoing public purposes and the LDC Act, the County desires to assume sole membership of the Corporation to allow the Corporation to serve as an "on behalf of" bond issuer consistent with the LDC Act and the Certificate; and

WHEREAS, to accomplish the purposes and powers as set forth within the LDC Act and the Certificate, including relieving the burdens of the County and the undertaking of projects for the benefit of not-for-profit entities and corporations in furtherance of their access to cost-effective capital for projects that enhance, create and preserve employment opportunities for residents of the County, the County desires to task the Corporation with such burdens and responsibilities and authorizes the Corporation to issue bonds on behalf of the County for such purposes pursuant to and in accordance with applicable provisions of the Internal Revenue Code (the "Code"). NOW, THEREFORE, BE IT

RESOLVED BY THE CAYUGA COUNTY LEGISLATURE AS FOLLOWS:

Section 1. The County authorizes the assumption of sole membership of the Corporation, by and through the County Legislature. The County, acting by and through the County Legislature, hereby appoints the following 5 Directors to the Cayuga County Development Corporation for the terms as indicated:

Terms

1. Michael Chapman, 160 Genesee St., Auburn, NY 13021 April 1, 2013 – March 31, 2014
2. John Latanyshyn, 5663 Silver St. Rd., Auburn, NY 13021 April 1, 2013 – March 31, 2014
3. William Ryan, 36 Homer St., Union Springs, NY 13160 April 1, 2013 – March 31, 2014
4. Ted O’Hara, 1290 Chamberlain Rd., Auburn, NY 13021 April 1, 2013 – March 31, 2014
5. Christopher Geherin, 6185 Oakridge Rd., Auburn, NY 13021 April 1, 2013 – March 31, 2014

Section 2. The Corporation is hereby designated as an on behalf of issuer of the County for the purposes of issuing bonds, notes and other instruments with authority to exercise on the County’s behalf all lawful powers as may be deemed necessary to accomplish its public purposes including to enhance, create and preserve employment opportunities for residents of the County, such purposes and powers to include, but not be limited to, those powers contained within the LDC Act and the Certificate, with the power to issue tax exempt and taxable bonds, notes, or other instruments on behalf of the County in furtherance of its purposes, provided however that any obligations issued by the Corporation shall never be a debt of the State of New York, the County or any political subdivision thereof (other than Corporation) and neither the State of New York, the County or any political subdivision thereof (other than Corporation) shall be liable thereon.

Section 3. The County is hereby authorized to covenant and agree with the Corporation in a transaction contemplated by this resolution for the benefit of the Corporation and the holders from time to time of any bonds, notes or other obligations or other securities (hereinafter collectively, the “Securities”) issued by the Corporation that the County will not limit or alter the rights of the Corporation to fulfill the terms of its agreements with the holders of the Securities or in any way impair the rights and remedies of such holders of the security for the Securities until the Securities, together with the interest due thereon or payable in respect thereof, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. Authorized representatives of the County are hereby granted the power to make such a covenant to and agreement with the Corporation and to take any and all actions necessary or desirable to cause such covenant and agreement to be made or enforced. The Corporation is hereby authorized to assign to or for the benefit of the holders of its Securities any covenant or agreement made by the County pursuant to the foregoing provisions.

Section 4. This Resolution shall take effect immediately.

Signed by Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, Barski, and Farrell.

**RESOLUTION NO. 122-13****3-26-13 PB AuthCntrect\_ED Services CEDA OneStop\_v5****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE A CONTRACT FOR THE DELIVERY OF COORDINATED COUNTY-WIDE ECONOMIC DEVELOPMENT SERVICES BETWEEN THE CAYUGA COUNTY LEGISLATURE AND THE CAYUGA ECONOMIC DEVELOPMENT AGENCY, INC. (CEDA), A PRIVATE SECTOR ECONOMIC DEVELOPMENT LOCAL DEVELOPMENT CORPORATION**

BY: Hon. Paul Pinckney Chair, Planning and Economic Development Committee  
Hon. David R. Axton, Chair, Ways and Means Committee

WHEREAS, a three-year services contract for the delivery of coordinated county-wide economic development services between Cayuga County (the "County") and the Cayuga Economic Development Agency, Inc., ("CEDA"), a Not-for-Profit Local Development Corporation ("LDC") of the State of New York (the "State") duly incorporated on the 17<sup>th</sup> Day of November, 2009, pursuant to Section 1411 of the Not-for-Profit Corporation Law ("N-PCL") of the State (the "LDC Act") was concluded on December 31, 2012; and

WHEREAS, the CEDA, at the request of the Chairman of the Legislature and in cooperation with Cayuga County Legislators, County staff and the Cayuga County Attorney, have prepared a proposed new contract for the continued delivery of coordinated county-wide, one-stop economic development services between the County the CEDA, with a term from April 1, 2013 to December 31, 2013 providing for the delivery of comprehensive and coordinated economic development services throughout the County by the CEDA on behalf of Cayuga County (the "Contract"), attached herein and made a part of this Resolution hereof; and

WHEREAS, the Cayuga County Fiscal Year Budget for 2013 includes \$175,000.00 in Account No. A10104-54229 budgeted for economic development programming for Cayuga County; and

WHEREAS, CEDA shall render of a verified account of the disbursements with verified or certified vouchers therefor attached; a refund of any unused amount; and

WHEREAS, the Cayuga County Legislature recognizes the necessity and benefits of providing for and promoting a full-time economic development retention, expansion, promotion and attraction program in a coordinated and comprehensive manner through a One-Stop Model; and

WHEREAS, Sections 224 and 225 of the County Law authorizes Cayuga County to promote and publicize the economic advantages of the County and the region, and enter into contracts to accomplish such purposes; now,

THEREFORE, BE IT RESOLVED, by the Cayuga County Legislature as follows:  
1. The Cayuga County Legislature hereby authorizes and directs the Chairman of the Legislature to execute the Contract with the CEDA for the delivery of economic development services as outlined in the Contract for a not-to-exceed fee of \$175,000.00;  
2. The Treasurer is hereby authorized to make the appropriate journal and accounting entries necessary for the payment of funds from Account No.A10104-54229 to the CEDA under the terms and conditions incorporated in the Contract; and be it further

RESOLVED, that the authorizations and intent of this Resolution be effective immediately.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, Whitman, Aikman, Barski, and Farrell, all in favor.



**RESOLUTION NO. 123-13**

**3-26-13 ADM amend1031budgetcofair**

**AUTHORIZING THE AMENDMENT OF THE 2013 BUDGET TO TRANSFER THE SUM OF \$7,500.00 FROM THE CONTINGENCY ACCOUNT NO. A10164 54529 FOR THE CAYUGA COUNTY FAIR TO ACCOUNT NO. A10104 54529 COUNTY YOUTH FAIR. (2/3)**

BY: Hon. Paul Pinckney, Chair, Planning Committee

Hon. David Axton, Chair, Ways & Means Committee

WHEREAS, the sum of \$7,500.00 was placed in Contingency Account Fund, Account No. A10164 54529 as part of the 2013 budget process; and

WHEREAS, the Agricultural Society of Cayuga County, Inc. made a presentation to the Planning and Economic Development Committee to make the monies available for its 2013 season; and

WHEREAS, the Planning and Economic Development Committee supports the Agricultural Society of Cayuga County, Inc. mission and approved the transfer of \$7,500.00 from the Contingence Account fund; now therefore be it

RESOLVED, that Contingency Account Fund, Account No. A10164 54529 be decreased by \$7,500.00 and that Account No. A10104 54529, County Youth Fair, be increased by \$7,500.00; 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, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), and Barski, all in favor.

**Resolution passed by 2/3 vote all voted aye, except excused Pinckney, 232/17.**

**RESOLUTION NO. 124-13**

**3-26-13 P&T YMCA Little League 3-13**

**AUTHORIZING AN AGREEMENT WITH AUBURN YMCA-WEIU ALLOWING FOR THE OPERATION OF AUBURN LITTLE LEAGUE AT EMERSON PARK**

BY: Mr. Tucker Whitman, Chairman, Public Works

Mr. David Axton, Chairman, Ways & Means Committee

WHEREAS, Auburn Little League has had an agreement with Cayuga County for many years to utilized playing fields at Emerson Park; and

WHEREAS, The Auburn YMCA-WEIU and Auburn Little League merged, and with this merger the YMCA will assume management responsibilities of the Auburn Little League Baseball; now therefore, be it

RESOLVED, that the attached agreement with the Auburn YMCA-WEIU for the operation of Auburn Little League at Emerson Park for the period of March 1, 2013 thru February 28, 2016, in exchange for one dollar (\$1) for each year be approved; and be it further

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

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, Bennett, Didio, and Runkle. Aikman discloses she is a member on the Board at YMCA.

**RESOLUTION NO. 125-13**  
**3-26-13 HWY summerpavelist13**  
**AUTHORIZATION TO APPROVE 2013 PAVING LIST**

BY: Tucker Whitman, Chairman Public Works Committee  
 David Axton, Chairman Ways and Means Committee

WHEREAS, the County is responsible for the maintenance of 516 miles of road; and  
 WHEREAS, CHIPs funds were budgeted in the 2013 highway budget in account  
 D51134 - Capital for paving and recycling of pavements; and

WHEREAS, the attached list of road work is less than the actual needed to maintain  
 overall pavement condition at previous levels but is the best mix to try to slow the  
 downward trend of the overall pavement condition of the county road network; now  
 therefore be it

RESOLVED, that the attached list of roads to be worked on in the 2013 summer  
 construction season is hereby approved; and be it further

RESOLVED, the County Highway Superintendent is authorized to make adjust-  
 ments to the list to meet changing conditions and changes in the cost of materials.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney),  
 Whitman, Bennett, Didio, and Runkle, all in favor.

**RESOLUTION NO. 126-13**  
**3-26-13 HWY acceptbids**  
**APPROVE REPORT ON 2013 BID LETTING**

BY: Tucker Whitman, Chairman Public Works Committee  
 David Axton, Chairman Ways and Means Committee

WHEREAS, Resolution No 481-12, adopted on December 13, 2013 authorized the  
 County Highway Superintendent to advertise for and received sealed bids for the pur-  
 chase of highway materials; and

WHEREAS, in response the following items were bid in February:

1. **Native Stone/Gravel**
2. **Limestone**
3. **Sign Posts**
4. **Sign Faces**
5. **Sign Blanks**
6. **Hot-In-Place Recycling**
7. **Transit Mix Concrete**
8. **Bituminous Concrete**

WHEREAS, bids were received for the above products and the Committee made the  
 following recommendations: **Native Stone/Gravel:** The following company(s) submit-  
 ted a bid: Suit-Kote, RMS Gravel, Binn's Excavation & Gravel, Genoa Sand & Gravel,  
 and Robinson Concrete. The Committee recommends that the bids be accepted and  
 awarded to all as per Attachment 1.

**Limestone:** The following company(s) submitted a bid: Saunders, Seneca Stone, Hanson  
 Aggregates, Genoa Sand & Gravel. The Committee recommends that the bids be ac-  
 cepted and awarded to all as per Attachment 2.

**Sign Posts:** The following company(s) submitted a bid: Chemung Supply Corp and  
 Eberl Iron Works. The Committee recommends that the bids be accepted and awarded to  
 Chemung Supply as per Attachment 3.

**Sign Faces:** The following company(s) submitted a bid: Custom Products, Vulcan Signs, Garden State Highway, and Rocal, Inc. The Committee recommends that the bids be accepted and awarded to Vulcan Signs as per Attachment 4.

**Sign Blanks:** The following company(s) submitted a bid: Vulcan Aluminum, U.S. Standard Sign, Carucci Safety & Equipment, and Garden State Highway. The Committee recommends that the bids be accepted and awarded to Vulcan Aluminum as per Attachment 5.

**Hot-In-Place Recycling:** The following company(s) submitted a bid: Highway Rehab Corp. The Committee recommends that the bid be accepted and awarded to Highway Rehab as per Attachment 6.

**Transit Mix Concrete:** The following company(s) submitted a bid: Robinson Concrete, Hanson Aggregates, and Saunders. The Committee recommends that the bids be accepted and awarded to Robinson Concrete as per Attachment 7.

**Bituminous Concrete:** The following companies submitted a bid: Seneca Stone, Suit-Kote, and Hanson Aggregates. The Committee recommends that the bids be accepted and awarded to all as per Attachment 8.

Now therefore be it

Resolved, to accept the Public Works Committees recommendations for the various items bid; and be it further

Resolved, that upon the awarding of the above bids by the County Legislature, the County Highway Superintendent be and is hereby authorized to purchase from successful bidders and to pay from appropriated funds.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, Bennett, Didio, and Runkle, all in favor.

**RESOLUTION NO.127-13**

**3-26-13 HWY fillautomech(6576)**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL AN AUTO MECHANIC POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, an Auto Mechanic position was vacated unexpectedly on 2/21/13; and WHEREAS, this Auto Mechanic position is critical to the County’s fleet maintenance; and

WHEREAS, this position (Position Control #006576) has been budgeted for the entire year of 2013; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position and be it further

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

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, Bennett, Didio, and Runkle, all in favor.

**RESOLUTION NO.128-13****3-26-13 HWY signagrecityAub****AUTHORIZE CHAIRMAN AND HIGHWAY SUPERINTENDENT TO SIGN FUEL PURCHASE AGREEMENT WITH CITY OF AUBURN FOR PURCHASE OF GASOLINE AND DIESEL FUEL**

BY: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

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

WHEREAS, the City of Auburn 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 the City of Auburn to purchase gasoline and diesel fuel.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, Bennett, Didio, and Runkle, all in favor.

**RESOLUTION NO. 129-13****(3/26/13) PT FireworksContract 3 13rev2****APPROVING THE CONTRACT WITH PYROTECNICO (FORMALLY AUBURN TELSTAR DISPLAY FIREWORKS INC.) AND OTHER EXPENSES ASSOCIATED WITH THE ANNUAL JULY THIRD EVENT AT EMERSON PARK**

BY: Tucker Whitman, Chairperson, Public Works

Dave Axton, Chairperson, Ways &amp; Means Committee

WHEREAS, Cayuga County, through the Parks and Trails Department, in conjunction with the City of Auburn, provides a public event celebrating the Fourth of July with a Syracuse University Brass Ensemble concert and a fireworks display at Emerson Park on July 3; and

WHEREAS, the Public Works Committee is desirous of providing the traditional, professional fireworks display and Syracuse University Brass Ensemble performance at Emerson Park on July 3, 2013 at a cost not to exceed \$9,000.00; and

WHEREAS, the Parks and Trails Department has funds budgeted in Account No. A71104-54074 (Department Expense), in the amounts of \$4,500.00 for the fireworks portion of this event and \$1,750.00 for The Syracuse University Brass Ensemble portion of this event; and

WHEREAS, the Parks and Trails Department has funds budgeted up to \$3,000 in Account No. A71104-54059 (Professional Services) for Sheriff Deputies for this event; and

WHEREAS, The City of Auburn has stated it is not in a position to provide financial support for the event but it has agreed that it will continue to provide in-kind support; and

WHEREAS, Dr. Joseph F. Karpinski Sr. Foundation has agreed to provide funding for the July 3, 2013 event and has generously agreed to contribute the sum of \$6,250.00 to permit the event to continue; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby accept the generous charitable donation from the Dr. Joseph F. Karpinski Sr. Foundation in the amount of \$6,250.00 for the July 3, 2013 event with said sums to be deposited in the Emerson Park Account Number A71104-54059 (Professional Services); and be it further

RESOLVED, the Chairman of the County Legislature is hereby authorized to sign an agreement with Pyrotecnico (formally Auburn Telstar Display Fireworks Inc.) in the amount of \$9,000; and be it further,

RESOLVED, that the Parks and Trails Department is authorized to use the budgeted funds in conjunction with the funds from the Dr. Joseph F. Karpinski Sr. Foundation to pay for the performance of the Syracuse University Brass Ensemble; and be it further

RESOLVED, that the Parks and Trials Department is authorized to pay the Cayuga County Sheriff's Department up to \$3,000; and be it further

RESOLVED, that the Treasurer is hereby directed to make the journal and accounting entries necessary to carry out the intent of this resolution.

Motion by Whitman, 2<sup>nd</sup> by Cuddeback, all in favor.

Signed by Axton, Fearon, Mahunik, Whitman, Bennett, and Didio, all in favor.

**Resolution No. 130-13**

**3/26/13 SHR 2013NavEmp**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO EMPLOY  
SEASONAL PERSONNEL FOR THE MARINE UNIT**

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

WHEREAS, the Legislature has authorized the Sheriff to employ seasonal personnel to assist in implementation of the Sheriff's Marine Unit; and

WHEREAS, it is now necessary to set the pay rate for the 2013 season so the Sheriff may hire qualified Police Officers and Personnel to supplement his Deputy Sheriffs working in the Marine Unit; and

WHEREAS, the State of New York through Parks and Recreation reimburses the County of Cayuga upon application and certification of the Sheriff which is anticipated at the rate of fifty percent; and

WHEREAS, these positions are funded in the 2013 Sheriff's Navigation Unit Budget Line (Salaries – Part Time) A31111 51002 in the amount of \$55,000.00; now therefore be it

RESOLVED, that under the recommendation of the Sheriff and the Judicial & Public Safety Committee the hourly rates of pay for the Sheriff's Marine Unit (Seasonal Positions) are hereby set as follows: Seasonal Deputy (Marine) at the rate of \$18.00 per hour and Navigational Assistant (Seasonal) at the rate of \$12.00 per hour; and be it further

RESOLVED, that the Sheriff is authorized to hire and pay up to twenty-five Seasonal Marine Unit Personnel at the rates set forth above; and be it further

RESOLVED, that the Sheriff is authorized to fill these positions in accordance with Civil Service Rules and Regulations and within the policies of the County of Cayuga.

Signed by Axton, Cuddeback, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, Bennett, Didio, and Farrell, all in favor. Except Fearon abstained.

**RESOLUTION NO: 131-13****3/26/13 SHR1AddtlDSSergeant****AUTHORIZATION TO CREATE AND FILL ONE DEPUTY SHERIFF SERGEANT POSITION WITHIN THE LAW ENFORCEMENT DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee  
 Mr. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office Custody Division wishes to create one additional Deputy Sheriff Sergeant position to assist in providing continual supervisory coverage for all road patrol shifts, from existing personnel, and decreasing the amount of On Call personnel that has a potential yearly savings of \$6,400; and

WHEREAS, the Cayuga County Department of Human Resources and Civil Service Commission classified this position at a meeting held on February 13, 2013 as Deputy Sheriff Sergeant with the jurisdictional allocation being competitive; and

WHEREAS, once the successful candidate is tested, appointed and completes his probation, the Cayuga County Department of Human Resources and Civil Service Commission will abolish one Deputy Sheriff position; now therefore be it

RESOLVED, that one new Deputy Sheriff Sergeant Position be created for the Cayuga County Sheriff's Office Law Enforcement Division; and be it further

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

RESOLVED, once the successful candidate is tested, appointed and completes his probation, the Cayuga County Department of Human Resources and Civil Service Commission will abolish one Deputy Sheriff position; and be it further RESOLVED, that this positions be filled in accordance with the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make the following accounting and journal entries to accomplish the intent of this resolution: Based on an approximation of a \$6,400 salary increase, increase budget line A31101 51001 Full Time Salaries by \$6,400 and decrease budget line A31101 51004 On Call by \$6,400.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, Bennett, Didio, and Farrell, all in favor. Except Axton abstained.

**RESOLUTION NO: 132-13****3/26/13 SHR ReorgRoadPatrol****AUTHORIZATION TO CREATE AND FILL 2 DEPUTY SHERIFF CORPORAL POSITIONS WITHIN THE LAW ENFORCEMENT DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee  
 MR. DAVIS AXTON, Chairman, Ways & Means Committee

WHEREAS, the Sheriff conducted an analysis of the Cayuga County Sheriff's Department Law Enforcement Division and determined that the creation of two Deputy Sheriff Corporal positions, to be filled from existing personnel, would prove beneficial as it would supply supervisory coverage to all road patrol shifts and decrease the amount of On Call personnel, potentially saving a yearly amount of \$3,400; and

WHEREAS, the Sheriff has submitted duties statements for Deputy Sheriff Corporal to the Cayuga County Civil Service Commission and the Commission, at a meeting held February 13, 2013, classified the positions as appropriate for the duties proposed; and

WHEREAS, the new organizational plan must be adopted by the legislature prior to enactment; and

WHEREAS, once the successful candidate is tested, appointed and completes his probation, the Cayuga County Department of Human Resources and Civil Service Commission will abolish one Deputy Sheriff position; now therefore be it

RESOLVED, two positions of Deputy Sheriff Corporal be hereby created; and be it further

RESOLVED, that the new titles be added to the CCDSPA Compensation Plan at the following grade and rate of pay for 2013: Deputy Sheriff Corporal,

Grade	Inc	Probation	Step One	Step Two	Step Three
16S	363	45,117	46,117	47,485	48,854;

and be it further

RESOLVED, that the Sheriff be hereby authorized and directed to fill the two new positions, to be filled by existing personnel; and be it further

RESOLVED, that positions be filled in accordance with the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, once the successful candidate is tested, appointed and completes his probation, the Cayuga County Department of Human Resources and Civil Service Commission will abolish two Deputy Sheriff position; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make the following accounting and journal entries to accomplish the intent of this resolution: Based on an estimated increase in salary for the 2 corporal positions, assuming that two Deputy Sheriffs at Step 3 will be promoted to Deputy Sheriff Corporals, increase budget line A31101 51001 Salaries FT by \$3,400 and decrease budget line A31101 51004 On Call by \$3,400

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, Bennett, Didio, and Farrell, all in favor. Except Axton abstained.

**RESOLUTION NO. 133-13**

**3/26/13 SHR Transfer Monies Black Creek rev6**

**AWARDING THE BID FOR REPLACEMENT OF THE CAYUGA COUNTY SHERIFF'S JAIL SECURITY SYSTEM TO BLACK CREEK INTEGRATED SYSTEMS CORP. AND AUTHORIZING THE TRANSFER OF MONIES FROM THE COUNTY FUND BALANCE TO THE SHERIFF'S 2013 CUSTODY EQUIPMENT BUDGET LINE A31502 52100 TO ACCOMODATE THE COST OF REPLACING THE CAYUGA COUNTY JAIL'S SECURITY SYSTEMS (2/3)**

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

WHEREAS, the current security system maintaining the Cayuga County Jail is obsolete and replacement parts are no longer available; and

WHEREAS, to ensure the safety, security and efficient operation of the Cayuga County Jail it is imperative that the security system be updated and sufficiently equipped; and

WHEREAS, the update to the current security system must include a basic system, a way to comply with the State mandate to record the rounds that the officers' conduct, and compliance to the Federal mandate of the Prison Rape Elimination Act (PREA); and

WHEREAS, four bids were received from various vendors and Black Creek Integrated Systems Corp was the only company to provide a bid that met the specifications advertised; and

WHEREAS, the jail security system that is proposed can be integrated into the present jail management system that is provided by Black Creek Integrated Systems Corp.; and

WHEREAS, the new jail system has a proposed cost of \$687,437.00 which complies with the Federal and State mandates, and includes: a Basic system for \$580,479.00, a Card Access & Watch Tour System for \$84,042.00 and fourteen (14) additional cameras for \$22,916.00 and in order to address the possibility of any unforeseen necessary changes, an extra ten (10) percent contingency of \$68,744.00 should be included for a total anticipated project cost of \$756,181.00; and

WHEREAS, there is insufficient money in the Sheriff's 2013 Custody Equipment Budget Line A31502 52100 to accommodate the cost of a new jail security system; now there be it

RESOLVED, that the sum of \$756,181.00 be transferred from the unrestricted, unreserved Fund Balance and said sum be transferred to the Sheriff's 2013 Custody Equipment Budget Line A31502 52100; and be it further

RESOLVED, that if any or all of the 10% contingency monies of \$68,744.00 are not expended, the remainder of the monies shall be returned to the General Fund; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution, and be it further

RESOLVED, that the 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, Cuddeback, Fearon, Mahunik, Pecher, Barski (on behalf of Pinckney), Whitman, and Farrell.

**Resolution passed by 2/3 vote all voted aye, except excused Pinckney, 232/17.**

### **RESOLUTION NO. 134-13**

**3.26.13 911 ftESDfillrev2**

#### **AUTHORIZATION TO FILL A VACANT EMERGENCY SERVICES DISPATCHER POSITION**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center will have a vacancy in a Full-Time Emergency Services Dispatcher position due to a resignation effective June 30, 2013; and

WHEREAS, it is necessary to fill the Emergency Services Dispatcher positions for continuity of services prior the resignation date of June 30, 2013; and

WHEREAS, it is requested that the position be filled on a contingent permanent basis between the effective date of the appointment and July 1, 2013; and

WHEREAS, there is money in the 911 budget account A30201 51001 to fund position; now therefore be it



RESOLVED, that the positions (#001886) be filled, and that the 911 Administrator is hereby authorized and directed 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.

Motion by Cuddeback, 2<sup>nd</sup> by Fearon, all in favor.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Bennett, and Didio, all in favor.

