

**MINUTES
WAYS & MEANS COMMITTEE
FRANCIS MITCHELL, CHAIR
(THURSDAY), DECEMBER 10, 2009, 5:30PM
CCOB C.R. #1**

CALL TO ORDER: By Francis Mitchell, Chairman, Ways & Means Committee, at 5:33PM

MEMBERS PRESENT: Chair, Francis Mitchell, David Axton, Michael Chapman, Patrick Mahunik, Ray Lockwood, Ann Petrus, and Linda Murphy.

ALSO PRESENT: Dominic Mazza County Manager, Legislator Roger Mills, Fred Westphal County Attorney, David Gould Sheriff, Alan Kozlowski Director of Real Property, Gary Duckett Director of Parks & Trails, George Wethey Highway Dept. Superintendent, Faye Hatfield Civil Service and Human Resources Director, Elane Daly Director of Health & Human Services, Deb English Director of the Nursing Home, Steve Johnson Director of IT, Jim Orman Treasurer, Paul Padlick Deputy Treasurer/Accountant, Mike Pawlenko Buildings & Grounds Supervisor, Brian Dahl CEMO/Fire/EMS Coordinator, Karen Killips, Deputy Director Mental Health, Jon Budelmann District Attorney, Lloyd Hoskins Executive Director Youth Bureau, Donna Gilfus, Deborah Green, Alice Sears, Yvonne Ottley, and Tanya Testa Employees of CHHA, Sarah Gantz and Chris Caskey Citizen Reporters, and Sheila Smith, Legislative Assist/Deputy Clerk.

MINUTES TO APPROVE: 11-17-09, Motion by Lockwood, 2nd by Petrus, all in favor.

EXECUTIVE SESSION: 5:34PM re: the Ramification of IRS Findings on Contract Negotiations.
Motion by Lockwood, 2nd by Chapman, all in favor. Sheila Smith, asked to stay by Francis Mitchell.
Motion by Lockwood, 2nd by Petrus to come out of Executive Session at 6:17PM, all in favor.

APPOINTMENTS AND RE-APPOINTMENTS: None

ADJOURNMENT: January 19, 2009 at 6:00PM

REGULAR MONTHLY RESOLUTIONS:

1. Auth. payment of **November** Audit of Claims
2. Auth. payment of Utilities.
3. Auth. payment of Claims for Thruway Tolls.
4. Auth. payment of Claims for the Nursing Home
5. Auth. payment of Claims for the Sr. Nutrition Program.
6. Auth. payment of Claims for Credit Card Charges.
7. Auth. payment of Claims for Various Equipment Leases.
8. Auth. payment of Various Capital "H" Projects.

Motion by Petrus, 2nd by Lockwood, on regular monthly resolution 1-8, all in favor.

WAYS & MEANS RESOLUTIONS:

12-9-WM-1 **(Revised 12-9-09)** Authorizing the Adoption of the Classification Survey Adopted by the Civil Service Commission for the Department of Human Resources/Civil Service Commission. **Motion by Petrus, 2nd by Lockwood.**

Discussion: Cuddeback, reclassification grade 13 to 15 will they be in the 1st step?
Faye Hatfield, CSEA contract one step higher than they are in now. All in favor.

12-9-WM-2 Adopting Resolution for Annual Update to Cayuga County Investment Policy. **Motion by Mitchell, 2nd by Lockwood, all in favor.**

12-9-WM-3 Authorize Director of Real Property Services to Apportion Community College Costs for Tax Purposes. **Motion by Petrus, 2nd by Lockwood, all in favor.**

12-9-WM-4 Authorize the County Treasurer to Pay Mortgage Tax. **Motion by Petrus, 2nd by Lockwood, all in favor.**

12-9-WM-5 Approve the Taxes as Extended and Authorize the Chairman and the Clerk of the Legislature to Sign the Tax Rolls. **Motion by Lockwood, 2nd by Petrus, all in favor.**