**RESOLUTION NO. 135-13**

**3-26-13 911 adalrdoseqrev**

**DECLARING THE COUNTY OF CAYUGA SEQRA LEAD AGENCY FOR THE  
E911 SECONDARY BONDING (2/3)**

BY: Hon. Steven Cuddeback, Chair Judicial and Public safety Committee  
Hon. David Axton, Chair Ways and Means Committee

WHEREAS, the Cayuga County Legislature previously identified the need and benefits associated with updating its radio system infrastructure; and

WHEREAS, the Cayuga County Legislature has previously conducted and completed, pursuant to and consistent with the requirements of the State Environmental Quality Review Act (“SEQRA”) a comprehensive review and assessment of the potential environmental impacts of proceeding with the Cayuga County Emergency Communications Project (“the E911 Project”); and

WHEREAS, the SEQRA review of the E911 Project included the assessment of constructing and operating up to 15 communication towers in locations throughout the County; and

WHEREAS, the County has to date funded and constructed nine (9) communication towers as part of the E911 Project; and

WHEREAS, the County has determined that three (3) additional communication towers and are necessary to meet the standards and requirements of the E911 Project; and

WHEREAS, construction of the three (3) additional communication towers will be carried out in conformance with the conditions and thresholds established in the Findings Statement and Final Generic Environmental Impact Statement previously completed for the E911 Project; and

WHEREAS, the County has determined that it is in the County’s best interests to consider the adoption of a bond resolution and the execution of contracts for the purpose of undertaking the purchase, construction and operation of the three (3) additional communication towers as part of the E911 Project (“E911 Secondary Bonding”); and

WHEREAS, the E911 Secondary Bonding is an unlisted action as that term is defined by SEQRA; and

WHEREAS, the County is the only involved agency for the E911 Secondary Bonding action as that term is defined by SEQRA, and therefore pursuant to 6 NYCRR 617.6 no coordination with any other agency is required; Now therefore be it

RESOLVED that the Legislature of the County of Cayuga hereby declares its establishment as SEQRA lead agency for the review of the E911 Secondary Bonding  
Motion by Cuddeback, 2<sup>nd</sup> by Aikman, all in favor.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Bennett, and Didio, all in favor.

**Resolution passed by 2/3 vote all voted aye, except excused Pinckney, 232/17.**

## Discussion:

Aikman asks Westphal what else the Legislators need to know about the document. Westphal says he will discuss them as a while because they are all interrelated. The Resolutions entail the extensions, secondary bonding of the radio project, and the addition of three new tower sites. They also have to do with the County naming themselves as the lead agency for the purposes of securing secondary bonding. The importance of JP-7 is the bonding and the contracts have determined to be a Type 2 action under SEQRA and therefore the County would be adopting a negative declaration. JP-8 is the increasing of the bonding authorization from approximately 17 million to 23 million. JP-9 amends the Capital "H" to the new amount of money and authorizes the Chairman to sign any contracts. Aikman states this is about 6 million more dollars. Westphal discusses the authorization was about 17 million and change and up to 18 million. He bumped the authorization up to 19 million to be safe side. The estimated costs from Motorola were about 3.4 million and he bumped that up to 4 million, because a lot of those numbers are estimates. There is room to move and it is just authorization it does not mean the County will spend that money. Lattimore asks about the Grant proposals for this project. Chapman the applications are not ready to be received by our state yet. He says last week the State Senate decided they should remove 65 million from the 75 million for 911 Grants. Chapman contacted NY State Senators and requested that the money be put back in. It is right now tentatively being talked about putting the 65 million back in. Farrell asks if we are successful with the Grant money how it will affect the bond. Squires believes it would be best to do a one year BAN (Bond Anticipation Note). It is a short term one year borrowing and it renews at the end of the year. If the County is successful in getting the Grant money it could be used to pay some or the entire bond off depending on how much is received. BAN's can be rolled over for up to 5 years or then re-finance it at a longer repayment term.

**RESOLUTION NO. 136-13**

**3-26-13 911 rdocommaddalbondingrev2**

**DETERMINING THAT AUTHORIZING ISSUANCE OF \$ 23,000,000.00 BONDS OF THE COUNTY OF CAYUGA TO PAY A PORTION OF THE COSTS OF ADDITIONAL CONSTRUCTION OF THE COUNTY'S E-911 SYSTEM, AND EXECUTING CONTRACTS FOR THE PURCHASE, CONSTRUCTION AND OPERATION OF ADDITIONAL COMMUNICATION TOWERS IN CONNECTION WITH THE EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT CONSTITUTES AN UNLISTED ACTION UNDER SEQRA AND ADOPTING A NEGATIVE DECLARATION. (2/3)**

WHEREAS, the Legislature of the County of Cayuga ("County") has previously identified the need and benefits associated with updating its radio system infrastructure; and

WHEREAS, the County has previously conducted and completed, pursuant to and consistent with the requirements of the State Environmental Quality Review Act ("SEQRA") a comprehensive review and assessment of the potential environmental impacts of proceeding with the Cayuga County Emergency Communications Project ("the E911 Project"); and

WHEREAS, the SEQRA review of the E911 Project included the assessment of constructing and operating up to 15 communication towers in locations throughout the County; and

WHEREAS, the County has to date funded and constructed nine (9) communication towers as part of the E911 Project; and

WHEREAS, the County has determined that three (3) additional communication towers and are necessary to meet the standards and requirements of the E911 Project; and

WHEREAS, construction of the three (3) additional communication towers will be carried out in conformance with the conditions and thresholds established in the Findings Statement and Final Generic Environmental Impact Statement previously completed for the E911 Project; and

WHEREAS, the County has determined that it is in the County's best interests to consider the adoption of a bond resolution and the execution of contracts for the purpose of undertaking the purchase, construction and operation of the three (3) additional communication towers as part of the E911 Project ("E911 Secondary Bonding"); and

WHEREAS, the E911 Secondary Bonding is an Unlisted Action as that term is defined by SEQRA; and

WHEREAS, the County was properly established as lead agency for the E911 Secondary Bonding in accordance with applicable provisions of SEQRA; and

WHEREAS, the County has independently evaluated the short form Environmental Assessment Form (attached hereto) prepared for the E911 Secondary Bonding and such other information as is available to the County; and

WHEREAS, the County has reviewed the Findings Statement and Final Generic Environmental Impact Statement previously completed for the E911 Project, and ratifies and confirms the review and findings contained therein; and

WHEREAS, the County has concluded that sufficient information has been provided to it to fully and accurately assess and evaluate the potential environmental impacts resulting from the E911 Secondary Bonding in conformance with SEQRA; and

WHEREAS, the County has applied the applicable criteria set forth in SEQRA in its identification and assessment of the potential environmental impacts reasonably expected to result from the E911 Secondary Bonding, including without limitation, 6 NYCRR 617.7(a), (b) and (c); now therefore be it

RESOLVED, that the County hereby determines that the E911 Secondary Bonding constitutes an Unlisted Action which will not result in any significant adverse environmental impacts, and accordingly, no further SEQRA review is required. The reasons supporting such determination are set forth in the Negative Declaration attached to this resolution; and it is further

RESOLVED, that the County authorizes and directs its officers, agents and employees to do such further things or perform such further acts and execute such documents as are necessary and/or appropriate to promptly file, circulate and publish the Negative Declaration issued for the E911 Secondary Bonding as required by SEQRA: Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Bennett, and Didio, all in favor.

**Resolution passed by 2/3 vote all voted aye, except excused Pinckney, 232/17.**

**RESOLUTION NO. 137-13****3-26-13 911 emnbdndrsoldrdocommprjct****AMENDING BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK, ADOPTED ON MARCH 26, 2013 AMENDING A PRIOR BOND RESOLUTION ADOPTED ON MAY 24, 2011 RELATING TO THE CONSTRUCTION OF THE COUNTY'S E 9-1-1 COMMUNICATIONS SYSTEM. (2/3)**

BY: Hon. Steven Cuddeback, Chair, Judicial and Public Safety Committee  
 Hon. David Axton, Chair, Ways and Means Committee

WHEREAS, by adoption of Resolution No. 315-10 on June 30, 2010, the Legislature of the County previously identified the need to proceed with an Emergency Communications Project (the "Project"); and

WHEREAS, the Project was designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the County was properly established as lead agency for the Project in accordance with the requirements of SEQRA; and

WHEREAS, the County thereafter determined that segmentation of the design and environmental review process (the "Design Project") from the Project is appropriate and permissible; and

WHEREAS, by adoption of Resolution No. 315-10 on June 30, 2010, the County further determined that the Design Project constitutes an Unlisted Action which will not result in any significant environmental impacts and accordingly, no further SEQRA review was required; and

WHEREAS, by adoption of Bond Resolution No. 317-10 on June 30, 2010, the County (i) authorized undertaking the Design Project, (ii) authorized the issuance of \$17,022,383 in bonds of the County to finance the Project, and (iii) determined that the plan for the financing of the \$17,022,383 maximum estimated cost was (a) the issuance of \$13,398,383 bonds authorized by Bond Resolution No. 317-10 and (b) by the issuance of \$3,624,000 bonds of the County if and when any of the identified purposes related to the Project has undergone a SEQRA review and permitting process allowing that aspect of the Project to go forward, if so adopted by the County Legislature, and (c) by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source; and

WHEREAS, the County subsequently determined that the balance of the Project may include the potential for at least one significant adverse environmental impact; and, accordingly the County made a positive declaration of significance; and

WHEREAS, a proposed Final Generic Environmental Impact Statement ("FGEIS") was prepared which assembled the relevant and material facts which appropriately analyzed the potential significant adverse impacts, evaluated all reasonable alternatives, and which was written in clear and concise language that can be read and understood by the public; and

WHEREAS, by adoption of a SEQRA Resolution No. 575-10 on December 20, 2010, the FGEIS was accepted as complete and a Notice of Completion of the FGEIS was the prepared, filed and published in accordance with 6 NYCRR 617.12, and as such, the requirements of 6 NYCRR Part 617 were satisfied; and

WHEREAS, by adoption of Bond Resolution No. 58-11 on January 25, 2011, the County authorized the issuance of \$3,000,000 of bonds of the County to finance the construction and completion of the Project; and

WHEREAS, by adoption of an amending Bond Resolution on May 24, 2011 the County clarified that the maximum estimated cost of the Project was \$17,022,383 to be financed by (i) the issuance of the \$13,398,383 bonds of said County as authorized by Bond Resolution No. 317-10 adopted on June 30, 2010, (ii) the issuance of \$3,624,000 bonds of said County authorized pursuant to the amending Bond Resolution on May 24, 2011, and (iii) the application of state and/or federal assistance available or to any revenues available for such purpose from any other source; and

WHEREAS, the County now desires to adopt the following amending Bond Resolution to (i) increase the maximum estimated cost of the Project by \$1,977,617 (from \$17,022,383 to \$19,000,000) due to certain cost overruns incurred during the course of construction, (ii) increase the maximum estimated cost of the Project by an additional \$4,000,000 (from \$19,000,000 to \$23,000,000) due to the need to expand the scope of the Project to construct 3 additional communication towers, and (iii) authorize the issuance of up to \$5,977,617 of bonds and notes of the County to finance the additional expenses identified in (i) and (ii); and

WHEREAS, the County has (i) determined that the adoption of this Bond Resolution is an Unlisted Action as that term is defined by SEQRA, (ii) established itself as lead agency in accordance with applicable provisions of SEQRA, and (iii) has determined that the adoption of this Bond Resolution constitutes an Unlisted Action which will not result in any significant adverse environmental impacts, and accordingly, no further SEQRA review is required; and NOW, THEREFORE BE IT

RESOLVED ON MARCH 26, 2013 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. For the specific object or purpose of undertaking the Project, as amended, including the development and construction of an emergency radio system for voice and data radio communications services constituting a digital trunked land mobile radio system, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work, in and for the County of Cayuga, New York, the County hereby (i) restates and ratifies the authorization set forth in the County's Bond Resolution adopted on June 30, 2012, as amended by the County's related Bond Resolutions adopted on January 25, 2011 and May 24, 2011 to issue up to \$17,022,383 of bonds and notes of the County pursuant to the provisions of the Local Finance Law, and (ii) further authorizes to be issued \$5,977,617 of additional bonds and notes of said County pursuant to the provisions of the Local Finance Law. Undertaking the Project, as amended, is hereby approved.

Section 2. The plan for the financing of the \$23,000,000 maximum estimated cost thereof shall be as follows:

- a) By the issuance of the \$13,398,383 bonds and notes of said County as authorized by the County's Bond Resolution adopted on June 30, 2010; and  
By the issuance of \$3,624,000 bonds and notes of said County as authorized by the County's Bond Resolutions adopted on January 25, 2011 and May 24, 2011; and

- b) By the issuance of \$5,977,617 bonds and notes of said County as authorized herein; and
- c) By the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 3. The faith and credit of said County of Cayuga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such matter, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 7. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The following additional matters are hereby determined and declared:

- a) Pursuant to subdivision 98 of paragraph a of Section 11.00 of the Local Finance Law, subdivision 11(a) of Section 11.00 of the Local Finance Law, and subdivision 21 of

Section 11.00 of the Local Finance Law, the weighted average period of probable usefulness of the Project is 12 years; and

b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and

c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.

e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.

f) The bonds authorized herein are not being issued for an assessable improvement.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Bennett, and Didio. Motion by Cuddeback, 2<sup>nd</sup> by Fearon, all in favor.

**Resolution passed by 2/3 vote all voted aye, except excused Pinckney, 232/17.**

### **RESOLUTION NO. 138-13**

**3/26/13 911 emendmotokandcapithrev2**

#### **AUTHORIZATION TO AMEND CONTRACT WITH MOTOROLA TO DEPLOY THREE ADDITIONAL TOWER SITES FOR THE NEW RADIO COMMUNICATIONS SYSTEM FOR THE COUNTY OF CAYUGA , AUTHORIZING THE CHAIRPERSON OF THE CAYGUA COUNTY LEGISLATURE TO EXECUTE CONTRACTS, AND TO AMEND CAPITAL "H" PROJECT NO. 10-03**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County has implemented a New Emergency Communications System based on 95% mobile coverage; and

WHEREAS, the portable and paging coverage has been found to be inadequate in areas of the central and northern parts of Cayuga County and it is critical that responders are able to communicate using these methods of communications; and

WHEREAS, Motorola has submitted a cost proposal including three new tower sites located in the Towns of Montezuma, Mentz, and a third located in between the townships of Victory and Ira, copy attached; and

WHEREAS, the additional sites will provide for 94% portable coverage and 86% paging coverage countywide at a cost not to exceed \$1,780,323.00 for the Motorola equipment and the estimated sum of \$1,682,000.00 for other project related expenditures; and

WHEREAS, the County has (i) determined that the execution of the Motorola contract as part of the E911 Secondary Bonding is an Unlisted Action as that term is defined by SEQRA, (ii) established itself as lead agency in accordance with applicable provisions of SEQRA, and (iii) has determined that the adoption of the execution of the Motorola contract as part of the E911 Secondary Bonding constitutes an Unlisted Action which will not result in any significant adverse environmental impacts, and accordingly, no further SEQRA review is required; now therefore be it

RESOLVED, that Capital H 10-03 Emergency Communications Project be increased from \$17,022,383.00 to \$23,000,000.00 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a contract with Motorola for new sites and with any other vendors required to implement this resolution and project for the New Emergency Communications Project; and be it further

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

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Whitman, Bennett, and Didio, all in favor.

Motion by Cuddeback, 2<sup>nd</sup> by Whitman, all in favor.

### **OTHER BUSINESS:**

Aikman talks about last year voting to take money out of contingency to match some dollars for the southern part of the County for internet. She understands that the Grant was approved and wants to make sure it is being carried forward from 2012 contingency into this year in order to pay when it is due. Squires says okay.

Barski asks about the College dorm project and the Legislators role. Westphal answers that his understanding of the whole project is that the funding will be coming through the Cayuga County Development Corporation. The three parcels of land would be deeded to the County to be held in trust for the College. If that happens the County then has to approve the acceptance of the property. The other part that the County would have that has not been discussed is SEQRA. There has been no one to move forward to be the lead agency and no one has issued an environmental assessment form. The question remains who is going to be the lead agency and he does not have the answer. Westphal says as far as financing he has not seen that the County itself will have any decisions to make. The financing as far as he knows is between Cayuga County Development Corporation and bonding. Barski asks if we have to deed over the land that the County owns to the College. Westphal responds no there are purchase offers between party a and the land owners. He has not seen the purchase offers so he does not know who as signed as the buyer. Westphal says the County would have to agree to accept the land to hold in trust for the College. The College can't own land and can't hold Real Property. The Dormitory



Authority that they have talked about could own the property. He says he is not sure who would own the land it will either come to the County or be owned by some third party. Barski asks when the Legislators have to vote. Westphal says at this point there is nothing to vote on and nothing has been presented to the Legislature. Cuddeback asks if the only thing the Legislature has involvement in is the ownership of the parcel. Westphal says the County could also decide that it does not want to be the lead agency for the purposes of SEQRA. It would then require some other involved agency to be the lead agency whether that is the College or not is another discussion. Chapman adds that no one from the College has approached Cayuga County Development Corporation with regard to this project. Westphal says to keep in mind that the appointments were made to CCDC and the County is now the sole member of CCDC. The CCDC can now issue civic facility bonds. Aikman asks Westphal if for instance the SEQRA were to take into effect that this is proposed in an R1 residential district and this is not an R1 use. Westphal says he is not clear but believes there is a special zone for colleges, schools, and religious institutions. He is not sure what that is called in city zoning and is not sure if they can be placed anywhere in the city. He tells Aikman he does not have an answer for her.

**Motion by Didio to go into executive session at 8:47PM, 2<sup>nd</sup> by Mahunik, all in favor.**

**Motion by Didio to come out of executive session at 9:11PM, 2<sup>nd</sup> by Aikman, all in favor.**

**Motion by Didio to adjourn at 9:12PM, 2<sup>nd</sup> by Bennett, all in favor.**

**MINUTES**  
**SPECIAL CAYUGA COUNTY LEGISLATURE MEETING**  
**TUESDAY, APRIL 16, 2013**  
**immediately following Ways and Means**  
**160 GENESEE ST, 6<sup>TH</sup> FLOOR,**  
**CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 6:50PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present, except excused Joseph Runkle.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Motion by Fearon to go into Executive Session, re: The employment history of a particular person and the proposed acquisition or lease of Real Property at 6:54PM, 2<sup>nd</sup> by Didio. Chairman Michael Chapman asks to stay in session for both and invited in; Lynn Marinelli, Sheila Smith, Fred Westphal, Mike Russell and Steve Lynch. All in favor.**

**Motion by Didio to come out of Executive Session at 8:20PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Didio to adjourn at 8:20PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
April 23, 2013 at 6:30PM**

**WELCOME:** In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note the elevators will not function. If anyone is unable to use the stairway, please go to caucus room #2 located behind the chambers and emergency personnel will be notified.

Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 6:30 PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of:  
**Kenneth E. Banner Sr., stepfather of County Employee, DMV Department, Peter Thomas**

**PUBLIC HEARING:** None

**PRESENTATIONS:** None

**PROCLAMATIONS:** Lisa Marsh Ryerson, *Shawn Bissetta*

**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.  
**Legislator Stephen Barski for Rosina Wilczek and Rhonda McConnell-Attached**

**Fearon makes a statement that some of the information from Rosina Wilczek was not correct. He states specifically on the one mandating the students to live in the dormitory. Fearon says the college can encourage someone to live in a dorm but it cannot force a student to live in the dorm. He says that Larson can speak to it or some information can be given to correct it.**

**MINUTES:** For Approval: 2/25/13 & 2/26/13  
**Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.**  
For Reading: 3/26/13 & 4/16/13

**CCC REPORT: Dr. Daniel Larson-Attached**

Larson mentions that since last Wednesday they have gained another 20 FTE's in terms of summer enrollment. He says at this point enrollment for the summer is sitting at about 88 percent from what it was last summer. He says they look forward to continuing numbers of students who will take courses this summer. Larson discusses going to a National Conference of Community College Presidents and one of the most prominent themes during the conference was that the current business model that they have been based on does not work any longer. He says in so many ways because of their increasing dependence on student's enrollment and tuition it is almost like they are becoming private colleges under public auspices. Larson senses that the community college business is coming to a tipping point in figuring out how to do business and the resources that will address the needs of their students/communities for the future. He says there are not any easy answers for that, but he says that doing over what has been done for the last 20 years would be insanity. He says part of the challenge the college faces is how to figure out what that future looks like given the impact of the college on the community and county. Larson says that they know 75 percent of college alum lives within 50 miles of the college and 97 percent of them live in New York State. He says that the College knows they are helping people in their immediate region to gain access to a post-secondary education. Larson then begins to discuss the Student Housing Project and addresses the feasibility studies. He says that is very clear from the studies that student housing is very attractive to the high school students and also the students who are currently at the college. Larson addresses that some people get the sense that somehow these students are people who are different. He says that these are our own sons and daughters and the people who will live in this community. He says to disparage them by saying that crimes will rise, that safety of children and families, and property values will decline is not appropriate. He says some of the students who are interested in student housing have already served our country honorably and he would be hesitant to group all of those students together is negative. He says it is an academic community that provides structure, but he recognizes there are issues with young adults. He states that those are things that Colleges have been dealing with and addressing for years.

Chapman says that he wants to encourage Larson's communication throughout the month and bring the Legislature up to date. Fearon asks Larson to make a clear statement of students right to choose where they live whether they are a freshman or not. Larson says that the students will always have the right to choose what they want to do. He says the college interest is with first year students and they want to give them that living environment which has structure, purpose, and definition to it. He says that students who come to the college from some distance the college would like to see them live on campus. Larson says though they cannot force or mandate them to live in the dormitory. He says they will encourage them though.

Farrell talks about the budget and says the sooner it is composed by the college the better it will be before the Legislature has to make a vote. Larson says they are working on it and the plan is it will first go to the college trustees in June and come before the Legislative body in July. He says he would share drafts of it as they become available.

Farrell talks about his understanding of the County's roll in the student housing project. He discusses the three issues the County would have a say in. The issues are the County being the lead agency, taking ownership of the property, and maybe the availability of bonding through the County with CDC. He asks Fred if the County were to decline those three areas does that shut the door or does it just cause the College to visit other avenues. Westphal says he does not have the answer to whether the College has a plan b or not, but he can find out. Axton says not to be mistaken but the College has not asked the Legislature to vote or do anything yet. He then asks Larson to look at the public to be heard and get back to the Legislature on anything he finds inaccurate with their reports. Larson says that he will do that.

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

Didio discusses the Owasco Lake Watershed committee and that they reviewed the inspector's monthly report. He states that there are numerous funds available for specific properties throughout the Watershed. He says one of their main concerns is the question of fencing in cows near the streams. He then talks about the Inter County Association of Western NY and there was a report from the representative from NYSAC who gave a breakdown of the State budget. Didio says they also gave reports on mandate relief, Medicaid, CHIPS, Community College full-time equivalent, Upstate Transit Aid, DA salaries, video lottery terminal, Real Property tax audits, and Special Education audits. Chapman asks Didio if we are going to host a meeting for Inter County. Didio responds that yes Cayuga County will be hosting a meeting for the first time on October 18<sup>th</sup> tentatively at the pavilion. Lattimore talks about the power authority working with BOCES doing a solo project and they have received a million dollars in Grants and they have applied for another million on top of that. He says he will keep the Legislature updated.

#### **BUDGET DIRECTOR'S REPORT: Lynn Marinelli-Attached**

Runkle asks how much of the fund balance was used. Marinelli says about 2 million was used out of the \$4.3-\$4.5 million. Chapman mentions that it will be a special point to watch as the new budget is constructed that the County has to look at what's happening with the 2014 budget as well as what's being pulled out of contingency.

#### **CHAIRMAN'S REPORT: Michael Chapman**

Chapman says there is no news about the Nursing Home. He talks about meeting with Congressman Maffei. He says they discussed a lot including dredging and Indian affairs. He mentions that it was asked if there were any other special monies allotted for colleagues within the city. He received the answer that there has not been. Chapman says he will be meeting with Onondaga County in regards to a second source of water. He says in the last meeting he asked Matt Millea to consider a plan where Cayuga County would ask Onondaga County to complete the construction to our border. He says Onondaga County has the man power, the engineers on staff and the materials in stock. Lattimore asks if the internet sales tax was brought up with Maffei. Chapman says yes Broadband was brought up and there is monies out there for it and should be more out. He says some internet

companies have franchise agreements with some of our towns and they have not expanded which is limiting the access. Lattimore says he believes it would be very important to capture some of that money. Chapman says that some firms have agreed to collect the tax such as Amazon and turns it in.

#### **APPOINTMENTS AND RE-APPOINTMENTS:**

##### **Cayuga County Soil & Water Conservation District Board of Directors:**

Steven Nemec, 3999 Carver Rd., Moravia, NY 13118 Term – 1-1-13 to 12-31-15

James Young, Rte. 34B, Union Springs, NY 13160 Term – 1-1-2013 to 12-31-15

##### **Cayuga County Planning Board:**

Keith Welch, 3149 Center Rd., Moravia, NY 13118, as Chairman, Term – 4-23-13 to 12-31-13

##### **Cayuga County Board of Health Variance Committee**

Richard Coalson, 405 Long Pt. on Owasco, Auburn, NY 13021, Term-1/1/13-12-31-15

##### **Community Services Board**

Michael Green, 6948 Owasco Rd, Auburn, Term: 1/22/12 – 12/31/15

**Motion by Axton, 2<sup>nd</sup> by Cuddeback, all in favor, except Aikman.**

#### **COMMUNICATIONS AND ANNOUNCEMENTS:**

1.) Received a thank you letter from Theresa Servais and family for the flowers at John Servais funeral.

2.) Received a letter from the Village of Weedsport, in regards to a letter from James Saroodis regarding the support of the CC Legislature Resolution repeal of the NY SAFE Act.