- 12-9-WM-6 Designating December 15, 2009, as the Date to Annex the Tax Warrant. **Motion by Lockwood, 2nd by Petrus, all in favor.**
- 12-9-WM-7 Annual Resolution Approving and Fixing Undertaking for County Officials Pursuant to Statute. **Motion by Petrus, 2nd by Lockwood, all in favor.**
- 12-9-WM-8 Authorizing Accounts Payable Year End Adjustments 2009 Operating Budget. **Motion by Petrus, 2nd by Lockwood, all in favor.**
- 12-9-WM-9(P) **(PULLED)** Authorizing the Cayuga County Treasurer to Make Refunds or Corrections of Real Property Taxes in the Amount of \$2,500 or Less.
- 12-9-WM-10 Authorizing the Levy of Omitted Taxes. **Motion by Petrus, 2nd by Lockwood, all in favor.**
- 12-9-WM-11 Levy Returned Village Tax & Authorize County Treasurer to Pay Same. **Motion by Petrus, 2nd by Murphy, all in favor.**
- 12-9-WM-12 **(Added 12-3-09)** Levy Unpaid Water & Sewer Bills – Several Towns. **Motion by Petrus, 2nd by Lockwood, all in favor.**
- 12-9-WM-13 **(Added 12-7-09)** Authorizing the Clerk of the Legislature to Receive Request for Proposals for Professional Auditing Services for All Cayuga County Departments. **Motion by Petrus, 2nd by Lockwood, all in favor.**
- 12-9-WM-14 **(Added 12-7-09)** Authorizing the Levy of Ad Valorem Taxes for County Water & Sewer District #3 and Unit Taxes for Sewer District #2 for the County Water & Sewer Authority in Several Towns. **Motion by Petrus, 2nd by Murphy, all in favor.**
- 12-9-WM-15 **(Added 12-10-09)** Authorization for the County Treasurer to Transfer Funds from the Contingency Fund to the Centro Account (A56304) Due to Lack of Funds. **Motion by Petrus, 2nd by Chapman, all in favor, except Lockwood abstained.**
- 12-9-WM-16 **(Added 12-9-09)** Establishing a Reserve Account for Provision for Salary Adjustment. **Motion by Petrus, 2nd by Lockwood, all in favor.**

Special Resolutions for 12-17-09 Legislature Meeting:

- 12-17-WM-1 Expression of Commitment to the Cayuga Community College's Request for Capital Funding for a College Performance Arts Center. **Motion by Axton, 2nd by Lockwood.**

Discussion: Chapman, what happens to property? Tortorici, we have a purchase offer, Funding must be secured in order for any transfer. Chapman, title? Tortorici, yes, CBG HUD letter, approved 5yr. transfer, off tax rolls. All in favor

- 12-17-WM-2 Authorizing and Directing the Chairman of the Cayuga County Legislature to Execute a Purchase and Sale Agreement with the City of Auburn for the Purchase of Property Commonly Known as Tax Map No. 115.60-2-47. **Motion by Petrus, 2nd by Lockwood, all in favor.**

Mitchell bundled 12-17-WM-5 & 6.

- 12-17-WM-5 Hiring Restrictions.
12-17-WM-6 Austerity Spending Resolution

Motion on 12-17-WM-5&6 by Lockwood, 2nd by Petrus, all in favor.

WAYS & MEANS & SUB COMMITTEES RESOLUTIONS:

HEALTH & HUMANS SERVICES:

Petrus bundled HH-1, 2, 3, 5, 6, 7, 8, 9, and 12, 2nd by Lockwood, all in favor.

- 12-9-HH-1 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with the NYSDOH to Accept Additional Funding through the American Recovery and Reinvestment Act of 2009 (ARRA) to Supplement the Immunization Program.

- 12-9-HH-2 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew Our Contract with the state for Bicycle Helmet Distribution, safety and Pedestrian Injury Reduction Program.
- 12-9-HH-3 Authorizing the Director of Health & Human Services to Renew the lease agreement with Cayuga County space at the Historic Post Office Building to house the WIC Office/Clinic from October 1, 2009 through September 30, 2014.
- 12-9-HH-5 Authorizing the County Treasurer to amend the 2009 Cayuga County Health Department budget/transfer funds.
- 12-9-HH-6 Authorizing the Chairman and the Director of Health & Human Services to amend the contract with Cayuga Health Association to include services relative to H1N1 Public Health Clinics.
- 12-9-HH-7 Authorizing the Director of Health & Human Services to fill a Typist vacancy in the FSMA Unit of Human Services.
- 12-9-HH-8 Authorizing the Director of Health & Human Services to fill a Sr. Social Welfare Examiner in the Food Stamp/Medicaid Unit of Human Services.
- 12-9-HH-9 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to renew its contract with the state to accept funding for the Facilitated Enrollment Grant.
- 12-9-HH-12 Authorizing the Director of Community Mental Health Services and the Chairman of the Legislature to sign contracts with various Human Service agencies for services to individuals with disabilities.

End of bundled resolutions.

- 12-9-HH-10 Authorizing the Chairman of the Legislature and Administrator of the Cayuga County Nursing Home to enter into agreements with Sibley Nursing Personnel, Nursefinders and Nursecor to provide temporary Nursing Staffing for January 1, 2010 until December 31, 2010. **Motion by Lockwood, 2nd by Axton, all in favor.**
- 12-9-HH-11 Authorizing the Chairman of the Legislature and the Director of Community Mental Health Services to renew an agreement with Time Warner Cable Business Class for Cable Service at 146 North Street. **Motion by Lockwood, 2nd by Petrus, all in favor.**
- 12-9-HH-13 Authorizing the Director of Community Mental Services and the Chairman of the Cayuga County Legislature to sign contracts with various contractual professionals at the Cayuga County Community Mental Health Center to serve individuals with disabilities. **Motion by Lockwood, 2nd by Petrus, all in favor.**
- 12-9-HH-14 Authorize the Director of Community Mental Services and the Chairman of the Cayuga County Legislature to sign contracts with various non-hourly contractual professionals at the Cayuga County Community Mental Health Center to serve individuals with disabilities. **Motion by Petrus, 2nd by Lockwood, all in favor.**
- 12-9-HH-15 Authorizing the Director of Emergency Services to increase the instructor contract hourly reimbursement rates for the Emergency Medical Technician Course Sponsorship. **Motion by Lockwood, 2nd by Petrus, all in favor.**
- 12-9-HH-16 **(Also Judicial & Public Safety Committee) (Added 12-9-09)** Authorizing the Director of the Emergency Management Office to Transfer a Vehicle to the Cayuga County Nursing Home. **Motion by Axton, 2nd by Petrus, all in favor.**
- 12-9-HH-17 **(Also Public Works Committee) (Added 12-9-09)** Authorizing the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home to Enter into an Agreement for Plowing of the Snow at the Cayuga County Nursing Home. **Motion by Axton, 2nd by Lockwood, all in favor.**

12-9-HH-18 **(Added 12-9-09)** Authorizing the Chairperson of the Cayuga County Legislature to Execute Any and All Documents Required to Effectuate the Sale of Cayuga County's Certified Home Health Agency and the Long Term Home Health Care Program Certificates of Need Between the County of Cayuga and Lifetime Care, DBA Genesee Region Home Care Association, Inc. **Motion by Axton, 2nd by Petrus, all in favor, except voting no, Chapman, Mahunik and Murphy.**

12-9-HH-19 **(Added 12-10-09)** Authorizing the Chairperson of the Legislature and the Administrator of Cayuga County Nursing Home to Extend an Agreement with Buffington and Hoatland CPA's Auditing at the Nursing Home for 2010. **Motion by Petrus, 2nd by Lockwood, all in favor.**

GOVERNMENT OPERATIONS:

12-9-GO-1 Authorizing for the Veteran's Department to Purchase Veterans Information Management System (VIMS). **Motion by Axton, 2nd by Lockwood, all in favor.**

12-9-GO-2 Authorizes Cayuga County Clerk to fill Part-Time Account Clerk. **Motion by Chapman, 2nd by Lockwood, all in favor.**

12-9-GO-3 **(Revised 12-10-09)** Authorization to Amend the 2009 Cayuga County Information Technology Budget. **Motion by Chapman, 2nd by Lockwood, all in favor.**

12-9-GO-4 Declaring a 24 Hour Dog Quarantine During the Winter Season. **Motion by Chapman, 2nd by Lockwood, all in favor.**

12-9-GO-5 Authorizing the Continuation of the Night Quarantine on Dogs in Cayuga County. **Motion by Chapman, 2nd by Lockwood, all in favor.**

12-9-GO-6 Designating Newspapers to Publish County Matters. **Motion by Chapman, 2nd by Axton, all in favor, except Lockwood voting no.**

12-9-GO-7 Authorizing the Clerk of the Legislature to advertise and receive sealed bids for the printing of the Journal of Proceedings books. **Motion by Chapman, 2nd by Lockwood, all in favor.**

12-9-GO-8 To Fix Date, Time and Place of the Meeting to Organize the Cayuga County Legislature for 2010. **Motion by Chapman, 2nd by Petrus, all in favor.**

12-9-GO-9 Authorizing the Transfer to Funds from the Contingent Account to the County Manager Department. **Motion by Chapman, 2nd by Lockwood, all in favor.**

12-9-GO-10 Establishing the Salary for the Cayuga County Attorney. **Motion by Lockwood, 2nd by Petrus, all in favor.**