3.) Received a Provenance of the People from Schoharie County regarding the removal of the NY SAFE Act as a law.

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

#### **RESOLUTIONS 4-23-13**

##### **RESOLUTION NO. 139-13**

**4/23/13 AP Audit April 2013 (A)**

##### **AUTHORIZING THE COUNTY TREASURER TO PAY MARCH 12-25, 2013**

##### **AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **April 23, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$1,519,066.19, 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 13, 2012.

Signed by Cuddeback, Fearon, Pecher, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 140-13**

**4/23/13 AP Audit April 2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY MARCH 26-APRIL 8, 2013 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **April 23, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$884,468.03, 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 therefor in the County Budget finalized on December 13, 2012.

Signed by Cuddeback, Fearon, Pecher, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 141-13**

**4/23/13 TRE Payrollsoftwaerev**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE IS HEREBY AUTHORIZED AND DIRECTED TO ENTER INTO AN AGREEMENT WITH PAYLOCITY FOR PAYROLL SERVICES**

BY: David Axton, Chairperson. Ways and Means Committee

WHEREAS, the current operating system that houses the payroll software will no longer be supported; and

WHEREAS, the current payroll software is incompatible with the new operating system; and

WHEREAS, the payroll software committee duly searched out and examined all major national and local payroll services; and

WHEREAS, the payroll software committee solicited and interviewed the following vendors as part of its due diligence review process:

	Annual	1xset-up	other
Paylocity	49,661.40	4,251.50	
CPP	73,264.74	7,500.00	+5.29/w2
Ceridian	101,250.00	116,415.00	
ADP	132,790.47	9,313.23	

WHEREAS, the payroll software committee determined that the following vendors and products did not qualify: Paychex, HR1, and Premier; and

WHEREAS, the payroll software committee deems Paylocity to be the best fit for the current and foreseeable County needs; and

WHEREAS, Paylocity is also the low quote; now, therefore be it

RESOLVED, that Chairperson of the Cayuga County Legislature is hereby authorized and directed to execute an agreement with Paylocity for payroll services.

Signed by Cuddeback, Fearon, Pecher, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 142-13****4/23/13 HD Time Warner Cable Agreement****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A "RIGHT OF AGREEMENT" WITH TIME WARNER CABLE**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
 David Axton, Chairman of the Ways & Means Committee

WHEREAS, this Agreement will allow entry by Time Warner Cable Northeast, LLC into our WIC Office at 157 Genesee Street, Auburn, NY to install high-speed internet cable to support the WIC Computer System; and

WHEREAS, the WIC Computer System is fully supported by the State as are the costs associated with this installation; and

WHEREAS, this conversion will be more cost effective in the long run; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an Agreement with Time Warner Cable Northeast, LLC to install high-speed internet cable to support the Health Department's WIC Computer System.

Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 143-13****4/23/13 HD Escrow Agreement****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN AGREEMENT WITH NYS DEPARTMENT OF HEALTH FOR THE ESTABLISHMENT OF AN ESCROW ACCOUNT AND THE INITIAL ESCROW DEPOSIT**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
 David Axton, Chairman of the Ways & Means Committee

WHEREAS, pursuant to amendments to NYS Public Health Law (PHL) §2557 by Chapter 56 of the Laws of 2012, the NYSDOH is authorized to contract with a fiscal agent for the fiscal management and payment of Early Intervention claims; and

WHEREAS, The County is required to participate in this initiative; and

WHEREAS, on April 1, 2013 the NYS DOH and/or its fiscal agent will assume fiscal responsibility for payment of claims, billing 3<sup>rd</sup> party, and managing municipal payments owed to providers to the extent sufficient funds have been transmitted to the escrow account by the County; and

WHEREAS, the agreement has been developed to initiate the transmittal of initial funds to the NYSDOH's escrow account in the amount of one-twelfth of the total expenditures for the most recent year and outline the terms to which this account will be maintained and the reports the NYS DOH will make available to the County; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the New York State Department of Health for the establishment of an escrow account.

Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.



**RESOLUTION NO. 144-13**

**4/23/13 HS Stormer Contract Apr 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER INTO A CONTRACT WITH NANCY ROSE STORMER, P.C., AND WHITEMAN, OSTERMAN AND HANNA TO PROVIDE SERVICES TO IDENTIFY & RECOVER MEDICAID REVENUE.**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department has secured the services of Nancy Rose Stormer in the past on two separate occasions resulting in NYS paying Cayuga County for past over burden claims; and

WHEREAS, the Department desires to contract once again with Nance Rose Stormer, in collaboration with Whiteman, Osterman and Hanna, to identify additional over burden payments; and

WHEREAS, after such identification is made, the law firms will, on behalf of the County, seek recovery reimbursement through administrative claiming and litigation or through other appropriate means; and

WHEREAS, the fee is a contingency fee of 36% on all recoveries of offsets actually received by the County; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health & Human Services Department be authorized and directed to enter into a contract with Nancy Rose Stormer, PC and Whiteman, Osterman, and Hanna to identify and recover Medicaid revenue; and be it further

RESOLVED, that their contract will begin upon execution and will be renewed for subsequent 1-year terms until the project is completed or unless terminated by sixty (60) days written notice.

Signed by Mahunik, Aikman, Bennett, Lattimore, Pecher, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 145-13**

**4/23/13 HHS CNY Health Home Network**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN AGREEMENT WITH CNY HEALTH HOME NETWORK, LLC.**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the State of New York has established Health Homes in response to recommendations from Governor Cuomo's Medicaid Redesign Team. A Health Home is a care management model intended to improve care coordination, service integration, control health care costs, and improve health outcomes for Medicaid enrollees with high-cost and complex chronic conditions that often result in inpatient care; and

WHEREAS, in order to provide comprehensive high quality services, the Health Home desires to develop a comprehensive network of providers; and

WHEREAS, the Health & Human Services Department has been approached to be in this network; and

WHEREAS, Central New York Health Home Network, LLC is a Health Home serving Cayuga County; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with Central New York Health Home Network, LLC to allow the Department of Health & Human Services to participate in this Health Home as well as other Health Homes doing business in Cayuga County.

Signed by Mahunik, Aikman, Bennett, Lattimore, Pecher, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 146-13**

**4/23/13 HS Rescue Mission Contract 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE CONTRACT WITH RESCUE MISSION FOR HOMELESS FAMILY AND TRANSITIONAL HOUSING.**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Rescue Mission is leasing a building from Auburn Housing Authority that consists of two one-bedroom units and two three-bedroom units; and

WHEREAS, the Rescue Mission will furnish the units, will enter into an occupancy agreement with housing participants, and will provide needed case management services necessary to move participants to permanent housing; and

WHEREAS, the maximum length of stay in these units will be for 90-days with the goal of transitioning most households to appropriate permanent housing in 30 days; and

WHEREAS, this program represents a cost effective alternative to placing families and single women in hotels with better long term outcomes; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services renew the Department's contract with the Rescue Mission for the period May 1, 2013 through April 30, 2014 at a Department cost of \$40,000 (\$833 per unit per month); and be it further

RESOLVED, that the cost of this contract will be paid from account #A61094 54000 or A61404 54000 depending on eligibility.

Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 147-13**

**4/23/13 HS BONADIO GROUP CONTRACT 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW OUR CONTRACT WITH THE BONADIO GROUP TO CONDUCT ELIGIBILITY REVIEWS FOR MEDICAID HEALTH BENEFITS**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department desires to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits; and

WHEREAS, the Bonadio Group is an accounting and business consulting firm with experience in the auditing of public benefit programs, and is duly licensed to practice in the State of New York; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the Bonadio Group for the performance of their audit and accounting services; and

WHEREAS, the Bonadio Group has successfully worked with other counties in New York State, and the program has proven to promote deterrence in fraudulent applications; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized and directed to renew our contract with the Bonadio Group for the period 5/1/13 to 4/30/14 to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits at \$150/hr., in an amount not to exceed \$50,000 which is 100% reimbursed by State and Federal funds; and be it further

RESOLVED, that payment for these services comes out of account #A60104 54059. Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 148-13**

**4/23/13 MH SlidingFeeScalet2013**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO REVISE  
THE SLIDING FEE SCALE POLICY AT THE COMMUNITY  
MENTAL HEALTH CENTER**

BY: Mr. Patrick Mahunik , Chair, Health and Human Services Committee  
Mr. David Axton , Chair, Ways and Means Committee.

WHEREAS, the Community Mental Health Center relies primarily on fees for services provided; and

WHEREAS, the Sliding Fee Scale for the Department was last revised in 1990; and

WHEREAS, the Department is dedicated to provide quality behavioral health care at a fair fee to all consumers of services and recognizes the need for flexibility when establishing fees; now, therefore, be it

RESOLVED, that the attached Cayuga County Mental Health Center Financial Policies Sliding Fee Scale Policy be adopted and become effective immediately upon approval of this resolution.

Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 149-13**

**4/23/13 MH HH.CNY.Agreement2013**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO AN  
AGREEMENT WITH CENTRAL NEW YORK HEALTH HOME NETWORK, LLC**

BY: Mr. Patrick Mahunik , Chair, Health and Human Services Committee  
Mr. David Axton , Chair, Ways and Means Committee.

WHEREAS, the State of New York has established Health Homes in response to recommendations from Governor Cuomo's Medicaid Redesign Team. (A Health Home is a care management model intended to improve care coordination, service integration, control health care costs and improve health outcomes for Medicaid enrollees with high-cost and complex chronic conditions that often result in inpatient care); and

WHEREAS, the Cayuga County Community Mental Health Center operates case management services that are required to transition to Health Home care management services; and

WHEREAS, Central New York Health Home Network, LLC is a Health Home serving Cayuga County; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Community Services be authorized to enter into the attached agreement with Central New York Health Home Network, LLC, to allow the Mental Health Center to participate in the Health Home.

Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 150-13**

**4/23/13 MH Abilify Agreement 2013**

**AUTHORIZE THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO A BUSINESS ASSOCIATE AGREEMENT WITH THE ABILIFY MAINTENA ACCESS PROGRAM**

BY: Mr. Patrick Mahunik , Chair, Health and Human Services Committee

Mr. David Axton , Chair, Ways and Means Committee.

WHEREAS, Ability Maintena has been found to be an effective medication for the treatment of behavioral health disorders; and

WHEREAS, prior authorization from third party payers for the use of this medication requires considerable staff time; and

WHEREAS, The Abilify Maintena Access Program will provide benefit verifications and allow for information to be shared with the prescriber; now, therefore, be it

RESOLVED, that the Director of Community Services be authorized to enter into the attached agreement with the Abilify Maintena Access Program.

Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 151-13**

**4/23/13 MH Create Fill Prin Acct Clk Typ**

**AUTHORIZATION TO CREATE AND FILL A PRINCIPAL ACCOUNT CLERK TYPIST POSITION AND TO ABOLISH A SENIOR ACCOUNT CLERK TYPIST POSITION IN THE MENTAL HEALTH DEPARTMENT**

BY: Hon. Patrick Mahunik, Chair, Health and Human Services Committee

Hon. David Axton, Chair, Ways and Means Committee

WHEREAS, the position of Senior Account Clerk Typist (#2092) was reviewed and it was determined that the title was not reflective of the duties of the position; and

WHEREAS, a New Position Duties Statement was submitted to the Civil Service Commission and, upon review, was classified as a Principal Account Clerk Typist position based upon the job duties; and

WHEREAS; this position is crucial for maintaining the operation of the department; and

WHEREAS, funding for this position is available in the Mental Health Department 2013 budget under position control number 0011, due to a resignation from that position; therefore, be it

RESOLVED, that the Director of Community Services is hereby authorized to create and fill a full time Principal Account Clerk Typist (grade 14); and be it further

RESOLVED, that the position of Senior Account Clerk Typist, position code 2092, as reflected in the budget line A43101-51001, Salaries-FT, be abolished upon successful completion of the probationary period by the incumbent; and be it further

RESOLVED, that the Director of Community Services be authorized and directed to create and fill the position of Principal Account Clerk Typist in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County. Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 152-13**

**4/23 13 MH.HHUNYAgreement2013**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO AN AGREEMENT WITH HEALTH HOMES OF UPSTATE NEW YORK, A COMPONENT OF NEW YORK CARE COORDINATION PROGRAM, INC.**

BY: Mr. Patrick Mahunik , Chair, Health and Human Services Committee  
Mr. David Axton , Chair, Ways and Means Committee.

WHEREAS, the State of New York has established Health Homes in response to recommendations from Governor Cuomo's Medicaid Redesign Team. A Health Home is a care management model intended to improve care coordination, service integration, control health care costs and improve health outcomes for Medicaid enrollees with high-cost and complex chronic conditions that often result in inpatient care; and

WHEREAS, the Cayuga County Community Mental Health Center operates case management services that are required to transition to Health Home care management services; and

WHEREAS, Health Homes of Upstate New York. is a Health Home serving Cayuga County; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Community Services be authorized to enter into the attached agreement with the New York Care Coordination Program, Inc. to allow the Mental Health Center to participate in the Health Home.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 153-13**

**4/23/13 MHRentSafeHavens2103**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A LEASE AGREEMENT WITH CAYUGA/SENECA ACTION AGENCY SAFE HAVENS PROGRAM**

BY: Mr. Patrick Mahunik Chair, Health and Human Services Committee  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center has available building space; and

WHEREAS, the Cayuga/Seneca Action Agency is in need of space for the Safe Havens Program; and

WHEREAS, resolution number 66-13 authorized the Director of Community Services to enter into negotiations for use of space in the Mental Health Building, the terms of which required review by the Cayuga County Legislature; now, therefore, be it

RESOLVED, that the Director of Community Services and the Chairman of the Cayuga County Legislature be authorized to sign a lease with the Cayuga/Seneca Action Agency for one thousand four hundred and twenty-eight (1,428) square feet in the Mental Health Building located at 146 North Street, Auburn, NY 13021 at the following rates:

- 1018 square feet of dedicated space
- \$11.00 per square foot
- 410 square feet of space shared with the Mental Health Center at
- \$4.00 per square foot

All rates will be increased by three percent annually, and be it further

RESOLVED, that the term of the lease shall automatically be extended and renewed for successive annual terms of twelve (12) months each, beginning on January 1<sup>st</sup> of the year immediately succeeding the then existing term unless and until either party shall have given written notice to the other of its intention to terminate this lease, no less than sixty (60) days prior to the expiration of the then existing term.

Signed by Mahunik, Aikman, Barski, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

#### **RESOLUTION NO. 154-13**

#### **4/23/13 HD Create/Fill 2<sup>nd</sup> Family Partnership Nurse Specialist AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO CREATE A FAMILY PARTNERSHIP NURSE SPECIALIST POSITION IN THE HEALTH DEPARTMENT AND AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO FILL THE NEWLY CREATED POSITION.**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Health Department will be implementing the evidence-based Nurse Family Partnership Program; and

WHEREAS, to adequately staff this program, it is necessary to hire an additional RN; and

WHEREAS, a New Position Duties Statement was submitted to the Cayuga County Civil Service Commission for review and the Commission has classified the position as a Family Partnership Nurse Specialist, Grade 19; and

WHEREAS, the Department can support this fill in the 2013 Health Department Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create a Family Partnership Nurse Specialist position in the Community Health Services Division of the Health Department, Grade 19, and the Director of Health & Human Services be authorized to fill that position.

Signed by Mahunik, Aikman, Barski, Pecher, Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO.155-13**

**4/23/13 BOE NYSHAVACONTRACTSrev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE COMMISSIONERS OF THE CAYUGA COUNTY BOARD OF ELECTIONS TO SIGN CONTRACTS FOR HAVA FUNDS FOR THE BOARD OF ELECTIONS**

BY: Mr. George Fearon, Chair, Government Operations Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, pursuant to the Help America Vote Act of 2002, the Cayuga County Board of Elections has been allocated funds through the New York State Board of Elections for the purposes of purchasing electronic voting machines, training the public and poll workers on their use, and making improvements to polling places; and

WHEREAS, the Chairman of the Cayuga County Legislature is requested to sign contracts numbered T002646 and T002530 for these categories with the New York State Board of Education, copies of Appendix X are attached ; and

WHEREAS, the Cayuga County Board of Elections is continually training the public and poll workers on the use of the electronic voting systems thereby continuing the need for expenditure of HAVA related funds; and

WHEREAS, this has created the necessity to renew said contracts; therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Commissioners of the Cayuga County Board of Elections are hereby authorized and directed to sign contracts numbered T002646 and T002530, extensions for HAVA funds with the New York State Board of Elections.

Signed by Fearon, Aikman, Barski, Runkle, Axton, Cuddeback, Mahunik, Pecher, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 156-13**

**4/23/13 COL standardworkweek4-13rev**

**CORRECTING STANDARD WORK DAY AND REPORTING RESOLUTION NUMBER 286-12 (7-24-12) and 37-13 (1-22-13) FOR ELECTED AND APPOINTED OFFICIALS OF 7-24-12.**

BY: George Fearon, Chairman, Government Operations Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, Resolution number 286-12 adopted on July 24, 2011 was advertised and submitted to the New York State Comptroller's Office as required by New York State Law; and

WHEREAS, the NYS Comptroller's Office has requested, in a letter dated October 5, 2012, that the standard work day established for Assigned Counsel, Stop DWI is not acceptable and that a corrected Resolution be adopted for corrections; and

WHEREAS, Corrected Resolution Number 37-13, adopted on January 22, 2013 was advertised and submitted to the New York State Comptroller's Office as required by New York State Law, and Assigned Counsel and Stop DWI were changed incorrectly; and

WHEREAS, the County of Cayuga, in order to be in compliant with the rules and regulations, offers the following corrected reporting resolution; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by some of those officials that do not maintain a daily record of actual time worked; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body: a corrected spreadsheet is attached; and it is further

RESOLVED, that the redacted copy of the resolution and spreadsheet which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

Signed by Fearon, Aikman, Barski, Farrell, Axton, Cuddeback, Mahunik, Pecher, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 157-13**

**4/23/13 COL standardworkweek**

**STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED  
AND APPOINTED OFFICIALS**

BY: George Fearon, Chairman, Government Operations Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body: see attached; and it is further

RESOLVED, that the redacted copy of the resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

Signed by Fearon, Aikman, Barski, Farrell, Axton, Cuddeback, Mahunik, Pecher, Pinckney, and Whitman, all in favor.



**RESOLUTION NO. 158-13**

**4/23/13 CC Q-Matic-Contingent rev5**

**AUTHORIZES CAYUGA COUNTY CLERK TO TRANSFER FUNDS FROM HER BUDGET TO THE DMV BUDGET AND OBTAIN FUNDS FROM THE CONTINGENCY ACCOUNT TO COVER THE BALANCE OF COSTS ASSOCIATED WITH INSTALLATION OF A Q-MATIC SYSTEM IN THE DEPARTMENT OF MOTOR VEHICLES (2/3)**

BY: Mr. George Fearon, Chairperson, Government Operations Committee  
Mr. David Axton, Chairperson, Ways And Means Committee

WHEREAS, \$11,000 was put into the 2013 Cayuga County Clerks Budget Account A14102-52000 instead of the Department of Motor Vehicles Account A14112-52000 in order to pay for the installation of the Q-Matic System in the Department of Motor Vehicles; and

WHEREAS, the above referenced \$11,000 should be transferred to the Department of Motor Vehicle's Account A14112-52000; and

WHEREAS, in addition, the actual cost of the Q-Matic System is \$13,362; the seating will cost approximately \$3,976 which leaves a shortfall of \$6338 to pay for the Q-Matic System in the Department of Motor Vehicles budget; and

WHEREAS, the Q-Matic System will greatly enhance the efficient operation and delivery of excellent customer service in the Department of Motor Vehicles; and

WHEREAS, the County Clerk is requesting that two actions take place in order to pay for the Q-Matic System in the Department of Motor Vehicles; that the \$6,338 be taken out of the Contingency Account and transferred to the Department of Motor Vehicles Account # A14112-52000 to pay for the Q-Matic Program and that \$11,000 be transferred from the County Clerks Budget and into the same DMV account as above; now therefore be it

RESOLVED, that the sum of \$11,000.00 be transferred from Account No. A14102-52000 to Account No. A14112-52000; and be it further

RESOLVED, that \$6,338 be transferred from Contingency Account No A10164-54000 to Department of Motor Vehicles Account No. A14112-52000.

Signed by Fearon, Aikman, Barski, Farrell, and Pinckney, all in favor.

**Resolution passed by 2/3 vote all voted aye, 249.**

**RESOLUTION NO. 159-13**

**4.23.13 COA LEGHIREV4**

**EFFECTIVE JANUARY 1, 2016, MEDICAL, HEALTH AND DENTAL INSURANCE BENEFITS WILL BE AVAILABLE FOR CAYUGA COUNTY LEGISLATORS, THEIR FAMILY OR DEPENDENTS ON THAT CONDITION THAT THE LEGISLATOR PAYS ONE HUNDRED PER- CENTUM (100.00) OF THE MEDICAL, HEALTH AND DENTAL INSURANCE PREMIUM.**

BY: Hon. Hans Pecher

WHEREAS, County Law, Section 200 provides that the Cayuga County Legislature shall have the power to fix the compensation of its members and that compensation is an annual salary; and

WHEREAS, the Cayuga County Legislature's authority to fix compensation applies only to salary, and not to fringe benefits, such as health medical and dental insurance; and

WHEREAS, General Municipal Law Section 92-a authorized the Cayuga County Legislature to establish provisions for medical , health and dental insurance for officers, employees retired employees and their families; and

WHEREAS, the Government Operations Committee recommends the effective January 1, 2016 that medical and health insurance benefits will be available to Cayuga County Legislators, their family or dependents on condition that the Legislator pays one hundred per-centum (100.00%) of the Medical Health, and Dental Insurance premium; now therefore be it

RESOLVED, that effective January 1, 2016 medical and health insurance benefits will be available to Cayuga County Legislators, their family or dependents on the condition that the Legislator pays one hundred per-centum (100.00 %) of the Medical, Health and Dental Insurance premium.

**Passed by Majority Vote: Ayes- Didio, Pecher, Whitman, Axton, Farrell, Runkle, Bennett, Mahunik, Lattimore, and Chapman, Noes- Aikman, Pinckney, Fearon, Cuddeback, and Barski. 583/300**

#### **Discussion:**

**Pecher discusses the Resolution and says that we are asking employees to do with less and we need to set an example for the employees. He says that legacy costs need to be addressed and this is the first step in the right direction. Lattimore thinks that if costs want to be reduced for the taxpayers there needs to be fewer bodies in the Legislature. Axton says that taxpayers understand that the Legislature cost them money and some cost them more. He believes everyone should be on a level playing field and will keep candidates running for the right reasons. Pinckney asks why the compensation is not included in the Resolution. Fearon thinks that it is important to resolve the matter at this time. Pecher addresses Pinckney's questions by saying that he believes it cannot be resolved at this time because people coming on still on still going to have rights for the next couple of years. He thinks at that time it will be addresses. Lattimore brings up Obama care and wonders if eventually everyone will have health insurance. He says he would like to have those answers first. Aikman says she is one of those Legislators who benefits from having the health insurance and would not have run for the office if it did not come with the benefits. She says she is someone who works very hard and she does not believe it is a mutually exclusive situation. Aikman believes if it is passed at this time the Legislature will grow to be made up of retirees. She believes under the new safe health act that an employer of our size will be required to offer insurance anyway. She thinks this Resolution needs to be further thought out. Axton disagrees with Aikman and does not believe the body will be made up of retirees. He thinks that it will go the opposite way and he thinks more people that already have insurance will run. Barski says he also someone that takes advantage of the health insurance and he believes small business owners will not run if there is no perk. He says that he does this because of the insurance and he knows people will vote against this because they already have insurance. Barski says he cannot get it because his business is too small. Whitman calls a question and voting begins.**

**RESOLUTION NO. 160-13**

**4/23/13 PB Cntrct\_SFY11\_to\_SFY12\_FLOWPA Funds**

**AUTHORIZING THE SIGNING OF A CONTRACT WITH THE OSWEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE TRANSFER OF NYSDEC FUNDING FOR THE FINGER LAKES-LAKE ONTARIO WATERSHED PROTECTION ALLIANCE TO CAYUGA COUNTY, STATE FISCAL YEARS 2011 – 2012 FUNDING**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee  
Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes-Lake Ontario Watershed Protection Alliance, has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for its water quality program under the Finger Lakes-Lake Ontario Watershed Protection Alliance (FLOWPA); and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) member programs to the Oswego County Soil and Water Conservation District (DISTRICT) and the Water Resources Board of FLOWPA (WRB) via a single contract amongst NYSDEC, the DISTRICT and the WRB; and

WHEREAS, the County of Cayuga is eligible to receive \$38,250 in State Fiscal Year (SFY) 2011-2012 FLOWPA funding, which will be used to enhance, protect and preserve Cayuga County's water resources; and

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a contract between Cayuga County and the Oswego County Soil and Water Conservation District for the Finger Lakes-Lake Ontario Watershed Protection Alliance as specified in said contract; and to act as the official representative of Cayuga County in connection with any and all contracts between Cayuga County and the Oswego County Soil and Water Conservation District for FLOWPA funds; and be it further

RESOLVED, that a signed, certified copy of this resolution be submitted to the District Manager of the Oswego County Soil and Water Conservation District along with said contracts; and be it further

RESOLVED, that the Planning and Economic Development Department's 2013 budget is hereby amended so as to add \$38,250 to the Department's A87410 43994 -A State Aid – FL/FLOWPA GRANT revenue account and the WQMA's 2013 budget is hereby amended so as to add \$38,250 to the agency's A87414 54000 -A FLOWPA GRANT expenses account, no net change in the budget to accommodate this project; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same; and be it further

RESOLVED, that this resolution take effect immediately.

Signed by Pinckney, Barski, Cuddeback, Fearon, Axton, Mahunik, Pecher, and Whitman, all in favor.

**RESOLUTION NO. 161-13****4/23/13 CNTY-NYSEG GasEsmnt Cnty IndPark v01****RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE A GAS LINE UTILITY EASEMENT BETWEEN CAYUGA COUNTY AND NEW YORK STATE ELECTRIC AND GAS CORPORATION (“NYSEG”) OVER CERTAIN COUNTY-OWNED LANDS WITHIN THE CAYUGA COUNTY INDUSTRIAL PARK FOR THE EXTENSION OF GAS UTILITIES WITHIN THE PARK**

BY: Mr. Tucker Whitman, Chair, Public Works Committee

Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County Legislative Resolution Number 293-12 on July 24, 2012 authorized the funding and construction of access and circulation roads within the Cayuga County Industrial Park (the “Park”) in the Town of Aurelius (the “Industrial Park Roadway Project”) and also authorized the transfer of ownership of certain lands within the Park from the Cayuga County Industrial Development Agency (“CCIDA”) to Cayuga County (the “County”) to support industrial and business development within the Park; and

WHEREAS, by Warranty Deed recorded September 21, 2012 with the Cayuga County Clerk the CCIDA transferred ownership of various parcels within the Park to the County as part of the Industrial Park Roadway Project, including Tax ID Parcel #114.00-3-99.1; and

WHEREAS, In order to provide industrial development parcels within the Park with natural gas service via connection to a natural gas transmission and/or distribution line owned and operated by the New York State Electric and Gas Corporation (“NYSEG”), a gas line easement across Tax ID Parcel #114.00-3-99.1 will be required (the “Easement”), such Easement more specifically shown and described on the proposed NYSEG Gas Easement dated \_\_\_\_\_ and attached hereto and made a part hereof; and

WHEREAS, the County Attorney has reviewed said Easement and has approved the Easement as to form and content; and

WHEREAS, the Cayuga County Legislature wishes to provide said Easement to NYSEG for the nominal fee of \$1.00, in order to extend gas utilities within the Park; now, THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature as follows:

Section 1. The Chairman of the Legislature is hereby authorized and directed to execute the Easement and related documents as reviewed and approved by the Cayuga County Attorney to establish such Easement; and

Section 2. The Cayuga County Attorney is hereby authorized and directed to transmit and/or file such Easement as may be required to accomplish the intent of this Resolution; and be it further

RESOLVED, that this resolution shall be effective immediately.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 162-13**

**4/23/13 BLD PSB Temp Control Agreement**

**AUTHORIZATION TO ENTER INTO AN ASSURED MAINTENANCE AGREEMENT WITH UPSTATE TEMPERATURE CONTROL INC. FOR THE CONTROLS OF THE METASYS SYSTEM THAT CONTROLS THE PUBLIC SAFETY BUILDING HVAC**

BY: Hon. Tucker Whitman, Public Works Committee, and Hon. David Axton, Chairman, Ways & Means Committee.

WHEREAS, the Metasys computer control system for the Public Safety Building intricate piece of equipment and the County does not have an employee that is trained or certified to work on the this system, and

WHEREAS, with resolution 128-09 the County approved a 3 year assured Maintenance Agreement with Upstate Temperature Control Inc. for the preventive maintenance service on the controls part of the HVAC system and this agreement is now up for renewal, and

WHEREAS, the new 3 year Agreement annual cost will \$12,600.00 for 2013, \$13,100.00 for 2014 and \$13,624.00 for 2015 and there is funding in account A16204 54045 to cover this agreement; now therefore be it

RESOLVED, that the Buildings and Grounds Department account has sufficient funds for this agreement and sufficient fund will be budgeted in the future in account A16204 54045 and that the County enter into a assured maintenance agreement with Upstate Temperature Control Inc. for control service on the HVAC system, at the PSB, at a cost of \$12,600.00 for 2013, \$13,100.00 for 2014 and \$13,624.00 for 2015; and be it further

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to enter into a 3 year agreement with Upstate Temperature Control Inc.; and be it further

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 163-13**

**4/23/2013 BLD Awarding Natural Gas Bid 2013**

**AWARDING THE BID FOR NATURAL GAS FOR VARIOUS COUNTY OWNED BUILDINGS**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, The Cayuga County Purchasing Policy requires any purchase in excess of \$9,999.99 to use New York State contract, County contract or Group Purchasing contract or to go out for Sealed Bid; and

WHEREAS, the Counties contract for Natural Gas will expire on May 31, 2013; and

WHEREAS, In researching, The Natural Gas ESCO's will only hold prices for 3 days due to the market fluctuation and the best day for gas pricing is on a Wednesdays; and

WHEREAS, there are 29 ESCO approve by the New York State Public Service Commission that could possibly bid, a bid list will be attached to this resolution; and

WHEREAS, since there is only a three day window to accept the bid and so that a special Legislature meeting does not have to convene to approve the Natural Gas bid this Resolution proposes to give the authority to the Chairman of the Cayuga County Legislature to award the Natural Gas Bid to the lowest responsible bidder or to reject the bids and go out for rebids until the natural gas bid is awarded; now therefore be it

RESOLVED, that the Cayuga County Legislature to give the authority to the Chairman of the Cayuga County Legislature to award the Natural Gas Bid to the lowest responsible bidder or to reject the bids and go out for rebids until the natural gas bid is awarded; and be it further

RESOLVED, that a list of all bidder and their bids will be attached to this resolution; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature may sign any and all Natural Gas 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 Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 164-13**

**4/23/13 HWY fillMEOL2480**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A  
MOTOR EQUIPMENT OPERATOR – LIGHT (2480) WITHIN THE  
HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a Motor Equipment Operator Light position was vacated due to promotion; and

WHEREAS, this MEO – Light position is critical to the operation of the highway department's operations; and

WHEREAS, this position (Position Control #002480) has been budgeted for the entire year of 2013; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position from within the department and be it further

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 165-13**

**4/23/13 HWY barrettpavaspmat**

**AUTHORIZATION TO SIGN AGREEMENT WITH BARRETT PAVING FOR  
RECYCLED ASPHALT MATERIAL**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Highway Department and Barrett Paving wish to enter into an agreement regarding recycled asphalt material; and

WHEREAS, this Agreement would allow the Cayuga County Highway Department to obtain recycled asphalt material for use in road construction in exchange for the County Highway Department providing Barrett Paving with assistance of same value in the form of trucking away materials; and

WHEREAS, an Agreement will be reviewed by the County Attorney before the Chairman of the Legislature signs; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign an Agreement with Barrett Paving

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 166-13**

**4/23/13 PT WestBarrierBarTransfer 4 9 13rev**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN ANY AND ALL PAPERWORK NECESSARY TO ALLOW THE TRANSFER OF WEST BARRIER BAR TO THE STATE OF NEW YORK (2/3)**

BY: Mr. Tucker Whitman, Chairman, Public Works

Mr. David Axton, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Legislature passed Resolution 405-07 authorizing the chairman of the Cayuga County Legislature to sign an intermunicipal agreement with the Town of Sterling and the Village of Fair Haven transferring ownership of West Barrier Bar to the Town and Village after five years; and

WHEREAS, the Cayuga County Legislature passed Resolution 545-11 authorizing the Chairman of the Cayuga County Legislature to sign a one year extension to that intermunicipal agreement; and

WHEREAS, the Town of Sterling is no longer interested in taking ownership of West Barrier Bar; and

WHEREAS, the Village of Fair Haven passed a resolution on December 10, 2012 requesting the county transfer ownership solely to the Village of Fair Haven; and

WHEREAS, the county attorney has been working with the State of New York and the Village of Fair Haven to determine how best to allow such a transfer; and

WHEREAS, the County of Cayuga and the Village of Fair Haven consent that the property be transferred to the State of New York upon the understanding and upon the condition that the State of New York will transfer the parcel to the Village of Fair Haven; now, therefore, be it

RESOLVED, that the County Attorney is hereby authorized and directed to generate the necessary documents to allow the transfer; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the necessary documents to allow the transfer of the property to the State of New York upon the condition that the State of New York will transfer the parcel to the village of Fair Haven.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**Resolution passed by 2/3 vote all voted aye, 249.**

**RESOLUTION NO. 167-13****4/23/2013 BLD Awarding HPO Roof Contractor 2013 rev 4****AWARDING THE HISTORIC POST OFFICE ROOFING CONTRACTOR BID AND AMENDING THE CAPITAL "H" ACCOUNT NO. 12-03. (2/3)**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, Resolution 249-09 authorized going out for bids for various projects in the Downtown Campus and Resolutions 411-09 and 469-09 awarded project design for the Historic Post Office; and

WHEREAS, there are 2 portions to the roof bid, base bid is to replace all the roof insulation and the alternate is to utilize the present insulation on the roof and only replace what is damaged; and

WHEREAS, on April 16<sup>th</sup> 2013 bids were received for the roofing project from Charles F. Evans Company, Elmira, NY, base bid of \$459,160.00 and the alternate bid of \$404,609.00, and J&B Installations Inc, Skaneateles NY, base bid of \$463,450.00 and the alternate bid deduction of \$59,550.00 for a alternate bid of \$403,900.00; and

WHEREAS, a Capital H Account No. 12-03 has been established for this project and funded at \$385,000.00; now therefore be it

RESOLVED, that \$68,900.00 be transferred from the unrestricted fund balance and applied to Capital "H" Account No. 12-03 to fund the project (\$18,900.00), air monitoring for asbestos removal and any change orders (\$50,000.00) for a total of \$453,900.00 in Capital "H" Account No. 12-03; and be it further

RESOLVED, that the Cayuga County Legislature accept the bid with the alternate bid deduction and award the roofing project to J&B Installations Inc., Skaneateles NY, at a cost of \$403,900.00; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds and AJH Design monitor the roofing project and approve all payments 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 Whitman, Axton, Bennett, Pecher, Cuddeback, and Fearon, all in favor.

**Resolution passed by 2/3 Vote all voting aye, except Cuddeback, Barski, and Lattimore, 201/48.**

**RESOLUTION NO. 168-13****4/23/13 EMS INSTRUCTOR CONTRACTSREV****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ENTER INTO CONTRACTS WITH THE EMERGENCY MEDICAL TECHNICIAN COURSE SPONSORSHIP INSTRUCTORS FOR A PERIOD OF FIVE (5) YEARS.**

BY: Mr. Steven Cuddeback, Chairperson of Judicial and Public Safety Committee  
Mr. David Axton, Chairperson of Ways & Means Committee

WHEREAS, State requirements, concerning Emergency Medical Services training sponsorships, mandate that Emergency Medical Technician course curriculum be taught by New York State Dept. of Health Certified Instructors; and



WHEREAS, for Cayuga County EMS Course Sponsorship to comply with these mandates, it is necessary for the County to enter into Independent Contractor Contracts with each of the certified EMS Instructors for reimbursement of their services; and

WHEREAS, the Director of Emergency Services requires the authority to enter into contracts to hire EMS Instructors; and

WHEREAS, it is necessary for the Cayuga County EMS Course Sponsorship to enter into a contract to employ various levels of Instructors to successfully teach the NYS Dept. of Health curriculum as follows:

CIC Level (Certified Instructor Coordinator), reimbursement of \$23.50 per hour

CLI Level (Certified Lab Instructor), reimbursement of \$14.50 per hour

PWI Level (Practical Work Instructor), reimbursement of \$11.00 per hour

Practical Exam Coordinator, reimbursement of \$17.00 per hour

Clinical Coordinator, reimbursement of \$17.00 per hour

Emergency Medical Technician Course Worker, reimbursement of \$12.00 per hour

Hourly rates approved by Resolution #687-09 on December 15, 2009

WHEREAS, the Cayuga County Emergency Medical Services Budget (4072) contractual lines 54154, 54155, 54158, and 54204 total \$35,000.00 . Reimbursement expenses to EMS Instructors will not exceed this amount. Now therefore be it,

RESOLVED, that the Cayuga County Chairman of the Legislature and the Director of Emergency Services be allowed to enter into contracts, from time-to-time, for a period of five (5) years with the Emergency Medical certified State Instructors of the various levels, without returning for legislature authorization unless requesting an hourly rate change.

Signed by Cuddeback, Axton, Bennett, Didio, Pinckney, Whitman, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO. 169-13**

**4/23/13 911 ftESDfillrev1**

**AUTHORIZATION TO CREATE AND FILL ONE EMERGENCY SERVICES  
DISPATCHER (ESD) POSITION TO MAINTAIN CONTINUITY OF  
SERVICES.**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County has recently deployed a New Emergency Communications System; and

WHEREAS, the Cayuga County E-911 Center is preparing to go live with Emergency Medical Dispatch; and

WHEREAS, between the two enhancements involved within the 911 Center it is easy for a dispatcher to become overwhelmed when managing all of the necessary tasks involved with call taking and dispatching procedures; and

WHEREAS, it is critical that all necessary tasks are completed efficiently and in a timely manner; now therefore be it

RESOLVED, that the Cayuga County Legislature approve the creation of an additional Emergency Services Dispatcher; and be it further

RESOLVED, that monies are taken from contingency to fund the positions for the remainder of the year at a cost of \$33,000, including fringe benefits, calculations based on single health insurance; 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; and be it further

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

Signed by Cuddeback, Axton, Pinckney, Whitman, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO: 170-13**

**4/23/13 SHR FILLDETECTIVEREV**

**AUTHORIZE THE SHERIFF OF CAYUGA COUNTY TO FILL ONE VACANT  
DETECTIVE POSITION IN THE CRIMINAL INVESTIGATION DIVISION OF  
THE CAYUGA COUNTY SHERIFF'S OFFICE.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee

MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, a Sheriff Detective (Position Control No. 003044-SYS) position will be open due to a transfer within the Cayuga County Sheriff's Office on April 28, 2013; and

WHEREAS, it will be necessary to fill this vacant position from the civil service eligibility list; and

WHEREAS, this position is designated and accepted in the 2012 Cayuga County Sheriff's Law Enforcement Salaries Operating Budget A31101 51001; and therefore be it

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

RESOLVED, the employee hired will be placed at the appropriate step within the Cayuga County Sheriff's Police Association (DSPA) Compensation Plan for 2007-2011; and be it further

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

RESOLVED, that upon successful completion of probation in the Detective position, the vacated Deputy Sheriff's position will be abolished.

Signed by Cuddeback, Axton, Bennett, Didio, Pinckney, Whitman, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO. 171-13**

**4/23/13 SHR Dr.KooiInd.Cont.**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE CAYUGA  
COUNTY SHERIFF TO ENTER INTO A CONTRACT WITH DR. PANG LAY  
KOOI TO PROVIDE PHYSICIAN SERVICES TO THE INMATES HOUSED AT  
THE CAYUGA COUNTY JAIL**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and

Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, Dr. Pang Lay Kooi is presently a part-time employee with the Cayuga County Jail who provides physician services to the inmates housed at the Cayuga County Jail and has received an annual salary of \$35,000 ; and

WHEREAS, it has been determined that it would be beneficial to the County of Cayuga and the Cayuga County Sheriff's Office to enter into a contract with Dr. Kooi as an Independent Contractor for the physician services he renders at the Cayuga County Jail; now, therefore be it

RESOLVED, that the Chairman of the Legislature and the Cayuga County Sheriff's Office enter into a contract with Dr. Kooi that shall commence April 28, 2013 and shall terminate upon 30 days written notice by either party to the other party; and be it further

RESOLVED, that Dr. Kooi shall be compensated at an annual rate of \$35,000., payable in bi-weekly payments of \$1,346.15; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make the following accounting and journal entries to accomplish the intent of this resolution through the balance of 2013: Decrease A31501 51002 Salaries PT by \$23,736 and Increase A31504 54059 Professional Services by \$23,736 to allow for the payment as an independent contractor.

Signed by Cuddeback, Axton, Bennett, Didio, Pinckney, Whitman, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO: 172-13**

**4/23/13 SHR SalaryIncreasesCtSec**

**AUTHORIZING CHANGES TO THE 2013 CAYUGA COUNTY  
COMPENSATION PLAN TO REFLECT SALARY INCREASES OF CERTAIN  
NON-BARGAINING POSITIONS IN THE CAYUGA COUNTY SHERIFF'S  
OFFICE**

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office employs part-time individuals to serve as Special Patrol Officers (Court Security) and Court Attendants to provide security and ensure the smooth and efficient functioning of the New York State Unified Court System; and

WHEREAS, Special Patrol Officers (Court Security) and Court Attendants have not received an increase in pay since 2007 and cost control efforts by the New York State Office of Court Administration have made raises to these part-time positions possible; and

WHEREAS, increasing the pay rate to Special Patrol Officers (Court Security) and Court Attendants would not be of any extra cost to Cayuga County as these positions are 100% reimbursed by New York State; now therefore be it

RESOLVED, that the Special Patrol Officers (Court Security) receive a \$1.00 per hour wage increase and the Non-Bargaining Part II Special Patrol Officers, PT for Court Security, of the Cayuga County Compensation Plan be amended to show that the adopted 2013 salary be \$21.00 per hour effective April 28, 2013; and be it further

RESOLVED, that the part-time Court Attendants receive a \$.50 per hour wage increase and the Non-Bargaining Part II Court Attendants, PT for Court Security, of the Cayuga County Compensation Plan be amended to show that the adopted 2013 salary be \$13.00 per hour effective April 28, 2013; and be it further

RESOLVED, that the Cayuga County Sheriff's Office 2013 Court Security Budget Revenue Line A11620 43330 Unified Courts be increased \$19570.00, the Expense Line A11621 51002 Salaries-Part Time be increased \$18,350 and the Expense Line A11621 58001 Social Security be increased \$1,400.00; 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, Axton, Bennett, Didio, Pinckney, Whitman, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO. 173-13**

**4/23/13 DA.vacancyada.13**

**AUTHORIZING THE DISTRICT ATTORNEY TO FILL FT ADA VACANCY IN  
THE DISTRICT ATTORNEY'S OFFICE**

BY: Hon. Steven E. Cuddeback, Chairman, Judicial & Public Safety; and  
Hon. David R. Axton, Chairman, Ways and Means

WHEREAS, District Attorney Jon Budelmann has a vacancy in full-time Assistant District Attorney Position Control Nos. 003095 and 004896 (EFPP) within the District Attorney's office (effective April 29, 2013) as a result of the resignation of a full-time Assistant District Attorney; and

WHEREAS, the full-time Assistant District Attorney position is a critical position in the District Attorney's office responsible for the prosecution of serious felony cases; and

WHEREAS, the Legislature is desirous about continuing this important prosecutorial position in the District Attorney's Office; and

WHEREAS, this position has been budgeted for the entire year; now therefore be it

RESOLVED, that the District Attorney is authorized to fill this vacancy immediately, by either an outside applicant or by promotion from within the department; and be it further

RESOLVED, that the District Attorney be hereby authorized to backfill any positions created by upward promotion from within the department; and be it further

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

Signed by Cuddeback, Axton, Pinckney, Whitman, Fearon, Mahunik, and Pecher, all in favor.

**MINUTES  
SPECIAL  
CAYUGA COUNTY LEGISLATURE MEETING  
TUESDAY, May 21, 2013  
immediately following Ways and Means  
160 GENESEE ST, 6<sup>TH</sup> FLOOR,  
CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman, at 7:00PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present, except excused Lattimore and Pinckney.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Motion by Didio to go into Executive Session at 7:03PM, re: The employment history of a particular Corporation, 2<sup>nd</sup> by Whitman, all in favor. Asked to attend Deb English and Elane Daly.**

**Legislators Barski and Cuddeback arriving at 7:05PM.**

**Motion by Fearon to come out of Executive Session at 7:12, 2<sup>nd</sup> by Runkle, all in favor.**

**Motion by Fearon to move to support Auburn Community Hospital (COPS) Certification of Participation to refinance the debt, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Motion by Didio to go back into Executive Session at 7:14PM, re: current litigation, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Motion by Whitman to come out of Executive Session at 7:45PM, 2<sup>nd</sup> by Didio, all in favor.**

**Motion to adjourn by Whitman, 2<sup>nd</sup> by Aikman at 7:45PM, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
MAY 28, 2013 AT 1:00PM (EMERSON PARK)  
SENIOR CITIZEN MONTH**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 1:00 pm.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present except excused Hans Pecher.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of:  
**Pauline Rybarczyk, wife of the late Honorable Judge Joseph Rybarczyk Staff Sgt. Francis "Frankie" G. Phillips IV was killed in action, while serving the United States Army in Afghanistan. He is the husband of Christine Houston Phillips and the beloved father of 4 year old Sophia Nicole Phillips. To all the victims and families of the Moore, OK Tornado.**

**PROCLAMATIONS:** Senior/Citizen's Month in Cayuga County (May 2013)

**ANNOUNCEMENT OF AWARDS: Senior Citizens of the Year 2013**

Betty Miller, 8 Wilson Ave., Auburn

Certificate presented by Legislator Stephen Barski

Trudy Buxenbaum, Dog Corners Road, Aurora

Certificate presented by Legislator George Fearon

Anita Messina, 84 Green St., Port Byron

Certificate presented by Legislator David Axton

Joni Lincoln, 10376 Route 38, Port Byron

Certificate presented by Chairman Michael Chapman

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

**Meeting called back to order at 1:43pm by Chairman Michael Chapman.**

**PROCLAMATION'S CON'T:** Auburn/Cayuga County NAACP 46<sup>th</sup> Annual Freedom Fund Banquet "Harriet Tubman: the One Who Never Gave Up"

**EMERGENCY AUTHORIZATION FOR SPENDING:**

Reason for emergency spending:

The roof of the nursing home has been evaluated and determined in need of total renovation. There has not been testing for asbestos due to the age of the roof however testing is necessary to provide adequate documentation to potential contractors. Beardsley Design has been the architect on the project and will utilize their resources to arrange for the

sampling, testing and documentation to get this process completed in a timely manner for the overall project. They have submitted a proposal to complete this work not to exceed \$6000.

The County Legislature does hereby authorize the proposal for aforementioned work from Beardsley Design for an amount not to exceed \$6000. The cost will be paid out of the Nursing Home fund balance.

Signed and approved by: Mahunik, Chapman, Aikman, Pecher, Axton, and Didio, 4/29/13.

**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. **Edward Wagner discusses the Town of Owasco resolution memorializing the intent of the Town Board of the Town of Owasco, County of Cayuga, regarding the need to maintain the existing alignment of Interstate 81 through Syracuse.**

**MINUTES: For Approval: 3/26/13 & 4/16/13, Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.**

For Reading: 4/23/13

**CCC REPORT:** Dr. Daniel Larson- Attached

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

Didio discusses the monthly meeting of the Inter County Association of Western New York. He talks about some presentations regarding things going on in Albany. He says some of the topics were about Casino gaming, Early Voting, Home Rule, Department of Transportation, draft regulations on parade permits, ethics reform, binding arbitration reform, physical restructuring and fiscal stress. He mentions Cayuga County sponsoring the Inter County meeting in October and he is requesting door prizes from the Legislators.

**CHAIRMAN'S REPORT:** Michael Chapman

Chapman talks about going to Albany and meeting with Homeland Security. He mentions discussion with people about consolidated funding and grants that need to go forward. He discusses North Street Property that is county property and has not been touched. He says a resident in the area brought it to the county's attention and it is being cleaned up. Chapman says he will suggest at a later point that Westphal and Real Property look at putting a price on the property price and try to sell it. He talks about attending the CCC graduation ceremony, a Hospital luncheon and also participated in the arrival of Sgt. Phillips remains. He mentions having a conversation with the Governor's office and spoke on three topics. The Governor is looking for allies in regards to the tax free program and Chapman said he declined to join he explained that the true cost needs to be more transparent. The next topic was Homeland Security and they said they will continue to work on that. The third topic was the Department of Health and their lack of ability to make a decision in regards to the nursing home situation.

**APPOINTMENTS AND RE-APPOINTMENTS:****Cayuga County Ag. Farmland Protection Board:**

Doug Kierst, 7413 County House Rd., Auburn, NY 13021, Term - 5-28-13 to, Coterminous with position

Judy Wright, 24 Grant Ave., Auburn, NY 13021, Term - 5-28-13 to, Coterminous with position

Craig Culver, 4826 Silver St. Rd., Auburn, NY 13021, Term 5-28-13 to 12-31-2016 (Farmer Rep.)

**Motion by Cuddeback, 2<sup>nd</sup> by Bennett, all in favor, except Aikman.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter and copy of Resolution IL-023-13 from Niagara County Legislature, in regards to calling on the New York State Legislature to pass and enact S.3948/A.6094, Legislation repealing the NY-SAFE ACT.

2. Received two thank you cards from Tim Donovan thanking the County for donating the money from Blue Jean Friday to the Rescue Mission.

3. Received a Resolution from Fulton County opposing new unfunded mandates to require early voting in New York State.

4. Received a Resolution from Fulton County declaring "Mayday for Mandate Relief" and urging the State to adopt laws that prohibit unfunded mandates on local governments.

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

**RESOLUTION NO. 174-13**

**5/28/13 AP Audit May2013 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
APRIL 8-29, 2013 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **May 28, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$828,811.18, 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 13, 2012.

Signed by Cuddeback, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO. 175-13**

**5/28/13 AP Audit May2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
APRIL 29-MAY 13, 2013 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **May 28, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$1,425,290.82, 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 therefor in the County Budget finalized on December 13, 2012.

Signed by Cuddeback, Fearon, Mahunik, and Pecher, all in favor.

**RESOLUTION NO. 176-13**

**5/28/2013 RPmaymortgagetax**

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

BY: David Axton, 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 \$520,086.75, the same being the net amount collected from the taxation of mortgages for the period October 1, 2012, to March 30, 2013; and

WHEREAS, there is in the County Treasurer’s Account No. T-58, the amount of \$520,086.75 which should be distributed among the City of Auburn and the Towns and Villages of the County; now therefore be it

RESOLVED, that the County Treasurer be directed and required to pay the sum of \$520,086.75 to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of Auburn	\$ 101,505.03	Montezuma	\$ 5,563.31
Aurelius	\$ 17,120.25	Moravia	\$ 12,309.69
Cayuga Vlg	\$ 1,284.12	Moravia Vlg	\$ 4,645.42
Brutus	\$ 17,315.37	Niles	\$ 13,917.86
Weedsport Vlg	\$ 9,000.22	Owasco	\$ 47,265.49
Cato	\$ 15,418.26	Scipio	\$ 11,226.63
Cato Vlg	\$ 545.06	Sempronius	\$ 4,579.22
Meridian Vlg	\$ 602.41	Sennett	\$ 70,235.11
Conquest	\$ 10,649.79	Springport	\$ 14,449.66
Fleming	\$ 28,539.75	Union Springs V	\$ 5,069.05
Genoa	\$ 12,537.24	Sterling	\$ 17,490.25
Ira	\$ 11,145.65	Fair Haven Vlg	\$ 11,679.54
Cato Vlg	\$ 616.05	Summerhill	\$ 6,661.92
Ledyard	\$ 15,875.21	Throop	\$ 13,953.04
Aurora Vlg	\$ 3,270.69	Venice	\$ 3,655.93
Locke	\$ 6,063.36	Victory	\$ 16,207.98
Mentz	\$ 6,305.85		
Port Byron Vlg	\$ 3,382.34		
		<b>Grand Total</b>	<b>\$ 520,086.75</b>

Signed by Cuddeback, Fearon, Mahunik, Whitman and Pecher, all in favor.

**RESOLUTION NO.177-13****5/28/13 coa renew BS&K contract**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO RENEW THE LABOR RELATIONS SERVICES CONTRACT WITH BOND, SCHOENECK, & KING, PLLC, FOR SERVICE WITH BOTH THE COUNTY OF CAYUGA AND CAYUGA COMMUNITY COLLEGE, FOR A TERM OF THREE (3) YEARS EXPIRING ON JUNE 30, 2016.**

BY: Hon. David Axton, Chair Ways & Means Committee

WHEREAS, the Resolution No. 214-11, authorized the Chairman of the Cayuga County Legislature to execute a labor relations services contract with Bond, Schoeneck, & King; and

WHEREAS, the current labor relations services contract with Bond, Schoeneck, & King expires June 30<sup>th</sup>, 2013; and

WHEREAS, the County and the College have a continuing need for labor relations services and both desires to renew and extend the Labor relations services contract for three (3) years; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the renewal of the labor relations services contract with Bond, Schoeneck, & King, PLLC with the new expiration of June 30, 2016.

Signed by Cuddeback, Fearon, Mahunik, and Pecher, all in favor, except Bennett abstained.

**RESOLUTION NO. 178-13****5/28/13 HD Immunization Grant (IAP) 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH NYS DEPARTMENT OF HEALTH TO ACCEPT FUNDING FOR IAP GRANT**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has awarded a grant in the amount of \$40,013 to the Cayuga County Health Department for the continued support of our Immunization Action Plan for the year April 1, 2013 through March 31, 2014; and

WHEREAS, the Health Department's 2013 Budget will have to be amended to accept this funding; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with the NYS Department of Health for the period April 1, 2013 through March 31, 2014, accept funding in the amount of \$40,013 and accept any additional COLA funds relative to this program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries to amend the Health Department's 2013 budget in the following manner:

Increase Revenue Account #A40150 43415	\$40,013
Increase Expenditure Account #40154 54059	\$40,013

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO.179-13**

**5/28/13 HD Integrated Cancer Services Program Extension**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO EXTEND THE EXISTING CONTRACT WITH NYSDOH FOR PARTICIPATION IN THE INTEGRATED CANCER SERVICES PROGRAM FOR THE PERIOD 4/1/13 TO 10/31/13, AND ACCEPT ADDITIONAL FUNDING FOR THE INFRASTRUCTURE PORTION OF THE EXTENSION**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has awarded the Cayuga County Health Department funds to extend the existing Integrated Cancer Services Program for the period 4/1/13 – 10/31/13; and

WHEREAS, the funding awarded the Health Department by the State is appropriated for the “infrastructure” portion of this contract extension in the amount \$45,468; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to extend the Integrated Cancer Services Program contract (both infrastructure and clinical services) with the NYS Department of Health for the period 4/1/13 – 10/31/13; to accept 100% State funding in the amount of \$45,468 for the infrastructure portion of the contract; and be authorized to enter into contracts with clinical providers participating in this program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following adjustments to the Health Department’s 2013 Budget in the following manner:

Increase Revenue Account #A40160 43416	\$45,468
Increase Appropriation Account #40164 54000	\$45,468

and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Health Department’s 2013 budget to accomplish the same.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 180-13**

**5/28/13 HD PHP Grant 2012 (Extend Contract To 2017)**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO EXTEND THE PUBLIC HEALTH PREPAREDNESS CONTRACT WITH HRI (WORKING IN COLLABORATION WITH NYSDOH) AND ACCEPT FUNDING FOR AN ADDITIONAL FOUR YEARS**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, HRI (Health Research, Inc.) working in collaboration with NYSDOH contracted with Cayuga County Health Department (Contract #1585-10) for the period of 7/1/2012 – 6/30/13 in the amount of \$82,041 for the purpose of continued development of public health preparedness in Cayuga County; and

WHEREAS, HRI desires to extend the **“End Date” of Contract #1585-10 to 6/30/17** with the **“Total Contract Amount to be \$410,205**; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to extend Contract Number 1585-10 with HRI in collaboration with the NYS Department of Health, to accept funding in the amount of \$82,041 per year for the next four years, 7/1/13 – 6/30/17, for the purpose of continued development of public health preparedness in Cayuga County; and be it further

RESOLVED, that upon notification from the Department, the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries in each of the 2013, 2014, 2015, and 2016 budgets, and to amend the Health Department’s 2013 budget in the following manner:

Increase Revenue Account #A40250 43425	\$82,041
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Increase Appropriation Account #A40254 54000	\$82,041
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And be it also

RESOLVED, that Contract #1585-10 in all portions thereof, as heretofore and herein amended, shall remain in full force and effect in accordance with the terms thereof.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

### **RESOLUTION NO. 181-13**

**5/28/13 HS TransUnion, LLC Agreement**

#### **AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN AGREEMENT WITH TRANSUNION, LLC, TO PROCEED WITH SET-UP AND ACCESS TO TRANSUNION CREDIT FILES FOR FOSTER YOUTH**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the County’s Human Services Department has a responsibility to request consumer report information on children in foster care, age 16 and older, on an annual basis for the purpose of identifying, preventing, and remediating the effects of identity theft; and

WHEREAS, the agreement with TransUnion will allow us to directly pull reports through their secure website; and

WHEREAS, TransUnion has agreed to waive all fees related to this agreement as a service they are willing to provide to governmental agencies in an effort to assist them in meeting this obligation for their foster care population; NOW, THEREFORE, BE IT

RESOLVED, that the Human Services Department submit the application, execute the agreement for consumer reporting services and the addendum for access via TransUnion Direct; and agreement will remain in effect until amended or terminated.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 182-13**

**5/28/13 HS Reclassify Sr. Computer Specialist Position**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RECLASSIFY THE SR. COMPUTER SPECIALIST POSITION IN HUMAN SERVICES TO SR. COMPUTER SYSTEMS TECHNICIAN (DP)**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, in an effort to support the overall Information Technology (IT) functions of the County, the Sr. Computer Specialist has been assigned a variety of duties; and

WHEREAS, based on these recent assignments, the Civil Service Commission has reviewed these duties and is recommending the reclassification of the job to Sr. Computer Systems Technician (DP); and

WHEREAS, a portion of these IT costs will continue to be reimbursable; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to reclassify the position of Sr. Computer Specialist, Grade 28, to Sr. Computer Systems Technician (DP), Grade 30, in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga, as well as make appropriate adjustments to the Compensation Plan; and be it further

RESOLVED, that once the incumbent is permanent in the Sr. Computer Systems Technician (DP) position, the Sr. Computer Specialist position will be abolished.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 183-13**

**5/28/13 MHFillSSWMay2013**

**AUTHORIZE THE FILLING OF A VACANT STAFF SOCIAL WORKER (CMH) POSITION AT THE COMMUNITY MENTAL HEALTH CENTER DUE TO A RETIREMENT**

BY: Mr. Patrick Mahunik, Chair Health and Human Services Committee, and Mr. David Axton, Chair Ways and Means Committee.

WHEREAS, there will be a vacant full-time Staff Social Worker (CMH) position in the Community Mental Health Center of Cayuga County as the result of a retirement from position control number 2114; and

WHEREAS, this position provides direct patient care to individuals with serious and persistent mental illnesses; and

WHEREAS, the position (2114) is reflected in the 2013 County Budget, line A43101-51001, as a 100% funded position through state aid and revenues generated by that individual; now, therefore, be it

RESOLVED, that the Director of Community be authorized and is hereby directed to fill the position of one Staff Social Worker (CMH) in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 184-13****5/28/13 MH.St Joe.HH.Agreement2013****AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO AN AGREEMENT WITH ST. JOSEPH'S CARE COORDINATION NETWORK**

BY: Mr. Patrick Mahunik , Chair, Health and Human Services Committee

Mr. David Axton , Chair, Ways and Means Committee.

**WHEREAS**, the State of New York has established Health Homes in response to recommendations from Governor Cuomo's Medicaid Redesign Team. A Health Home is a care management model intended to improve care coordination, service integration, control health care costs and improve health outcomes for Medicaid enrollees with high-cost and complex chronic conditions that often result in inpatient care; and

**WHEREAS**, the Cayuga County Community Mental Health Center operates case management services that are required to transition to Health Home care management services; and

**WHEREAS**, St. Joseph's Care Coordination Network is a Health Home serving Cayuga County; now, therefore, be it

**RESOLVED**, that the Chairman of the Cayuga County Legislature and the Director of Community Services be authorized to enter into the attached agreement with St. Joseph's Care Coordination Network to allow the Mental Health Center to participate in the Health Home.

Signed by Mahunik, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 185-13****5/28/13 NH artckhvac****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A CHANGE TO THE PROPOSAL FOR REPLACEMENT OF THE HVAC SYSTEM.**

BY: Patrick Mahunik, Chairman, Health &amp; Human Services Committee

David Axton, Chairman, Ways &amp; Means Committee

**WHEREAS**, Resolution No. 316-12 awarded replacement of the HVAC system at the nursing home to Air Tech and Air conditioning; and

**WHEREAS**, specifications of the drawings were not accurate and that additional work is required to finish the project in compliance with codes; and,

**WHEREAS**, Airtech has submitted an updated proposal that contains all of the above stipulations for an additional cost of \$ 2,211.74; and

**WHEREAS**, the proposal has been approved by the engineering firm C & S Companies; now therefore be it,

**RESOLVED**, that the proposal be changed to include the above costs for an amount not to exceed \$ 2,211.74 (Two thousand two hundred eleven dollars and seventy-four cents); and be it further

**RESOLVED**, that the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home are hereby authorized and directed to sign any and all documents required to implement this resolution.

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 186-13**

**5/28/13 NH agmntmdstffng**

**AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH MEDICAL STAFFING NETWORK TO PROVIDE TEMPORARY NURSING STAFF FOR JUNE 1, 2013 UNTIL MAY 31, 2014.**

BY: Patrick Mahunik, Chairman, Health and Human Services Committee

David Axton, 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, Medical Staffing Network 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, Medical Staffing Network will be paid for services to Cayuga County Nursing Home through a corporate fee schedule as follows:

RN at \$54./hr; LPN at \$ 37. /hr and CNA at \$24/hr; Now therefore be it:

RESOLVED that Chairman of the Legislature and Administrator of Cayuga County Nursing Home be authorized to sign an agreement with Medical Staffing Network for the period June 1, 2013 through May 31, 2014

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 187-13**

**5/28/13 NH acptbdroofrev4**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR RENOVATION OF THE ROOF AT THE NURSING HOME. AND AUTHORIZING THE TRANSFER OF MONEY. (2/3)**

Patrick Mahunik, Chairman, Health & Human Services Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, the roof at the Nursing Home needs to be repaired and updated, and

WHEREAS, a request for proposals was sent out to multiple regional firms; and,

WHEREAS, Eleven (11) firms responded with proposals; and,

WHEREAS, the following proposals were received:

Apple Roofing for up to \$199,257 ;

CJ Marly Construction for up to \$279,000;

Deluxe Roofing and Sheet Metal Corp. for up to \$249,000;

Hale Contracting, Inc for up to \$274,813;

J & B Installations, Inc. for up to \$229,664;

Joseph L. Giambrone Enterprises for up to \$256,600;

S & L Roofing Sheetmetal Inc. for up to \$275,000;

Wether Master Roofing for up to \$290,000;

Diamond Roofing Co. for up to \$263,000

Titan Roofing for up to \$294,000;

DeWald Roofing Co. for up to \$229,700; and

WHEREAS, comparison was made of the proposals considering the services to be performed and costs; and

WHEREAS, the proposal submitted by Apple Roofing. contains all of the elements anticipated in the specifications; and

WHEREAS, the Nursing Home requests that the County loan it \$199,257.00 to cover the cost of the project and that the Nursing Home will repay the funds to the County once the IGT funds, currently due the Nursing home, are received from the IGT monies;; now therefore be it,

RESOLVED, that the proposal be awarded to Apple Roofing. for up to \$199,257 and be it further,

RESOLVED, that the project be paid through the fund balance of the nursing home; and be it further

RESOLVED, that the County loan the sum of \$199,257.00 to the Cayuga County Nursing Home and that the Cayuga County Nursing Home will repay the funds to the County once the IGT funds, currently due the Nursing home, are received from the IGT monies; 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 Mahunik, Barski, Pecher, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 188-13**

**5/28/13 NH rplcspnklrs**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF SPRINKLER HEADS AT THE NURSING HOME.**

BY: Patrick Mahunik, Chairman, Health & Human Services Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, there was a recent Life Safety inspection at the Nursing Home, and

WHEREAS, there are 52 sprinkler heads in need of replacement; and,

WHEREAS, the Nursing Home already has a contract with Davis Ulmer for sprinkler system maintenance; and,

WHEREAS, quote has been obtained to replace the sprinkler heads with a testing of the system for \$2,225; now therefore be it

RESOLVED, that the sprinkler heads be replaced by Davis Ulmer for \$2,225 (Two thousand Two hundred twenty-five dollars).

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 189-13**

**5/28/13 NH pthwy**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR INSTALLING A PATHWAY AT THE NURSING HOME.**

BY: Patrick Mahunik, Chairman, Health & Human Services Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, there was a recent Life Safety inspection at the Nursing Home, and



WHEREAS, a pathway needs to be installed from the fire doors to a public access road; and,

WHEREAS, the Cayuga county Soil and Water District has provided a quote to complete the necessary work; now therefore be it

RESOLVED, that the pathway be installed by the Soil and Water District for \$3,190 (Three thousand One hundred ninety dollars).

Signed by Mahunik, Aikman, Barski, Pecher, Runkle, Cuddeback, Fearon, and Whitman, all in favor.

**RESOLUTION NO. 190-13**

**5-28-13 COL Tool-PowertoolsafetyPol**

**ADOPTING THE CAYUGA COUNTY TOOL AND POWER TOOL SAFETY POLICY FOR COUNTY EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, the County wishes to adopt a Tool and Power Tool Safety Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached Tool and Power Tool Safety Policy; and be it further

RESOLVED, that said Policy be numbered Section 71 in the County Policy Manual and distributed by the Clerk of the Legislature to all County Department Heads; and it is further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Barski, Didio, Farrell, Lattimore and Runkle, all in favor.

**RESOLUTION NO. 191-13**

**5-28-13 COL HearingConservationPol**

**ADOPTING THE CAYUGA COUNTY HEARING CONSERVATION POLICY FOR COUNTY EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, the County wishes to adopt a Hearing Conservation Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached Hearing Conservation Policy; and be it further

RESOLVED, that said Policy be numbered Section 72 in the County Policy Manual and distributed by the Clerk of the Legislature to all County Department Heads; and it is further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Barski, Didio, Farrell, Lattimore and Runkle, all in favor.

**RESOLUTION NO. 192-13****5-28-13 COL Lockout-Tagout-VerifyPol****ADOPTING THE CAYUGA COUNTY LOCKOUT/TAGOUT/VERIFY POLICY FOR COUNTY EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, the County wishes to adopt a Lockout/Tagout/Verify Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached Lockout/Tagout/Verify Policy; and be it further

RESOLVED, that said Policy be numbered Section 73 in the County Policy Manual and distributed by the Clerk of the Legislature to all County Department Heads; and it is further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Barski, Didio, Farrell, Lattimore and Runkle, all in favor.

**RESOLUTION NO. 193-13****5/28/13 E&T cclease****AUTHORIZING THE CAYUGA COUNTY EMPLOYMENT & TRAINING DEPARTMENT TO ENTER INTO A LEASE AGREEMENT WITH CAYUGA COMMUNITY COLLEGE AND AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN SAID AGREEMENT.**

BY: MR. PINCKNEY, Chairman, Planning & Economic Development Committee, MR. AXTON, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga County Employment & Training Department desires to lease approximately 8,850 sq. ft. of office space from Cayuga Community College at an annual rental of \$115,050.00 for the term July 1, 2013 through June 30, 2018; and

WHEREAS, the Cayuga County Employment & Training Department intends to sub-lease portions of said rental space; now, therefore, be it

RESOLVED, that the Cayuga County Employment & Training Department is hereby authorized to lease approximately 8,850 sq. ft. of office space from Cayuga Community College at an annual rental cost of \$115,050.00; and be it further

RESOLVED, that the Cayuga County Employment & Training Department is authorized to sub-lease portions of said rental space on such terms and conditions as it deems appropriate; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign such leases, sub-leases and other documents as may be necessary to carry out the intentions of this resolution.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Mahunik, Pecher and Whitman, all in

Favor, except Bennett abstained.

**RESOLUTION NO. 194-13**

**5/28/13 ET 2013 act title I-B & WP programs**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO SIGN THE LOCAL PLAN FOR PROGRAM YEAR 2013 FOR THE  
WORKFORCE INVESTMENT ACT TITLE I-B AND  
WAGNER PEYSER PROGRAMS**

BY: Paul Pinckney, Chairman, Planning & Economic Development Committee  
David Axton, Chairman, Ways and Means Committee

WHEREAS, pursuant to the Workforce Investment Act of 1998 (20 USC 9201 et, Seq, Public Law 105-220, 112 Stat.936) a Local Plan is required to be submitted for the Cayuga Cortland Workforce Investment Area (WIA) for the Title I-B and Wagner Peyser programs;

WHEREAS, said Local Plan must be signed by the Workforce Invest Board Chairman and the Chief Elected Officials in Cayuga and Cortland Counties; and

WHEREAS, said plan is due to be submitted to the New York State Department of Labor by June 14, 2013 and

WHEREAS, this legislature has been informed that there are no local funds involved in the program; Now, Therefore Be It

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the Local Plan for WIA Title I-B and Wagner Peyser programs and related documents upon review and approval of the County Attorney.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Mahunik, Pecher and Whitman, all in favor.

**RESOLUTION NO. 195-13**

**5/28/13 PB Ag-District Annual Additions v1**

**RESOLUTION AUTHORIZING AND SETTING THE DATE OF A LEGISLATIVE  
PUBLIC HEARING ON ADDITIONS TO CAYUGA COUNTY CONSOLIDATED  
AGRICULTURAL DISTRICT #5**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee  
Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County participates in the New York State Agricultural District Program and is consolidating Cayuga County Agricultural Districts 1, 2, 3, 4, 5 and 6 into Consolidated Agricultural District No. 5, using District 5 as the "parent district"; and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law requires counties to provide an annual public notice that the County will receive, review and consider requests by property owners to add viable farm land to County Agricultural Districts; and

WHEREAS, the Cayuga County Planning Department has conducted such public notification and has received sixty-four (64) requests during the March 1 to March 31 period, with such requests resulting in property-owner proposals to include a total of eighty-nine (89) parcels to be added to Consolidated Agricultural District No. 5; and

WHEREAS, Article 25AA of NYS Agriculture and Markets Law requires a County Legislature to hold a Public Hearing regarding these requests for addition of viable farm land into the County's Agricultural District(s) before taking legislative action on same; Now, Therefore Be It

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to take such steps as may be required so that said Public Hearing may be held at 6:30 PM on June 25, 2013 in the Chambers of the Cayuga County Legislature; and be it further

RESOLVED, that this resolution take effect immediately.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Mahunik, Pecher and Whitman, all in favor.

**RESOLUTION NO. 196-13**

**May 28, 2013 PB Ag-Dist\_Consol PHring v1**

**RESOLUTION AUTHORIZING AND SETTING THE DATE OF A LEGISLATIVE PUBLIC HEARING ON RENEWAL OF CAYUGA COUNTY AGRICULTURAL DISTRICTS INTO CONSOLIDATED AGRICULTURAL DISTRICT #5**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee  
Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County is undertaking its required Agricultural District Program Eight-Year Review process, with the intention of preserving the agricultural integrity of the districts, assessing the economic viability of the districts and identifying appropriate district boundary changes; and

WHEREAS, Cayuga County currently has six (6) Agricultural Districts, all of which come up for review at different times during the eight-year cycle and, therefore, the Cayuga County Legislature has determined to streamline this review by passing Legislative Resolution No. 321-12 on August 28, 2012, authorizing and directing staff to implement the process to consolidate Cayuga County Agricultural Districts 1, 2, 3, 4, 5 and 6 into Consolidated Agricultural District No. 5, using District 5 as the "parent district"; and

WHEREAS, the County Planning Department have conducted significant public outreach on the proposed renewal and consolidation, including contacting all property owners with ag-district parcels to collect data on ag-use within the districts and providing owners an opportunity to opt-in or -out of the districts; contacting all Towns in the County for the same purposes and reviewing the proposed ag-district consolidation with the Cayuga County Planning Board and the Cayuga County Agriculture and Farmland Protection Board; and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law requires a County Legislature to hold a Public Hearing regarding the renewal of Agricultural Districts before a final Legislative vote on the renewed districts; Now, Therefore Be It

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to take such steps as may be required so that said Public Hearing may be held at 6:30 PM on June 25, 2013 in the Chambers of the Cayuga County Legislature; and be it further

RESOLVED, that this resolution take effect immediately.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Mahunik, Pecher and Whitman, all in favor.

**RESOLUTION NO.197-13**

**5/28/13 (P&T) Fill FTBldgMainMech 5-13**

**AUTHORIZING PARK DIRECTOR TO FILL BUILDING MAINTENANCE  
MECHANIC POSITION UPON ITS VACANCY**

BY: Mr. Tucker Whitman, Chairman, Public Works

Mr. Dave Axton, Chairman, Ways & Means Committee

WHEREAS, the position of full time Building Maintenance Mechanic will soon be vacant due to the anticipated retirement of the employee in said position; and

WHEREAS, the ability to immediately fill the position upon its vacancy is critical for the successful operation of the Parks and Trails Department; and

WHEREAS, the 2013 budget for the Parks and Trails Department includes funding for said position, now therefore be it

RESOLVED, that the Park Director is authorized to fill the position of Building Maintenance Mechanic upon its vacancy, and be it further

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

Signed by Whitman, Axton, Bennett, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 198-13**

**5/28/13 BLD HPO Roof Change Order procedure rev2**

**CHANGE ORDER PROCEDURE FOR THE HPO ROOF PROJECT**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and

Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, the Historic Post Office roof project has been awarded and Capital H fund #12-03 has been set up for this project; and

WHEREAS, there will be a need to efficiently execute change orders to keep the project moving; therefore let it be

RESOLVED, that any change order \$5,000.00 or less will be approved by the Architect, County Administrator/Chairperson, Public Works Chairperson and Superintendent of Buildings and Grounds and be communicated to the Legislature by e-mail; let it be further

RESOLVED, that any change order \$5,000.01 and over will submitted by the Architect and Superintendent of Buildings and Grounds to be approved by the Public Works Chairperson, Ways and Means Chairperson, Legislative Chairperson, Minority Leaders, and the County Administrator, and be communicated to the Legislature by e-mail, let it be further

RESOLVED, That an e-mail conformation may be used until an approver signs the approved form, let it be further

RESOLVED, That the attached forms will be use to implement the intent of this resolution

Signed by Whitman, Mahunik, Pecher, Cuddeback and Fearon, all in favor.

**RESOLUTION NO. 199-13****5/28/13 hwyfillautomechdiesel3072****AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL AN  
AUTO MECHANIC DIESEL POSITION WITHIN  
THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee  
David Axton, Chairman, Ways & Means Committee

WHEREAS, an Auto Mechanic Diesel position was vacated due to transfer; and

WHEREAS, this Auto Mechanic Diesel position is critical to the Highway's fleet maintenance; and

WHEREAS, this position (Position Control #003072) has been budgeted for the entire year of 2013; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position and be it further

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

Signed by Whitman, Axton, Bennett, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 200-13****5/28/13 hwyfillMEOM2409****AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A  
MOTOR EQUIPMENT OPERATOR - MEDIUM 2409 WITHIN  
THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee  
David Axton, Chairman, Ways & Means Committee

WHEREAS, a Motor Equipment Operator Medium position was vacated due to resignation; and

WHEREAS, this MEO – Medium position is critical to the operation of the highway department's operations; and

WHEREAS, this position (Position Control #002409) has been budgeted for the entire year of 2013; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position from within the department; and be it further

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

Signed by Whitman, Axton, Bennett, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 201-13****5/28/13 HWY2013Surftrtlist****AUTHORIZATION TO APPROVE 2013 SURFACE TREATMENT LIST**

BY: Tucker Whitman, Chairman Public Works Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, the County is responsible for the maintenance of 516 miles of road; and

WHEREAS, funds were budgeted in the 2013 highway budget in account D51104 54095 – Surface Treatment for resurfacing of pavements; and

WHEREAS, the attached list of road work is less than the actual needed to maintain overall pavement condition at previous levels but is the best mix to try to slow the downward trend of the overall pavement condition of the county road network; now therefore be it

RESOLVED, that the attached list of roads to be surface treated in the 2013 summer construction season is hereby approved; and be it further

RESOLVED, the County Highway Superintendent is authorized to make adjustments to the list to meet changing conditions and changes in the cost of materials.

Signed by Whitman, Axton, Bennett, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 2012-13**

**5/28/13 COA NYSOPRHP grant expiration rev 2**

**DECLARING THAT THE PRESERVATION COVENANT BETWEEN THE COUNTY OF CAYUGA AND THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION EXPIRES ON OCTOBER 31, 2013 AS A GRANT FOR CONTRIBUTION FOR REPAIR WORK AT THE PAVILION AWARDED IN 1989**

WHEREAS: the Environmental Quality Bond Act Project Agreement was entered into between the County of Cayuga and the New York State Office of Parks, Recreation and Historic Preservation on August 23, 1990 with the State Comptroller having approved same on October 26, 1990 and the Attorney General having approved same on October 18, 1990; and

WHEREAS: the County entered into a preservation covenant with SHPO in 1990 and the New York State Attorney General having approved same as to form on October 18, 1990; and

WHEREAS: the project, which had a cost of \$306,809, included two primary restoration/reservation components at the Emerson Park Pavilion. The restaurant side of the building was completely rehabbed including new fire protection sprinkler system, fire separation between the kitchen and seating area, new door and exit signage, new restrooms and flooring, new heating system and providing handicapped accessibility and building code compliance; and

WHEREAS: the County did receive a grant in the amount of \$60,000.00; and

WHEREAS: the work was completed and the Grant monies received; and

WHEREAS: the \$60,000.00 SHPO grant did not cover the entire cost of the project and it has been determined that none of the improvements made with the funds had a useful life beyond 23 years; and

WHEREAS: the New York State Office of Parks, Recreation and Historic Preservation imposes a preservation covenant. Said preservation covenant is binding upon the local response over 23 years or the use of life of the improvement, made with funds provided pursuant to this agreement, whichever is longer; and

WHEREAS: the preservation covenant has been interpreted by SHPO to apply to the entire Emerson Park project; and

WHEREAS: The County has been abiding by the terms and conditions of the preservation covenant and seeking SHPO approval for all plans for the Emerson Park Pavilion since the agreement was signed; and

WHEREAS: New York State Office of Parks, Recreation and Historic Preservation continues to use a 2018 date for termination of the preservation covenant; and

WHEREAS: the Cayuga County Legislature takes the position that the preservation covenant expires on October 31, 2013; now therefore be it

RESOLVED: that it is the opinion of the Cayuga County Legislature that the preservation covenant approved by the Attorney General on October 18, 1990, and approved by the State Comptroller on October 26, 1990, expires on October 31, 2013; and be it further

RESOLVED: that a certified copy of this resolution be sent to the New York State Office of Parks, Recreation and Historic Preservation to advise them that the County considers the preservation covenant to be expired on October 31, 2013.

Signed by Whitman, Axton, Bennett, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

### **RESOLUTION NO. 203-13**

**5/28/13 PT Spend Cap Reserve Funds rev 2**

#### **TRANSFERRING THE SUM OF \$6,500.00 FROM THE CAPITAL RESERVE FUND ESTABLISHED FOR EMERSON PARK BY RESOLUTION NO. 93-12 TO PAY FOR AN ARCHITECT TO PROVIDE DOCUMENTATION NEEDED BY WLADIS TO APPLY FOR A GRANT FOR EMERSON PARK AND AUTHORIZING CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE DOCUMENTS**

BY: Tucker Whitman, Chairperson, Public Works

Dave Axton, Chairperson, Ways & Means Committee

WHEREAS, the Resolution No. 93-12 of the Cayuga County Legislature authorized and directed the Cayuga County Treasurer to establish a Capital Reserve Account for Emerson Park to be funded annually by parking and boat launch fees in excess of \$60,640.00; and

WHEREAS, for 2012 the excess parking and boat launch fees resulted in \$26,560.31 being deposited in the Capital Reserve Account; and

WHEREAS, Wladis Law Firm believes some of the projects prioritized by the Parks Commission including improvements to the boat launch, the boat launch access road and boat launch parking lot as well as establishing an area for boats to tie up and access the park could be eligible for funding under two New York State programs, one requiring a 50/50 match and the other requiring a 75/25 match; and

WHEREAS, in order to apply for these funds Wladis needs plans and estimates for the project drawn up by an architect; and

WHEREAS, Wladis recommended edr Companies to perform that work; and

WHEREAS, edr Companies provided a proposal saying they would provide the necessary information for \$6,500.00; and

WHEREAS, the Public Works Committee approved this expenditure at the May 14<sup>th</sup> meeting now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the documents necessary to contract with edr Companies to develop a concept design for site and boating improvements at Emerson Park and to execute documents required for the grant application and be it further

RESOLVED, that the sum of \$6,500.00 be transferred from the Capital Reserve established by Resolution No. 93-12 into Account No. A71104-54059 Emerson Park, Professional Services; and be it further



RESOLVED, Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Motion by Whitman, 2<sup>nd</sup> by Cuddeback, all in favor. Signed by Whitman, Axton, Bennett, Didio, Cuddeback and Fearon, all in favor.

**RESOLUTION NO.204-13**

**5/28/2013 EMO 2012EMPGGRANT**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ACCEPT A NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FY2012 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) TO ENHANCE THE ALL HAZARDS PREPAREDNESS, MITIGATION, RESPONSE AND RECOVERY PROGRAMS AND CAPABILITIES OF CAYUGA COUNTY OFFICE OF EMERGENCY SERVICES, AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE EMERGENCY MANAGEMENT 2013 BUDGET (A 3640) BY CREATING A REVENUE LINE AND AN OFFSETTING CONTRACTUAL EXPENSES LINE IN ORDER TO ACCEPT AND EXECUTE THE PURPOSES OF THE GRANT.**

BY: Mr. Steven E. Cuddeback, Chairman, Judicial & Public Safety Committee, and Mr. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga County Office of Emergency Services and Cayuga County have been awarded a FY2012 Emergency Management Performance Grant (EMPG) for \$34,233.00 by the United States Division of Homeland Security Federal Emergency Management Agency and the New York State Division of Homeland Security & Emergency Services to enhance all hazards preparedness, mitigation, response and recovery capabilities in Cayuga County by strengthening the County’s ability to prepare for, plan for, train for, respond to, and recover from all hazards emergencies and disasters, and;

WHEREAS, the funds from this Grant, as outlined in the grant guidance, will be utilized to strengthen and enhance the County Office of Emergency Service’s capabilities through a comprehensive all hazards planning, preparedness, training, response, mitigation and recovery approach; Now therefore, be it.

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

RESOLVED, the Cayuga County Treasurer’s Office is hereby authorized and directed to create and amend the 2013 Emergency Management A3640 Budget in the following manner:

Create a Revenue Account A36470 44319 EMPG FY2012	\$34,233.00
Create a Contractual Expense Account A36474 54524 EMPG FY2012	\$34,233.00

Signed by Cuddeback, Axton, Bennett, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 205-13****5/28/13 SHR FillCustodyVacancies****AUTHORIZE THE SHERIFF TO FILL ONE VACANT POSITION IN EACH OF SHERIFF CUSTODY LIEUTENANT, SHERIFF CUSTODY SERGEANT, SHERIFF CUSTODY CORPORAL AND SHERIFF CUSTODY OFFICER IN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

BY: MR. STEVEN CUDDEBACK, Judicial &amp; Public Safety Committee

MR. DAVID AXTON, Chairman, Ways &amp; Means Committee

WHEREAS, the Sheriff Custody Lieutenant (Position Control No. 004890) resigned effective April 30, 2013 leaving a vacancy in the Cayuga County Sheriff's Department Custody Division; and

WHEREAS, the filling of the vacant Custody Lieutenant position will create further vacancies in the Custody Division due to the succeeding order in which the Lieutenant position will be filled; and

WHEREAS, one position each of Sheriff Custody Sergeant, Sheriff Custody Corporal and Sheriff Custody Officer, all will require fulfillment as it is mandated by the New York State Commission of Correction that the Cayuga County Sheriff's Department Custody Division maintain a certain number of Custody Positions to comply with the minimum staffing complement as the services provided by these positions are critical for maintaining the safe, smooth and efficient operation of the Sheriff's Office Custody Division and due to these vacancies, reduces the minimum staffing to one below state mandates; and

WHEREAS, it is now necessary to fill these vacant positions to bring the Cayuga County Sheriff's Office, Custody Division, into compliance with state mandates; and

WHEREAS, these positions are designated and accepted in the 2013 Cayuga County Sheriff's Custody Salaries Operating Budget A31501 51001; now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill the vacant positions of Sheriff Custody Lieutenant, Sheriff Custody Sergeant, Sheriff Custody Corporal and Sheriff Custody Officer, as they become vacant; and be it further

RESOLVED, the employees hired will be placed at the appropriate step within the Sheriff's Employee Association of Cayuga County (SEACC) Compensation Plan for 2007-2011; and be it further

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

Signed by Cuddeback, Axton, Bennett, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 206-13****5/28/13 9 11 GenMaintAgrFLComm13rev****AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A TWO YEAR CONTRACT RENEWAL WITH FINGER LAKES COMMUNICATIONS**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. David Axton, Chairperson, Ways &amp; Means Committee

WHEREAS, the Cayuga County 911 Center utilizes Finger Lakes Communications to maintain all County owned radio infrastructure within the E-911 Center, Sheriff's Department, and all Fire and EMS radios; and

WHEREAS, it is critical that all of these components function properly twenty-four hours per day, seven days per week without interruption; and

WHEREAS, Finger Lakes has submitted a renewal contract in the amount of \$2500.00 monthly; and

WHEREAS, there is money in the 911 Communication System Budget Account Number 3020.4.0019 specifically for this purpose; and

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the annual contract renewal for a two- year period with Finger Lakes Communications for the amount of \$2500.00 monthly for the period of June 1, 2013 through July 31, 2015 ; and be it further

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

Signed by Cuddeback, Axton, Bennett, Farrell, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 207-13**

**5/28/13 911 SoftwareNewWorld2013**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEW A ONE YEAR CONTRACT WITH NEW WORLD SYSTEMS TO PROVIDE CAD, MAPPING, RECORDS MANAGEMENT, AND AVL SERVICES.**

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

WHEREAS, the Cayuga County 911 Center utilizes New World Systems for Computer Aided Dispatch, Records Management, Mapping, and Automatic Vehicle Locator (AVL) services, and

WHEREAS, New World Systems has submitted a renewal invoice for a one-year contract at a cost of 91,807; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54019 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with New World Systems for the amount of \$91,807 for the period of June 1, 2013 through May 31, 2014; and be it further

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

Signed by Cuddeback, Axton, Bennett, Farrell, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 208-13**

**5.28.13 911SoftwareNewWorld**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN CONTRACT WITH NEW WORLD SYSTEMS TO IMPLEMENT AN INTERFACE FOR EMD SOFTWARE IN OUR COMPUTER AIDED DISPATCH SYSTEM.**

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

WHEREAS, the Cayuga County 911 Center utilizes New World Systems for Computer Aided Dispatch, Records Management, Mapping, and Automatic Vehicle Locator (AVL) services, and

WHEREAS, New World Systems has submitted a contract for a software interface to PRO QA for EMD purposes;

WHEREAS, pricing of the contract is a one- time fee of \$12,800 plus travel expenses anticipated at a cost of \$1500.00; and

WHEREAS, there is money in the 911 Communication System Budget Account Numbers A30204 54019 and A30204 54160 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract for a software interface for EMD, with New World Systems for the amount of \$14,300; and be it further

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

Signed by Cuddeback, Axton, Bennett, Farrell, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 209-13**

**5/28/13 911 budgettransferequiprev3**

**AMENDING THE 2013 E-911 BUDGET TO PERMIT PURCHASE  
OF A PRINTER.**

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

WHEREAS, the Cayuga County E-911 Center needs to transfer monies within the 2013 budget to accommodate a necessary purchase of a printer for an amount not to exceed \$1,000.00; and

WHEREAS, there are insufficient monies in the Equipment Account to cover the purchase of the item and therefore the sum of \$1,000.00 will be required to be transferred from Account Number 30204 54063 Radio Maintenance, to Account Number 30202 52000, Equipment; and

WHEREAS, the transfer will accommodate the purchase of a new printer; now therefore be it

RESOLVED, that the sum of \$1,000.00 be transferred from Account Number 30204 54063 Radio Maintenance, to Account Number 30202 52000, Equipment; 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 foregoing.

Signed by Cuddeback, Axton, Bennett, Farrell, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 210-13**

**5/28/13 COA LL county in disaster amend LL 1 of 1999 FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL  
LAW NO. \_\_\_\_ FOR THE YEAR 2013, A LOCAL LAW ESTABLISHING THE  
CONTINUITY OF COUNTY GOVERNMENT IN THE EVENT OF A DISASTER  
AND AMENDING LOCAL LAW NO. 1 OF 1999**

BY: CAYUGA COUNTY LEGISLATURE.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on May 28, 2013, a proposed local law entitled:

**“LOCAL LAW NO. \_\_\_ FOR THE YEAR 2013, A LOCAL LAW ESTABLISHING THE CONTINUITY OF COUNTY GOVERNMENT IN THE EVENT OF A DISASTER AND AMENDING LOCAL LAW NO. 1 OF 1999”**

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on June 25, 2013, at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Chapman, Runkle, Barski, Whitman, Fearon, Mahunik, Axton, Pecher, Lattimore, Farrell, Cuddeback, Didio, Pinckney, Bennett and Aikman.

**RESOLUTION NO. 211-13**

**5/28/13 COL MayDay**

**RESOLUTION DECLARING MAY 28, 2013 TO BE “MAYDAY FOR MANDATE RELIEF” AND URGING THE MANDATE RELIEF COUNCIL TO TAKE SWIFT ACTION IN SUBMITTING A PACKAGE OF MANDATE RELIEF PROPOSALS TO GOVERNOR CUOMO AND THE STATE LEGISLATURE TO BE VOTED ON THIS SESSION**

WHEREAS, the State of New York mandates (requires) the delivery of State programs using local resources, causing some counties to dedicate more than 80 percent of their entire budget toward the funding of State mandated programs and fixed costs; and

WHEREAS, the New York State Association of Counties has identified 9 state mandates that consume 90 percent of all county property taxes levied across the state (outside of New York City), representing over \$4 billion in county property taxes levied. These mandates include: Medicaid, Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions; and

WHEREAS, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services; and

WHEREAS, these State imposed mandates continue to contribute to New York’s highest in the nation local tax burden for residents and businesses, severely damaging New York’s ability to attract, create and maintain good paying jobs, as well as contribution to population losses to other states; and

WHEREAS, when the State enacted a property tax cap in 2011, a Mandate Relief Council was established to review specific mandates and advance legislative proposals to reduce the statutory and regulatory burden on municipalities; now therefore be it

RESOLVED, that Cayuga County hereby declares May 28, 2013 to be “Mayday for Mandate Relief” to demonstrate that the decisions made in Albany have a direct impact on the property tax levy and local community services here in Cayuga County; and be it further

RESOLVED, that Cayuga County Legislature hereby calls on the Mandate Relief Council to take swift action in submitting a package of Mandate Relief proposals to Governor Cuomo and the State Legislature to be voted on by our State Representatives during the 2013 State Legislative Session; and be it further

RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, members of the New York State Senate and all those deemed necessary and proper.

Signed by Chapman, Runkle, Barski, Whitman, Fearon, Mahunik, Axton, Pecher, Lattimore, Farrell, Cuddeback, Didio, Pinckney, Bennett and Aikman, all in favor.

**RESOLUTION NO.212-13**

**5.28.13 LEG erlyvtng**

**RESOLUTION OPPOSING PROPOSED LEGISLATION A.689/S.1461  
ESTABLISHING EARLY VOTING FOR GENERAL, PRIMARY  
AND SPECIAL ELECTIONS**

WHEREAS, A.689 (Silver)/S.1461 (Stewart/Cousins) has introduced in New York State Legislature establishing early voting in primary, general and special elections in New York State; and

WHEREAS, said bill would allow early voting to take place up to fourteen days before a general election and up to a seven days before a primary and special election, from 8:00 a.m. until 7:00 p.m. on every early voting day including Saturday and Sunday; and

WHEREAS, Cayuga County Board of Elections would be required to select a minimum of five polling places throughout the Cayuga County and provide elections inspectors at each location; and

WHEREAS, Cayuga County Board of Elections would also be required to follow the same polling place protocols that are observed on election day on all early voting days; and

WHEREAS, the costs associated with staffing early voting locations and printing county paper ballots associated with early voting in Cayuga County has been estimated at \$80,000 for the general election and \$40,000 for primary elections; and

WHEREAS, additional strain in placed on the Cayuga County Board of Election to recruit and train qualified election poll inspectors who have the availability to dedicate up to fourteen days for the general election and up to seven days for the primary election; and

WHEREAS, the 2% tax cap and insufficient relief from State-imposed mandates has already placed an unprecedented strain on local governments to provide more services with less funding. Now, Therefore, be it

RESOLVED, that Cayuga County supports New York State Association of Counties' opposition of the passage of this legislation requiring counties to implement early voting; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Michael Nozzolio, Senator John DeFrancisco, Senator James Seward, Assemblyman Gary D. Finch, Assemblyman Robert C. Oaks, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb and the New York State Association of Counties.

Signed by Chapman, Runkle, Barski, Whitman, Fearon, Mahunik, Axton, Pecher, Lattimore, Farrell, Cuddeback, Didio, Pinckney and Bennett, all in favor except Aikman, Cuddeback, and Chapman.

**RESOLUTION NO. 213-13**  
**EMERGENCY AUTHORIZATION FOR SPENDING**  
**BLD Hardenburg facade**  
**May 28<sup>th</sup> 2013**

Dept.: Buildings and Grounds

Reason for emergency spending:

WHEREAS, on May 23<sup>rd</sup> 2013 a part of the granite façade fell off of the front of the Hardenburg Building at 95 Genesee Street ; and

WHEREAS, Auburn City Code Enforcement and Cayuga County Code Official were consulted and for the safety of the community temporary measures were needed for egress and the granite panels removed; and

WHEREAS, Bouley Associates Inc, Beardsley Design Associates and Auburn Crane and Rigging, were contacted temporary safety measures were put in place and all the overhanging façade panels were remove on May 25<sup>th</sup> 2013; therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign the work orders for payment from Bouley Associates Inc, Beardsley Design Associates and Auburn Crane and Rigging for the work done as of May 28<sup>th</sup> 2013, not to exceed \$14,000.00; and be it further

RESOLVED, that the Chairman sign a work order for Beardsley Design for a emergency design of a repair/replacement of the façade of the Hardenburg Building at 95 Genesee Street at a cost not to exceed \$4,800.00; and be it further

RESOLVED, that the funding for this emergency come out of account A16204 54059 Professional Services and if needed in the future a resolution will follow to reimburse this account from the Building Reserve fund; and be it further

RESOLVED, that a formal resolution will be submitted to the Legislature.

Signed and approved by Whitman, Aikman, Chapman, and Axton.

Motion by Cuddeback, 2<sup>nd</sup> by Didio, all in favor.

**Motion by Didio to adjourn at 2:10 PM and to reconvene at Cayuga County Office Building regarding an executive session, 2<sup>nd</sup> by Pinckney, all in favor.**

**Chairman Michael Chapman calls the meeting to order at 2:35 PM.**

**Motion by Didio to go into executive session at 2:35 PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Pinckney to come out of executive session at 3:16 PM, 2<sup>nd</sup> by Aikman, all in favor.**

**Motion by Runkle to adjourn at 3:17 PM, 2<sup>nd</sup> by Axton, all in favor.**

**MINUTES  
SPECIAL  
CAYUGA COUNTY LEGISLATURE MEETING  
WEDNESDAY JUNE 12, 2013 AT 5:45 PM  
160 GENESEE ST, 6<sup>TH</sup> FLOOR,  
CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman, at 5:45PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present except excused Steven Cuddeback, Tucker Whitman and George Fearon. George Fearon arrived at 8:18PM, Michael Didio arrived at 5:50PM, Timothy Lattimore arrived at 6:22PM and Paul Pinckney arrived at 6:40PM.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Motion by Didio to go into Executive Session, re: the employment history of a particular person at 5:53PM, 2<sup>nd</sup> by Aikman, all in favor. Asked to come in, County Attorney Fred Westphal, Clerk of the Legislature Sheila Smith, Director of Human Resources/Civil Service Mike Russell, Budget Director Lynn Marinelli and Bonadio Group Nick Mazza.**

**Motion by Didio to come out of Executive Session at 9:50PM, 2<sup>nd</sup> by Bennett, all in favor.**



**MINUTES**  
**SPECIAL CAYUGA COUNTY LEGISLATURE MEETING**  
**WEDNESDAY June 19, 2013 at 3:30 PM**  
**CAYUGA COUNTY NURSING HOME (DINING HALL), 7451**  
**COUNTY HOUSE RD, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman called meeting to order at 3:30 PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature all Legislator's present except excused Farrell, Axton, Whitman, Pinckney, Cuddeback, and Lattimore.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC:** The Cayuga County Nursing Home

**Discussion:**

**Chapman:** He begins by saying that the most up to date information will be provided and the legislature is trying to keep the process of long term care in the community as transparent as possible. He discusses the legislatures involvement with working on the collaboration of Mercy when the HEAL Grant was provided to the community to combine the Cayuga County Nursing Home with Mercy to construct a 300 bed facility. He says we all know that did not happen and the HEAL Grant was awarded around June 2012. He discusses the nursing home committee and meeting nearly every week to continue to exchange information with Mercy. Chapman discusses being informed by the State of New York Department of Health that the Loretto group from Syracuse would be designated as an active parent and the status was based on their success for running long term care and that a new entity needed to be formed. He says there have been many meetings with Mercy and Loretto. He says many questions have been asked and they have not received an answer. He talks about going to Albany April 2<sup>nd</sup> to meet with Department of Health personnel to try and get some answers. He was told he would have an answer in one week if tweaking on our end was done. He says after six weeks there was still no answer and they have continued to try and call with still no answer. Chapman discusses what the county has decided to do is construct an RFP (Request for Proposal) that will be sent out shortly and will include the option to buy or lease the facility. He says in the proposal there is a strong recommendation in the language to keep the current staff in order to maintain the quality of care. He says with the RFP the legislature is trying to get the governors attention. He talks about the governor making a statement after the HEAL Grants were released that he thought Cayuga County would be the ideal area and would be a model. Chapman says we have yet to talk to the governor.

**Vincent Murphy:** He talks about the wonderful care of the staff, aides, and nurses his wife has received. He asks the Legislature not to close the nursing home. He asks for them to start saving money other places like the Public Safety building.

**Mrs. Myers-** She asks Chapman to clarify on when he said to keep the staff that it meant to keep the residents as well.

**Chapman-** He responds yes of course and would hope the residents would remain here. He says the RFP was worded so that it was stressed that the quality of care is super and we want to maintain it. He talks about wanting to make sure that the nursing home is not bought and then they stay only a couple years and leave.

**Sandy Holmes-** She asks that if in the proposals the legislature is aiming to keep the facility here and remain apart from Mercy.

**Chapman-** He responds that no the request was sent out as an exploration that we need to make to find if there are interested parties out there. He says we are also on a parallel track to try and get answers from the Department of Health to get the answers on whether or not we can collaborate or if we have to find some other way to do it.

**Sandy Holmes-** She asked about in a previous meeting it was mentioned being attached to Mercy but a satellite off of it. She wants to know if that is still an option.

**Chapman-** He says he remembers that being a suggestion from the group of residents and aides. He responds that it would be difficult given the financial constraints.

**Sandy Holmes-** She asks if the main plan is to move the residents to Mercy.

**Chapman-** He responds that if Department of Health comes through with an answer. He says there are certain items that would have to be changed. He says when the Cayuga County Nursing Home, Mercy and Loretto are involved there needs to be a better plan to ensure if there is a collaboration that we will still have an organization to count on that will stay in the region and provide a high level of care.

**Sandy Holmes-** She asks if what the legislature believes is the best thing to do would be to merge with Mercy and disregard what the residents and employees of the nursing home want.

**Chapman-** He responds that they have not disregarded the information received by the nursing home. He says they hired a consultant and had them looking at what the HEAL Grant offered and try to apply that to the region. He says a collaboration to sustain a long term care facility would be the best way to go.

**Sandy Holmes-** He asks the legislature to imagine one of their loved ones going to a nursing home and asks where they would rather have them. She describes the Cayuga County Nursing Home as a small environment and Mercy as somewhere residents could get lost on the 9<sup>th</sup> floor.

**Didio-** He begins by saying that the legislature is looking out for the whole community. He says if 500 residents supported Cayuga County Nursing Home than he would support it till the end of his time on the legislature. He talks about Cayuga County not being in a financial state that they can afford to keep the facility open the way the staff and residents want it. He says the legislature is not trying to cut staff or residents. He says the legislature is going with the direction of the NY State Government. He discusses the Department of Health dictating what needs to be done and to get out of the nursing home business.

**Mahunik-** He discusses the legislature trying to get all of the information they can. He says the legislature cannot make a quality decision unless they have all of the information. He says from what he has heard the service and quality of care at Cayuga County Nursing Home is top notch. He talks about not trying to take that away from anyone but only expanding it and taking care of our entire community. He says Cayuga County has an opportunity to supply more people with the quality of care that the Cayuga County Nursing Home has to more people. He discusses being in the nursing home business and how difficult it is right now. He talks about the potential that Mercy and the Cayuga County Nursing Home could go private and we could lose control of 300 beds in the community. He says the legislature is trying to make it so they have a say into what will happen and that the legislature's intention is not to close doors or compromise quality of care.

**Nancy Jones-** She asks if the bottom line is that the county will merge or sell.

**Chapman-** He responds yes and he says that this situation is the worst problem to consider. He says if it was just about numbers it would be easy but it is more than that. He also mentions in the collaboration meetings with Mercy, Loretto and the Department of Health they all agree that the first priority is to have the very best care.

**Amy Besner-** She asks if someone were to buy the Cayuga County Nursing Home or if there is a merger with Mercy how long the facility has left.

**Chapman-** He responds that if the RFP is sent back in 30-60 days then it will probably be another 30 to 60 days. He says that they have done a lot of homework up to this point. He hopes the Department of Health will work together with the legislature and make a collaboration work so there will be long-term care available for a long time to come.

**Doris Yeldon-** She asks if the legislature is obligated to wait for answers from the state or can they say enough is enough.

**Chapman-** He responds that realistically the legislature hopes that the RFP going out will entice the Department of Health to come forward with a decision. He says we can say no at any time like Ontario County.

**Flora Gagliana-** She discusses the significant decrease in county employees over the past 10 years. She says that over 40 positions have been eliminated and those are hundreds of thousands of dollars of tax money that are no longer being paid for by the county. She says that money is no longer going to county employees but to private companies. She also asks why it is no longer local government's responsibility to care for the elderly and the most vulnerable population in the county. She believes that it is the taxpayer's responsibility to take care of the elderly and that it could not go to a better place than Cayuga County Nursing Home.

**Nelsa Selover-** She discusses a solution of building cottages and that there are models already out there. She says to invite Bill Thomas who lives locally to a legislature meeting to come and make a presentation on the cottages and the benefits. She also talks about building the cottages in the communities such as Cato, Port Byron, Union Springs, etc. She says to build these with the \$10 million left in the HEAL Grant.

**Didio-** He responds that it depends on the HEAL Grant and the legislature does not have a say. He says it is merger dictated by the New York State Department of Health.

**Nelsa Selover-** She asks how many have read the exact wording on the HEAL Grant. She asks why the legislature cannot think out of the box in terms of the agreement.

**Chapman-** He responds that the legislature is trying to think out of the box but the HEAL Grant money is not Cayuga County's to spend. He says if the legislature does not do something similar to what the Department of Health wants with the money it will go away.

**Vincent Murphy-** He asks why the legislature is going to put money into the building if they are just planning on selling it.

**Chapman-** He responds that one of the options that the legislature has considered is that if the nursing home is sold or leased it still needs to be maintained. He says the nursing home is long overdue for a new roof.

**Sandy Holmes-** She asks why not send a RFP about the cottages to Albany.

**Chapman-** He responds that he is afraid that it would just take that much longer till another plan would come back. He says that the funds expire for the HEAL Grant March 2014 so the legislature needs to continue with a plan.

**Betty Orapallo-** She asks to what amount the nursing home has been subsidized.

**Chapman-** He responds about \$1 million each year.

**Betty Orapollo-** She asks if there is any reason to think that will continue if the same amount of beds down at Mercy.

**Chapman-** He responds that it will not be subsidized. He says that based on the model and homework the legislature has done the income will be different.

**Betty Orapollo-** She asks where the income is coming from.

**Chapman-** He responds that Mercy is currently taking in fewer funds than the Cayuga County Nursing Home and if the rate that the state allows here is applied in a merged facility than according to the model it will sustain itself.

**Nelsa Selover-** She asks if she can get a name and address on who to write to so that the legislature can get some answers.

**Chapman-** He responds that yes he can get that information.

**Mark Cotsa-** He works for CSEA and he is a representative for many of the employees at the Cayuga County Nursing Home. He says he has a different perspective than a lot of people here because he covers 20 counties and has watched other counties have to deal with this issue. He says he applauds the legislature for taking the time to talk and listen to the people about this issue. He discusses the financial stress that the county is under and the nursing home costing money to the county. He says he has seen other counties keep their nursing homes that were in far worse situations. He says the question is the priority of the elected leadership and citizens to providing healthcare to the senior citizens; and how to come up with the money to do so. He says the tasks before the legislature is to figure out costs savings to continue the moral responsibility to provide senior care at the best quality. He also discusses a solution for maintaining a sustainable solution. He talks about Delaware County putting out an RFP and found what they thought was a responsible bidder that took over the facility and it shut down 6 years later. He says as a union they understand the finances, but it is hard to deal with a county that won't even provide the HEAL Grant paperwork that was asked for. He says the simple fact is there is no guarantee that what happened in Delaware County won't happen in Cayuga County. He urges Cayuga County to look at other alternatives in the RFP process, to listen to what the people have to say and keep the nursing home public.

**Chapman-** He says in closing that the legislature appreciates the superb staff. He says it is a great thing that the residents and staff stick up for the facility and express their opinions. He says as soon as there is any more additional information it will be shared and the legislature wants to keep the process as transparent as possible. He also adds that he has the document for the CSEA today.

**Motion by Didio to adjourn at 4:32 PM, 2<sup>nd</sup> by Runkle, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
June 25, 2013 at 5:45PM**

**WELCOME:** In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note the elevators will not function. If anyone is unable to use the stairway, please go to caucus room #2 located behind the chambers and emergency personnel will be notified.

Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.

**CALL TO ORDER:** Hon. Michael Chapman, Chairman called the meeting to order at 5:45 PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present except excused Mahunik.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**PUBLIC HEARING: Opened at 5:48 PM-** Requests for addition of viable farm land into the County's Agricultural District(s).

**Opened at 5:48 PM-** Regarding renewal of Agricultural Districts.

**PRESENTATIONS: Steve Lynch-Ag Districts-Attached**

**PROCLAMATIONS: St. Baldrick's Foundation Day**

**Elder Abuse Awareness Day-** The proclamation will be presented to Nancy Siefka, Office of the Aging Director.

**PUBLIC BE HEARD:**

**Matthew Jones-Attached**

**Deb Mendzef-Attached**

**Discussion:** Farrell asks Mendzef if she has any facts as far as what kind of literature started the movement and what really got it going. Mendzef responds that it began in May 2012 the Village of Haverstraw in Rockland County New York was the first to adopt a tobacco display ban. She says they were the first in the United States. She says unfortunately the tobacco industry came in and tried to powerhouse them into following through and the rescinded the law. She discusses since that time New York City has now announced possible legislation to do display bans, Albany County is looking to adopt a tobacco sales ban in pharmacies, and City of Rochester also recently adopted a zoning law which focuses on retailers as a whole. Lattimore asks Westphal to explain what happens if the law is

passed and what happens to the tribes that sell cigarettes. Westphal answers as far as enforcing any of the three proposed local laws on the Cayuga Nation it would be problematic subject to lawsuits on the enforceability side. He says as far as enforcement on any one of the local laws that is proposed would be up to the Health Department to assist in enforcing those provision whether on the licensing side or the regulatory side of checking on displays/pharmacies.

**MINUTES:** For approval: 4/23/13, Motion by Didio, 2<sup>nd</sup> by Bennett, all in favor.  
For reading: 5/21/13, 5/28/13 & 6/12/13

**CCC REPORT:** Dr. Daniel Larson- Attached

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

Didio discusses the Alcohol and Substance Abuse Sub-Committee which he is a member of and CHAD (Confidential Help for Alcohol & Drugs) reports to that committee. He says CHAD has 266 clients and 11 substance abuse counselors service those clients. He also discusses the jail and the enrollment remaining active and full and no reports of bath salt incidents in the past two months.

**BUDGET DIRECTOR'S REPORT:** Lynn Marinelli

**PUBLIC HEARING:**

**Opened at 6:32 PM-** a Local Law establishing the continuity of County Government in the event of a disaster and amending Local Law No. 1 of 1999.

**CHAIRMAN'S REPORT:** Michael Chapman

Chapman thanks Lattimore for notifying him of D-Day coming up. He says all of the flags at the county buildings were at half-staff and the City of Auburn was notified and they lowered their flags to half –staff. He also says the city rang the bell at 11:00 am in honor of those veterans. He discusses the nursing home meeting and accomplishing the mission in trying to keep the process involving Cayuga County's nursing home, the HEAL grant, and any options completely transparent. He says the legislature will continue to explore every avenue out there to find the best solution for the greatest number of people. He discusses continuing to gather information in regards to Onondaga County and a 2nd water source. He says he learned from Whitman that Sterling is discussing creating a water district. He hopes to bring the legislature some figures within the next 30 days on the water source for consideration.

**APPOINTMENTS AND RE-APPOINTMENTS:**

Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor except Aikman.

Cayuga-Cortland Workforce Investment Board (all terms 7-1-13 to 6-30-16)

Demetrius Murphy, 25 Bradford St., Auburn, NY 13021

Mark Carr, 21 Henry Dr., Auburn, NY 13021

Lloyd Hoskins, 123 South St., Auburn, NY 13021

Sarah Johnston, 6982 State St. Rd., Auburn, NY 13021

Ann Kubarek, 56 Grant St., Auburn, NY 13021

Dr. Daniel Larson, 2802 White Birch Lane, Auburn, NY 13021

Motion by Didio, 2<sup>nd</sup> by Whitman, all in favor except Aikman.

Ward O'Hara Ag Museum & Dr. Joseph F. Karpinski Sr. Educational Center  
Stanley Longyear, 8621 Denman Rd., Port Byron, NY 13140 (Term starts 7-1-13–  
until resignation)

Mental Health Subcommittee	Term
David C. Sealy, 1955 Gravel Rd., Seneca Falls, 13148	1/1/10 – 12/31/13

Alcohol & Substance Abuse Subcommittee	
Marie Pennella, 154 Genesee St., Auburn, 13021	1/1/13 – 12/31-16

Motion by Didio to waive the reading of communications and announcements, 2<sup>nd</sup>  
by Pinckney, all in favor.

#### COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a Resolution-No.188 from Fulton County urging Governor Cuomo and State Legislators to exempt firearm permit records from FOIL disclosure.

2. Letter to Wright, from NYSAC acknowledging receiving a copy of certified Resolution 211-13 declaring May 28, 2013 to be “Mayday for Mandate Relief” and urging the Mandate Relief Council to take swift action in submitting a package of mandate relief proposals to Governor Cuomo and the State Legislature to be voted on this session. NYSAC also acknowledged receiving certified Resolution 212-13 which is opposing proposed Legislation A.689/S1461 establishing Early Voting for general, primary and special elections.

3. Letter to Wright, from Senator Michael Nozzolio acknowledging receiving certified Resolution 211-13 which is opposing proposed Legislation A.689/S1461 establishing Early Voting for general, primary and special elections.

4. Letter to Cayuga County Legislature, from the Town of Sennett regarding an adopted Resolution memorializing the intent if the Town Board of the Town of Sennett, County of Cayuga, regarding the need to maintain existing alignment if Interstate 81 through Syracuse.

5. Received thank you cards from St. Peter & Paul School thanking Smith, Wright and Runkle for helping with the Mock Legislature meeting.

6. Letter to Smith, from State Assembly Minority Leader Brian M. Kolb acknowledging the receipt of Resolution No. 211-13, which is declaring May 28, 2013 to be “Mayday for Mandate Relief” and urges the Mandate Relief Council to take action in submitting a package of mandate relief proposals the Governor and the State Legislature of New York State.

7. Letter to Smith, from State Assembly Minority Leader Brian M. Kolb acknowledging receipt of Resolution No. 212-13, which is opposing the passage of legislation to allow early voting, or to allow counties to opt-in to early voting opportunities, and for the state to fully fund any increased costs associated with early voting.

8. Received a resignation letter from George Farenthold, he is resigning from the Workforce Investment Board, effective immediately.



9. Received a Resolution from the Village of Aurora regarding the need to maintain the existing alignment of Interstate 81 through Syracuse.

10. Letter to Wright, from Senator John A. De Francisco acknowledging receipt of Resolutions 211-13 & 212-13 passed by the Cayuga County Legislature.

**RESOLUTION NO. 214-13**

**6/25/13 AP Audit June 2013 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY MAY 13-28,  
2013 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **June 25, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$734,282.36, 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 13, 2012.

Signed and approved by Axton, Cuddeback, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 215-13**

**6/25/13 AP Audit June 2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY MAY 28-JUNE 10, 2013  
AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **June 25, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$1,511,463.98, 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 13, 2012.

Signed and approved by Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 216-13**

**6/25/13 COA instrnsfr**

**ALLOCATE INSURANCE COSTS TO DEPARTMENTS THAT RECEIVE  
REIMBURSEMENT**

BY: Hon. David Axton, Chairman of the Ways & Means Committee

WHEREAS, during the process for the 2013 County Budget, insurance costs for Liability, Property, Professional and Automobile in the General Fund (A) were placed in Account A10144-54131 (Legislative Contracts, Contractual, Insurance); and

WHEREAS, actual amounts have been received for insurance costs and these actual amounts will be charged to departments that receive reimbursement; **NOW, THEREFORE, BE IT**

**RESOLVED**, that the following amounts be transferred from A10144-54131 (Legislative, Contracts, Insurance) to:

Account			Increase
Mental Health, Admin	A43104-54039	Auto Ins	\$650
	A43104-54040	Prof Liab	\$34,907
	A43104-54114	Gen Liab	\$5,312
Mental Health, CSS	A43114-54039	Auto Ins	\$325
	A43114-54040	Prof Liab	\$2,078
	A43114-54114	Gen Liab	\$316
Mental Health, ICM	A43134-54039	Auto Ins	\$2,275
	A43134-54040	Prof Liab	\$4,571
	A43134-54114	Gen Liab	\$696
Human Services	A60104-54039	Auto Ins	\$6,053
	A60104-54114	Gen Liab	\$3,903
Public Health	A40104-54039	Auto Ins	\$3,155
	A40104-54114	Gen Liab	\$4,933
			Total \$69,174

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 and approved by Axton, Cuddeback, Pinckney, Whitman, and Fearon, all in favor.

**RESOLUTION NO. 217-13**

**6/25/13 HD Drinking Water Enhancement 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN AGREEMENT WITH THE STATE TO PARTICIPATE IN THE 100% STATE FUNDED DRINKING WATER PROGRAM ENHANCEMENT GRANT AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE 2013 HEALTH DEPARTMENT BUDGET TO ACCEPT FUNDING**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has received approval for a 100% funded Drinking Water Program Enhancement Grant in the amount of \$109,973 for the period of April 1, 2013 to March 31, 2014; and WHEREAS, to accomplish this purpose we must enhance our investigations, enforcement, and emergency response; assure compliance with Subpart 5 of the State Sanitary Code; utilize the state’s database; provide technical advice and guidance to system operators and homeowners; and implement the Safe Drinking Water Act programs and regulations; and

WHEREAS, this Grant will help offset the salaries and fringe benefits of the Environmental staff; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the state to participate in the 100% state-funded Drinking Water Program Enhancement Grant; and be it further

RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department’s 2013 Budget and make the necessary journal and counting entries as follows:

Increase Appropriation Account #A40304 54000	\$109,973
Increase Revenue Account #A40300 4330	\$109,973

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 218-13**

**6/25/2013 HS Fill Caseworker Child Welfare (June 2013)**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL  
A CASEWORKER VACANCY IN CHILD WELFARE UNIT**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there will be a caseworker vacancy, Grade 17, in the Child Welfare Unit of Human Services (position control #002278) effective June 14, 2013 due to retirement of incumbent; and

WHEREAS, this position is responsible for managing a caseload of open preventive and foster care cases in the Child Welfare Unit of Human Services and the services provided are mandated services; and

WHEREAS, this position is reimbursed at a minimum of 75% State and federal funding; and

WHEREAS, this is a funded position in the Human Services Department's 2013 budget; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services is authorized and directed to fill the Caseworker position in the Child Welfare Unit in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 219-13**

**6/25/13 HS Fill HSE PA 2013**

**AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO  
FILL A HUMAN SERVICES EXAMINER POSITION IN THE PUBLIC  
ASSISTANCE UNIT OF HUMAN SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, in July of 2012 in accordance with Resolution #272-12 we received permission to fill a full-time Human Services Examiner (position control #002254) in the Public Assistance Unit of Human Services on a temporary basis behind a leave of absence of undetermined duration; and

WHEREAS, the full-time Human Services Examiner position (#002254) has now been vacated after a one-year continuous leave per §73 of Civil Service Law; and

WHEREAS, the temporary Human Services Examiner, who has been in this temporary position, can now be made permanent; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to appoint the temporary Human Services Examiner to the now vacated Human Services Examiner position (#002149) full-time/permanent in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 220-13****6/25/13 HS Rescue Mission Rapid Re-Housing Case Mgmt.****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH RESCUE MISSION FOR RAPID RE-HOUSING CASE MANAGEMENT SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Department has been providing emergency housing for eligible homeless families who present at the Department with no other options for shelter; and

WHEREAS, limited opportunities exist for meeting these families' needs on an emergency basis; therefore, families are often placed in a hotel until housing can be secured; and

WHEREAS, it is our hope, with this case management contract, to more quickly move these clients to affordable housing; and

WHEREAS, since we will be focusing our efforts on TANF families, we can use our 2012-2013 flexible fund allocation to cover the cost of this contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services Department be authorized to contract with the Rescue Mission for the period 7/1/13 – 6/30/14 for the provision of Family Rapid Re-Housing Case Management Services for our TANF families at an annual cost of \$44,120; and be it further

RESOLVED, that expenses will be paid from account #A60604 54000 of the Human Services Budget. This contract is 100% federally funded through Flexible Funds for Family Services (FFFS)

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 221-13****6/25/13 HS Child Welfare Placement Services 2013****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH MULTIPLE SERVICE AGENCIES (LISTED) FOR THE PROVISION OF CHILD WELFARE PLACEMENT SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide appropriate "child placement services" for children placed in foster care and at times this includes placement in a residential treatment center (RTC); and

WHEREAS, Human Services has successfully contracted with the listed agencies to provide these services in the past; and

WHEREAS, the RTC per diem rate schedule is established and set by NYS Department of Social Services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts for the time of July 1, 2013 – June 30, 2018 with the following agencies *and any new providers that may come forward:*

Cayuga Centers  
 Children’s Home of Wyoming Conference  
 Liberty Resources  
 Elmcrest Children’s Center  
 George Junior Replublic  
 Glove House  
 Hillside Children’s Center  
 House of Good Shepard  
 Green Chimney Children’s Services  
 St. Anne’s Institute  
 Toomey Residential & Comm. Service  
 and be it further

RESOLVED, that payment for these services at the current state approved rates be charged to account #A61234 54000, account #A61094 54000, and account #A61194 54000 of the 2012 Human Services Budget.

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 222-13  
 6/25/13 MH BudgetAdjJune2013**

**AMENDING THE 2013 MENTAL HEALTH BUDGET**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, in November 2012, the Mental Health Department was authorized, by Resolution 420-12, to contract for psychiatric services in the event of a psychiatric vacancy as well as to amend the 2012 budget by shifting salary and fringe benefits costs to the professional services budget line; and

WHEREAS, a psychiatric vacancy did occur in 2013 and services are now provided by a psychiatrist under contract; and

WHEREAS, funds for the vacant position (position code 0011) are reflected in the 2013 budget line A43101-51001 Salaries-FT and need to be transferred to the Professional Services line A43104-54059 in order to reflect the change; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries transferring budgeted salary and related fringe benefits funds in the 2013 Cayuga County Budget as follows:

Decrease A43101-51001 Salaries by	\$134,996
Decrease A43101-58001 Social Security by	\$10,327
Decrease A43101-58002 Retirement by	\$27,539
Decrease A43101-58003 Health by	\$ 6,097
Decrease A43101-58004 Dental by	\$ 362
Decrease A43101-58005 Workers Comp by	\$ 4,455
Total reduction in fringe benefits:	\$ 48,780
Increase A43104-54058 Prof Svcs by	\$183,776

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 223-13**  
**6/25/13 MH FillJrAcct6.13**

**AUTHORIZE THE FILLING OF A VACANT JUNIOR ACCOUNTANT  
POSITION AT THE COMMUNITY MENTAL HEALTH CENTER  
DUE TO A RETIREMENT**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, there will be a vacant full-time Junior Accountant position in the Community Mental Health Center of Cayuga County as the result of a retirement from position control number 4954; and

WHEREAS, this position maintains numerous departmental financial records and prepares state mandated reports and, as such, fills a critical need in the department; and

WHEREAS, the position (4954) is reflected in the 2013 County Budget, line A43101-51001 as a full time position, and;

WHEREAS, in the interest of reducing costs, we are requesting to fill the position on a part-time basis, not to exceed 17 hours weekly; now, therefore, be it

RESOLVED, that the Director of Community Services be authorized and is hereby directed to fill the position of one part-time Junior Accountant in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga; and, be it further

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

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 224-13**  
**6/25/13 MH FillMHTA.June.2013**

**AUTHORIZE THE FILLING OF TWO VACANT PART TIME MENTAL HEALTH  
THERAPY AIDE POSITIONS IN THE MENTAL HEALTH DEPARTMENT**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the State of New York has established Health Homes in response to recommendations from Governor Cuomo's Medicaid Redesign Team. A Health Home is a care management model intended to improve care coordination, service integration, control health care costs and improve health outcomes for Medicaid enrollees with high-cost and complex chronic conditions that often result in inpatient care; and

WHEREAS, the Cayuga County Community Mental Health Center operated case management services that were recently required to transition to Health Home care management services; and

WHEREAS, there are two (2) vacant part-time Mental Health Therapy Aide positions in the 2013 Mental Health Department budget. These positions (position codes: 2131 and 2134) can provide care management services to individuals in need as determined by the NYS Office of Mental Health and the Department of Health; and

WHEREAS, the positions are reflected in the 2013 County Budget, line A43111-51002, and are funded through state aid and revenues generated by the positions; now, therefore, be it

RESOLVED, that the Director of Community Services be authorized and is hereby directed to fill two part time Mental Health Therapy Aide positions in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 225-13**

**6/25/13 MH.CM.BudAdj.6.13**

**AMENDING THE 2013 MENTAL HEALTH BUDGET FOR ADDITIONAL DESIGNATED STATE FUNDS RECEIVED**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the New York State Office of Mental Health allocated additional funds to the Cayuga County Mental Health Center for Health Information Technology (HIT) expenses associated with the conversion of Targeted Case Management Services to Health Home Care Managers; and

WHEREAS, this additional funding was received in the amount of \$29,385 and the conversion to Health Home Care Mangers has now occurred; and

WHEREAS, these funds were not anticipated nor reflected in the 2013 Mental Health Budget now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries to the 2013 Cayuga County Budget as follows:

Increase State Aid A43130 43494 by \$29,385

Increase Equipment-Trackable A43132 52100 by \$29,385

Signed and approved by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney, and Whitman, all in favor.

**RESOLUTION NO. 226-13**

**6/25/13 NH BOCESagmnt**

**TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH BOARD OF COOPERATIVE EDUCATIONAL SERVICES FOR PROVISION OF EDUCATIONAL AND CLINICAL EXPERIENCES FOR PRACTICAL NURSING STUDENTS AND NURSE AIDES FOR THE 2013-2014 SCHOOL YEAR.**

BY: Patrick Mahunik, Chairman, Health and Human Services Committee

WHEREAS, the Cayuga County Nursing Home has a long history of providing educational and clinical experiences for practical nursing students and nurse aides enrolled in Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties; and

WHEREAS, the Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties desires Cayuga County Nursing Home provide educational and clinical experiences for practical nursing students and nurse aides enrolled be signed for the 2013-2014 school year; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with the Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties for the 2013-2014 school year.

Signed and approved by Mahunik, Barski, Bennett, Lattimore, Pecher, and Runkle, all in favor.

**RESOLUTION NO. 227-13**

**6.25.13 COL EEO&M/MBEPLCYSTMNTREV  
ADOPTING AN EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY AND  
A WOMEN & MINORITY OWNED BUSINESS OPPORTUNITY  
(W/MBO) POLICIES**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, DCJS has asked that the County of Cayuga Adopt two policies concerning Equal Employment Opportunities, (EEO) and a Women & Minority Owned Business Opportunity (W/MBO) Policies for the receipt of Federal and State Grant monies; and

WHEREAS, a policy for EEO and M/WBE, copies attached, have been developed and reviewed, a copy of which are attached with this resolution; and

WHEREAS, the Government Operations Committee after reviewing the policies recommends that the attached EEO and W/MBO Policies be adopted; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached EEO and W/MBO Policies; and be it further

RESOLVED, that said Policies be numbered Section \*\* and Section \*\* in the County Policy Manual and distributed by the Clerk of the Legislature to all County Department Heads; and it is further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed and approved by Fearon, Aikman, Farrell, and Lattimore, all in favor.

**RESOLUTION NO. 228-13**

**6/25/2013 CC Leave Bank 2013**

**AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A  
CAYUGA COUNTY DEPT. OF MOTOR VEHICLES EMPLOYEE**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee

MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, an employee of the Cayuga County Motor Vehicle Department has a family member that has a serious illness that requires treatment that has necessitated the employee to take FMLA and will continue to necessitate intermittent FMLA for at least several more months; and

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



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

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

All other leaves shall have been exhausted by the employee.

All County employees may be permitted to donate personal, vacation, or comp. time in no less than half-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

Signed and approved by Fearon, Aikman, Didio, Farrell, Pecher, Pinckney, Cuddeback, and Whitman, all in favor.

**RESOLUTION NO. 229-13**

**6/25/13 GO CA RECEIVE NOC FROM SOS REV2**

**DESIGNATING THE CAYUGA COUNTY ATTORNEY AS THE OFFICIAL TO RECEIVE SERVICE OF A NOTICE OF CLAIM FROM THE SECRETARY OF STATE**

BY: GEORGE FEARON, Chair Government Operations Committee

WHEREAS: Article 4 of the General Municipal Law of New York requires that prior to commencing any lawsuit against the County of Cayuga, a Notice of Claim must be served; and

WHEREAS: effective June 15, 2013 Article 4 of the General Municipal Law of the State of New York has been amended to add the Secretary of State as an agent to receive service of a Notice of Claim against the Count of Cayuga; and

WHEREAS: the County of Cayuga is required to file a certificate designating an official to receive service from the Secretary of State within 30 days of the amendment becoming effective; and

WHEREAS: the Cayuga County Attorney is the Chief Legal Officer of the County and is the official with the duty of defending the County of Cayuga against claims initiated by a Notice of Claim; now, therefore be it

RESOLVED: that the Cayuga County Attorney is hereby designated as the official to receive a Notice of claim from the Secretary of State; and be it further

RESOLVED: that the County Executive or County Attorney is authorized to execute any form necessary to authorize the Secretary of State to accept service of a Notice of claim, and designate the Cayuga County Attorney as the agent-in-fact for the transmittal of any Notice of Claim served upon the Secretary of State.

Signed and approved by Fearon, Aikman, Barski, Didio, Farrell, Lattimore, and Runkle.

**Motion by Whitman to amend the period from six months to three months and the second resolved lobbying services from \$30,000 to \$15,000, and the sum for grant writing services not to exceed \$24,000, 2<sup>nd</sup> by Didio; Amendment defeated by majority vote: not in favor Aikman, Axton, Farrell, Pinckney, Runkle, Fearon Chapman, in favor of amendment Didio, Pecher, Whitman, Cuddeback, Bennett, Barski and Lattimore, Mahunik excused. 458/378/47.**

**Resolution as originally written approved by show of hands.**

**RESOLUTION NO. 230-13**

**6/25/13 COA wlasiaagmnt2013rev3**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN AGREEMENT FOR CONSULTING AND GRANT WRITING SERVICES WITH WLADIS LAW FIRM FOR A PERIOD OF SIX (6) MONTHS.**

BY: Hon. George Fearon, Chairman, Government Operations Committee, and Hon. David Axton, Chairman, Ways & Means Committee.

WHEREAS, the Wladis Law Firm provides grant writing and lobbying services to the County of Cayuga; and

WHEREAS, the Wladis Law Firm has provided MONTHLY reports to the Ways and Means Committee of its activities; and

WHEREAS, the Wladis Law Firm's agreement with the County of Cayuga expires on June 30, 2013; and

WHEREAS, the Government Operations and Ways and Means Committees recommend to the Cayuga County Legislature that the agreements for consulting and grant writing services with Wladis Law Firm be extended through December 31, 2013; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to execute two professional services agreements with Wladis Law commencing July 1, 2013 and ending December 31, 2013; and be it further

RESOLVED, that the agreements shall provide that the payment for lobbying services shall be \$30,000.00 for the time period July 1, 2013 to December 31, 2013 and \$195.00 per hour for grant writing services, the sum for grant writing services not to exceed \$48,000.00.

**RESOLUTION NO. 231-13**

**6/25/13 ET WDPa position**

**AUTHORIZING THE FILLING OF A WORKFORCE DEVELOPMENT PROGRAM ASSISTANT POSITION IN THE EMPLOYMENT & TRAINING DEPARTMENT DUE TO A RETIREMENT.**

BY: Paul Pinckney, Chairman, Planning & Economic Development Committee David Axton, Chairman of the Ways & Means Committee

WHEREAS, an Employment & Training Coordinator (position control #002295) in the Employment & Training Department will be retiring effective June 28, 2013; and

WHEREAS, the Department reviewed the functional roles of all staff in the Department and determined that, as a cost saving and efficiency measure, it would be appropriate to fill the vacant position with a Workforce Development Program Assistant (position control #006792); and

WHEREAS, funding is available in the Employment & Training Department 2013 Budget to support this position; and

WHEREAS, the position is funded by the Workforce Investment Act and contract with Cayuga County Health and Human Services Department; NOW, THEREFORE, BE IT

RESOLVED, the Cayuga County Legislature be authorized to fill a Workforce Development Program Assistant position (#006792), in the Employment & Training Department; and be it further

RESOLVED, that the Director of the Employment & Training Department be authorized and directed to fill Workforce Development Program Assistant position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed and approved by Pinckney, Aikman, Cuddeback, Farrell, Fearon, Lattimore, Axton, Pecher, and Whitman, all in favor.

**RESOLUTION NO. 232-13**

**6/25/13 ET WIB2013agmnt**

**AUTHORIZE AGREEMENT BETWEEN THE CAYUGA-CORTLAND  
WORKFORCE INVESTMENT BOARD (WIB) AND THE CHIEF ELECTED  
OFFICIALS OF CAYUGA AND CORTLAND COUNTIES**

BY: Paul Pinckney, Chairman, Planning & Economic Development Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, The Workforce Investment Act, hereinafter referred to as the Act (20 USC 9201 et. seq., Public Law 105-22-, Stat. 936), authorized the expenditure of federal funds to assist local governments in coordinating and implementing workforce development programs in locally determined Workforce Investment Areas (WIA's); and

WHEREAS, the Counties constitute a jurisdiction eligible for designation as a Workforce Investment Area; and

WHEREAS, the Act requires the establishment of a Workforce Investment Board to assist in carrying out provisions of the Act; and

WHEREAS, the Act requires a partnership between the Workforce Investment Board (WIB) and the Chief Elected Officials of the Counties; and

WHEREAS, the Act requires the WIB and the Chief Elected Officials of the Counties to define the scope of their partnership by means of an agreement; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Cayuga County Legislature be and is hereby authorized to execute the agreement with the Workforce Investment Board; said agreement shall be in a form approved by the County Attorney; AND BE IT FURTHER

RESOLVED, that the Chairman of the Cayuga County Legislature be and is hereby authorized to execute such agreements with agencies of the State of New York as are necessary to conduct programs authorized under the Workforce Investment Act for the period beginning July 1, 2013 and ending June 30, 2014.

Signed and approved by Pinckney, Aikman, Farrell, Fearon, Lattimore, Axton, Cuddeback, Pecher, and Whitman, all in favor.

**RESOLUTION NO. 233-13****6/25/13 PT ATV Insurance Limits****ALLOWING A VARIATION FROM SCHEDULE A OF THE AGREEMENT WITH  
THE OSWEGO VALLEY ATV CLUB TITLED  
“CAYUGA COUNTY INSURANCE REQUIREMENTS”**

BY: Tucker Whitman, Chairperson, Public Works

Dave Axton, Chairperson, Ways &amp; Means Committee

WHEREAS, Resolution No. 88-12 of the Cayuga County Legislature authorized an agreement with the Oswego Valley ATV Club to use parts of the Cayuga County Trail System for the years 2012 and 2013; and

WHEREAS, Schedule A of the agreement titled Cayuga County Insurance Requirements details the insurance coverage required by the club; and

WHEREAS, the company providing insurance to the club last year is no longer going to insure ATV clubs; and

WHEREAS, the club has been unable to find another carrier to provide insurance as described in Schedule A; and

WHEREAS, the club did find coverage of \$1 million per occurrence and \$2 million aggregate and will continue to look for a carrier to provide the required insurance but may not be able to find it; and

WHEREAS, that level of coverage may be better than no coverage at all; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby give permission for the club to continue to use the trails mentioned in the agreement for the balance of the 2013 season with the existing insurance coverage.

Signed and approved by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Axton, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 234-13****6/25/13 HWY rmvCottleRdrev****REMOVE COTTLE RD FROM COUNTY NETWORK IN TOWN OF BRUTUS  
AND AUTHORIZATION TO AMEND HIGHWAY MAPO AND  
EXECUTE DOCUMENTS**

BY: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, Cottle Road from E Brutus St Rd to Bonta Bridge Rd is a road located in the Town of Brutus; and

WHEREAS, this road is currently on the County Road network; and

WHEREAS, section 115-b of the NYS Highway law allows for the removal of roads from the county network and their transfer to the town network; and

WHEREAS, the Town of Brutus by correspondence dated May 23, 2013 is interested in acquiring Cottle Road from East Brutus Street Road to the intersection of Cottle Road with Bonta Bridge Road in the Town of Brutus for the Town highway network due to the expansion of the Town's Water District No. 8 project, a copy of the correspondence is attached hereto; and

WHEREAS, the Cayuga County Highway Superintendent hereby recommends that portion of Cottle Road located in the Town of Brutus from East Brutus Street Road to the

intersection of Cottle Road with Bonta Bridge Road be removed and eliminated from the Cayuga County Highway road system and transferred to the Town of Brutus; now therefore be it

RESOLVED, that the Cayuga County Legislature is hereby adopts the recommendation of the Cayuga County Highway Superintendent to remove and eliminate Cottle Road from East Brutus Street Road to the intersection of Cottle Road with Bonta Bridge Road in the Town of Brutus from the Cayuga County the County road network and that said road be transferred to the Town of Brutus road network in accordance with section 115-b of the NYS Highway Law; and be it further

RESOLVED, that said Cottle Road in the Town of Brutus from East Brutus Street Road to the intersection of Cottle Road with Bonta Bridge Road be removed from the county highway system and that the county map of highways be so amended and that said section of Cottle Road in the Town of Brutus shall thereupon revert to the Town of Brutus; and be it further

RESOLVED, to authorize and direct the County Highway Superintendent to accomplish the administrative requirements to complete the transfer of roads; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the documents required to effect the transfer. Signed and approved by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 235-13**

**6/25/13 HWY acceptbidtrailer**

**AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO ACCEPT BID AND PURCHASE LOWBOY TRAILER**

BY: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, resolution # 481-12 authorized the Highway Superintendent to receive bids for a lowboy trailer and funds in the amount of \$75,000 were budgeted for this purchase; and

WHEREAS, a bid packet was developed and advertised for a 2013(or newer) 50 ton gooseneck trailer and was opened on May 22, 2013 with the following results:

<b>VENDOR</b>	<b>BID PRICE</b>	<b>TYPE</b>
Vantage Equipment	\$62,855.00	Globe
Five Star	\$64,092.00	Eager Beaver
Holden Industries	\$67,085.00	Holden
Tracey Road Equipment	\$69,446.00	Etnyre
Monroe Tractor	\$74,758.00	Talbert
Regional International	\$76,350.00	Trail-eze
STS Truck & Equipment	\$77,550.00	XL Specialized
George & Swede	\$81,900.00	Towmaster

WHEREAS, the bids were reviewed and the trailer 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 Globe lowboy trailer with funds from account DM51302 52002; and be it further

RESOLVED, that the cost of the trailer is not to exceed \$62,855.00; and be it further RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries necessary to carry out the intent of this resolution.

Signed and approved by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 236-13**

**6/25/13 HWY suppageestError**

**AUTHORIZATION TO SIGN SUPPLEMENTAL AGREEMENT WITH NYS FOR  
ERRON HILL BRIDGE REPLACEMENT**

BY: Tucker Whitman, Chairman Public Works Committee

David Axton, 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 cost for Erron Hill bridge (BIN 3311610) replacement project; and

WHEREAS, resolution #598-10 authorized the establishment and funding of Capital "H" Project No. 10-06 in the amount of \$1,200,000 for the replacement of Erron Hill bridge using estimated Design, Construction, and Construction Inspection costs and funding Cayuga County's share of the project; and

WHEREAS, resolution #299-12 authorized the acceptance of construction bids and increased Capital "H" Project No. 10-06 for construction of the replacement bridge; and

WHEREAS, the original agreement did not contain construction estimates and a supplemental agreement with NYSDOT needs to be signed to increase the reimbursement to include all construction costs; now therefore be it

RESOLVED, to sign Supplemental Agreement No. 1 with NYSDOT for reimbursement on up to \$1,358,205.00 in construction associated costs; and be it further

RESOLVED, to authorize the Chairman of the County Legislature to sign all contract documents needed to execute the bridge replacement.

Signed and approved by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 237-13**

**6/25/13 HWY suppageestGrove**

**AUTHORIZATION TO SIGN SUPPLEMENTAL AGREEMENT WITH NYS FOR  
GROVE STREET BRIDGE REPLACEMENT**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, 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 cost for Grove Street bridge (BIN 3365820) replacement project; and

WHEREAS, resolution #597-10 authorized the establishment and funding of Capital "H" Project No. 10-07 in the amount of \$868,000 for the replacement of Grove Street bridge using estimated Design, Construction, and Construction Inspection costs and funding Cayuga County's share of the project; and

WHEREAS, resolution #298-12 authorized the acceptance of construction bids and increased Capital "H" Project No. 10-07 for construction of the replacement bridge; and

WHEREAS, the original agreement did not contain construction estimates and a supplemental agreement with NYSDOT needs to be signed to increase the reimbursement to include all construction costs; now therefore be it

RESOLVED, to sign Supplemental Agreement No. 1 with NYSDOT for reimbursement on up to \$989,414.00 in construction associated costs; and be it further

RESOLVED, to authorize the Chairman of the County Legislature to sign all contract documents needed to execute the bridge replacement.

Signed and approved by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon, and Pinckney, all in favor.

**RESOLUTION NO. 238-13**

**6/25/2013 BLD Hardenburg Façade Cap H 13-02rev2**

**ESTABLISHING CAPITAL H 13-02 FOR REPAIR OF THE HARDENBURG BUILDING FAÇADE AT 95 GENESEE STREET AUBURN NY**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, on May 23<sup>rd</sup> 2013 part of the façade of the Hardenburg Building fell and Resolution 213-13 Authorized the emergency spending to remove the façade and to provide temporary measures for the safety of the community and also authorized Beardsley Design Associates to design a repair/replacement of the removed facade and that funding for this emergency come out of the Professional Services account A16204 54059; and

WHEREAS, expenditures should be properly documented in any building project; now therefore be it

RESOLVED, That Capital H 13-02 be established for this project and that funding for this Capital H be transferred from account A10144 54131 (insurance) in the amount of \$44,000.00; and be it further

RESOLVED, that from Capital H 13-02, \$18,775.00 be transferred into account A16204 54059 and \$343.52 be transferred to account A16224 54012 refunding these account for emergency expenditures, leaving \$24,881.48 to complete the repair; and be it further

RESOLVED, that the Superintendent of Buildings and Ground will oversee this repair; and be it further

RESOLVED, that the Cayuga County Chairman is authorized and directed to sign all necessary documents to complete this project to implement the intent of this resolution; and be it further

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

Passed by 2/3 vote all voting aye except Cuddeback and excused Mahunik, 769/67/47.

**RESOLUTION NO. 239-13**  
**6/25/13 HWYGLENHVNCAPHAMNDREV**  
**AMENDING CAPITAL "H" PROJECT NO. 11-04 GLEN HAVEN RD**  
**STABILIZATION AND TRANSFERRING FUNDS FROM**  
**HIGHWAY BUDGET(2/3)**

BY: Tucker Whitman Chairman, Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, Resolution No. 49-11 authorized the Highway Superintendent to contract with a consultant engineer to evaluate the slope and retaining wall on Glen haven Rd; and

WHEREAS, Resolution No. 371-11 established Capital "H" Project No. 11-04 for the stabilization of Glen Haven Rd and authorized the Chairman of the Cayuga County Legislature and Highway Superintendent to contract with a consultant engineer for additional work on undertaking the Project; and

WHEREAS, Resolution No. 259-12 authorized the Highway Superintendent to obtain quotes for temporary repair work; authorized the Chairman of the Legislature and the Highway Superintendent to execute contracts and amended Capital "H" No. 11-04; and

WHEREAS, Resolution No. 297-12 amended and increased Capital "H" No. 11-04 to \$138,000; and

WHEREAS, Resolution No. 323-12 awarded the project to Siteworx and amended and increased Capital "H" No. 11-04 to \$285,010; and

WHEREAS, it was necessary to dig deeper into the soil to find competent rock to start the base of the concrete retaining wall, increasing the size of the retaining wall and cost of the project; and

WHEREAS, the Highway department has funds available in account D51134 54107 Bridge to cover the additional cost to the project; now therefore be it

RESOLVED, that the sum of \$71,149 be transferred from account D51134 54107 Bridge to Capital "H" Project No. 11-04; and be it further

RESOLVED, that Capital "H" Project No. 11-04 be increased to \$356,159.00; and be it further

RESOLVED, that the Chairman of the Legislature and Highway Superintendent are authorized and directed to execute any contracts or agreement required to implement the intent of this resolution; and be it further

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

Passed by 2/3 vote all voting aye except excused Mahunik, 836/47.

**RESOLUTION NO. 240-13**  
**6/25/13 SHR TRANSFER MONIES**  
**AUTHORIZE THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES**  
**FROM THEIR COMPUTER SOFTWARE LINE TO THE SHERIFF'S**  
**EQUIPMENT AND EQUIPMENT TRACKABLE LINES**

BY: MR. STEVEN CUDEBACK, Judicial & Public Safety Committee

MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, there are insufficient monies in the Sheriff's 2013 Equipment Line (A31102 52000) to cover the cost of equipping the new vehicles to be purchased in 2013 due to a delay of billing until 2013 of additions to the 2012 purchase of vehicles; and



WHEREAS, there is insufficient funding of the Equipment Trackable line (A31102 52100) to support the purchase of two printers necessary for operation of the Sheriff's Department; and

WHEREAS, there is money available in the Sheriff's Computer Software line (A31104 54018) to compensate for the shortfall in the Sheriff's Equipment and Equipment Trackable lines; now therefore be it

RESOLVED, that the Cayuga County Treasurer is authorized to transfer the amount of \$10,000 from the Sheriff's Computer Software Line A31104 54018 to the Sheriff's Equipment Line A31102 52100 and to transfer the amount of \$2,000 from the Sheriff's Computer Software Line A31104 54018 to the Sheriff's Equipment Trackable Line in the amount of \$2,000; and be it further

RESOLVED, that Cayuga County Treasure make the necessary accounting and journal entries to accomplish the intent of this resolution.

Signed and approved by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, and Pecher, all in favor.

**RESOLUTION NO. 241-13**

**6/25/13 COALL WalczykLease911 FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS TAX MAP NO. 113.00-1-3, 614 CLARK STREET ROAD, TOWN OF AURELIUS, COUNTY OF CAYUGA, NEW YORK, FROM THOMAS WALCZYK FOR A TERM OF 99 YEARS.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee.  
MR. TUCKER WHITMAN, Chairman, Public Works Committee  
MR. DAVID AXTON, Chairman, Ways and Means Committee

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on June 25, 2013, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013, A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS TAX MAP NO. 113.00-1-3, 614 CLARK STREET ROAD, TOWN OF AURELIUS, COUNTY OF CAYUGA, NEW YORK, FROM THOMAS WALCZYK FOR A TERM OF 99 YEARS.”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on July 23, 2013, at 5:45 P.M., at the Cayuga County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed and approved by Cuddeback, Axton, Farrell, Pinckney, Whitman, Bennett, Pecher, Runkle, and Fearon, all in favor.

**RESOLUTION NO. 242-13**

**6/25/13 COA LL county in disaster amend LL 1 of 1999 ADP  
TO ADOPT LOCAL LAW NO. 2 FOR THE YEAR 2013, A LOCAL LAW  
ESTABLISHING THE CONTINUITY OF COUNTY GOVERNMENT IN THE  
EVENT OF A DISASTER AND AMENDING LOCAL LAW NO. 1 OF 1999  
BY: CAYGUA COUNTY LEGISLATURE**

WHEREAS, Local Law No. 2 for the year 2013, a Local Law establishing the continuity of County Government in the event of a disaster and amending Local Law No. 1 of 1999; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 2 for the year 2013 on June 25, 2013 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 2 for 2013, establishing the continuity of the County Government in the event of a disaster and amending Local Law No. 1 of 1999; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the proposed said Local Law in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date.

Signed and approved by Chapman, Whitman, Axton, Farrell, Pinckney, Runkle, Fearon, Pecher, Cuddeback, Bennett, Barski, Lattimore, Didio, and Aikman, all in favor.

**RESOLUTION NO. 243-13**

**6/25/13 LEG MAINT ALIGN 81 THRU SYR. REV  
MEMORIALIZING THE INTENT OF THE CAYUGA COUNTY LEGISLATURE  
REGARDING THE NEED TO MAINTAIN THE EXISTING ALIGNMENT OF  
INTERSTATE 81 THROUGH SYRACUSE**

BY: Cayuga County Legislature

WHEREAS, the future of I-81 presents one of the greatest planning decisions to face New York State in decades and the outcome will impact our region for generations to come; and

WHEREAS, it is the sense of the Cayuga County Legislature that any decision reached by the New York State Department of Transportation should satisfy function first including safety, efficiency of transportation for personal and commercial use and provide and minimize unintended consequences; NOW, THEREFORE, BE IT

RESOLVED, that it is the opinion of the Cayuga County Legislature that the unintended consequences of creating any significant changes to Route 81 including, creating a boulevard, could potentially alter the flow of heavy commercial traffic and increase unwanted truck traffic flow on County roads thereby causing safety issues and decreasing the quality of life for Cayuga County residents; and be it further

RESOLVED, that the Cayuga County Legislature requests that the New York State Department of Transportation seek a solution to the Route 81 redesign that does not pose negative effects to Cayuga County; and, be it further

RESOLVED, that the existing Interstate 81 alignment through Syracuse and Central New York must remain and its function and designation as an Interstate Highway must not be removed or impaired; and, be it further

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby directed to cause a copy of this resolution to be transmitted to the New York State Department of Transportation and the Syracuse Metropolitan Transportation Council.

Signed and approved by Chapman, Whitman, Axton, Farrell, Pinckney, Runkle, Fearon, Cuddeback, Lattimore, and Didio, all in favor.

**RESOLUTION NO. 244-13**

**6/25/13 GovOps&W&M-AppHireCountyAdmin**

**AUTHORIZING THE HIRING OF A COUNTY ADMINISTRATOR; SETTING SALARY; AND, AUTHORIZING CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN EMPLOYMENT AGREEMENT.**

BY: Cayuga County Legislature

WHEREAS, Local Law No. 1 for the year 2010 established the office of County Administrator; and

WHEREAS, Suzanne L. Sinclair has accepted the position of County Administrator, subject to confirmation; now, therefore, be it

RESOLVED, that Suzanne L. Sinclair be hired as the County Administrator; and be it further

RESOLVED, that the salary shall be set as set forth in the employment agreement, a copy of which is attached; and be it further

RESOLVED, that the appointment of Suzanne L. Sinclair as the Cayuga County Administrator is subject to and contingent upon the completion of a background check by the Cayuga County Sheriff's Office and the review and acceptance of said background check by the Chairperson of the Cayuga County Legislature and the County Attorney; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign the employment agreement between the County of Cayuga and Suzanne L. Sinclair. Passed by majority vote Ayes-Aikman, Pecher, Whitman, Axton, Farrell, Runkle, Fearon, Chapman, Noes-Didio, Pinckney, Cuddeback, Bennett, Barski, Lattimore, Excused-Mahunik, 510/326/47.

**Motion by Didio to adjourn at 7:10 PM, 2<sup>nd</sup> by Cuddeback, all in favor.**

**MINUTES  
SPECIAL  
CAYUGA COUNTY LEGISLATURE MEETING  
THURSDAY JULY 11, 2013 at 7:00 PM  
160 GENESEE ST, 6<sup>TH</sup> FLOOR,  
CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 7:01PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present, except excused Legislator David Axton, and Legislator Paul Pinckney. Legislator Joseph Runkle arrived at 7:04PM.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**EXECUTIVE SESSION:** The employment history of a particular corporation.

**Motion by Didio to go into Executive Session re: the Employment history of a particular corporation at 7:03PM, 2<sup>nd</sup> by Bennett, all in favor, except Lattimore voting no.**

**Motion by Runkle to come out of Executive Session at 7:26PM, 2<sup>nd</sup> by Bennett, all in favor. No action taken.**

**Motion by Aikman to adjourn at 7:27PM, 2<sup>nd</sup> by Runkle, all in favor.**