12-9-GO-11 **(Pulled)** Requesting State Home Rule Legislation to Permit the County of Cayuga, Acting through its Local Legislative Body, be Authorized and Empowered to Adopt and Amend Local Laws Imposing a Tax of Twenty-five Cents for Each One Hundred Dollars and Each Remaining Major Fraction thereof of Principal Debt of Obligation Which is Secured by a Mortgage on Real Property Situated in the County of Cayuga. **(Pulled)**

12-9-GO-12 **(Added 12-2-09)** To Authorize the Transfer of Funds within the Clerk of the Legislature's Office. **Motion by Lockwood, 2nd by Petrus, all in favor.**

12-9-GO-13 **(Added 12-7-09)** Establishing a Policy Requiring the Mileage Reimbursement Rate for Non-Bargaining Employees, Appointed and Elected Officials be set by Resolution of the Cayuga County Legislature and Establishing the Mileage Reimbursement Rate for Non-Bargaining Employees, Appointed and Elected Officials. **Motion by Chapman, to put mileage at .45 cents 2nd by Mahunik, all in favor.**

PLANNING:

12-9-PL-1 **(P)** **(PULLED)** Establishing Capital "H" Project NO. 09-3 (Soil & Water Community Methane Digester Project) and Authorizing Chairman of the Cayuga County Legislature to Enter into an Intermunicipal Agreement. (2/3 vote)

12-9-PL-2 (Added 12-10-09) Authorizing the Amendment of the 2009 County Budget by Increasing the Appropriation to the Cayuga County Soil & Water Conservation District by \$78,000.00 and Repealing Resolution No. 674-09. **Motion by Lockwood, 2nd by Petrus.**

Discussion: Mahunik, Why?

Mitchell, because it's legal, reduce appropriation by \$78,000.00, no reflection on levy.

Mahunik, the other way was illegal?

Mitchell, yes.

Chapman, I don't follow, you pull \$78,000.00 out next year.

Mitchell, I will bring to floor.

Chapman, we're gifting this?

Mitchell, no appropriate until digester is ready.

Mills, can we add this to the roof mortgage?

Mitchell, not a capital expenditure, rolling appropriation, eventually they will pay.

Fred Westphal, loan is wrong.

Mill, with the roof?

Fred Westphal, that's a loan.

Mitchell, old agreement makes me nervous,

Tortorici, with the digester, Soil & Water will become self sustained.

Cuddeback, income for 2010 will be substantial amount.

Chapman, \$78,000.00 into Soil & Water checking account.

Mitchell, operating money.

Approved, all in favor.

12-9-PL-3 (Added 12-10-09) Bond Resolution of Cayuga County, NY, Adopted on December 15, 2009 and Additional Resolutions Establishing Capital "H" Project No.09-3 (Soil & Water Community Methane Digester Project) and Authorizing Chairman of the Cayuga County Legislature to Enter into an Intermunicipal Agreement (2/3 vote). **Motion by Axton, 2nd by Murphy, all in favor.**

PUBLIC WORKS:

12-9-PW-1 (Revised 12-3-09) Authorizing the Establishment of Capital Reserve Fund for the Parks Department Repair and Resurfacing of the Merry Go Round Parking Lot at Emerson Park. **Motion by Petrus, 2nd by Lockwood, all in favor.**

12-9-PW-2 Authorizing the Establishment of a Capital Reserve Fund for the Parks Department Building Improvements at the Sterling Nature Center. **Motion by Petrus, 2nd by Murphy, all in favor.**

12-9-PW-3 Approving 2010 Agreement with Friends of the Sterling Nature Center, Inc. **Motion by Petrus, 2nd by Murphy, all in favor.**

12-9-PW-4(P) (Pulled at Committee) Authorizing the Superintendent of Buildings and Grounds to Hire a Buildings Maintenance Mechanic.

12-9-PW-5 Authorization to enter into an Assured Maintenance Agreement for Chiller in the County Office Building AC system. **Motion by Lockwood, 2nd by Petrus, all in favor.**

12-9-PW-13 (Added 12-10-09) Authorizing the Treasurer to Transfer Funds in the Buildings and Grounds Accounts for Chiller Parts. **Motion by Axton, 2nd by Lockwood, all in favor.**

12-9-PW-6 Authorizing the Chairmen of the Cayuga County Legislature to accept a \$1,500.00 grant from The Municipal Electric and Gas Alliance energy efficient LED Christmas Lights. **Motion by Axton, 2nd by Lockwood, all in favor.**

12-9-PW-7 Authorizing the Chairmen of the Cayuga County Legislature to accept a \$30,000.00 grant from NYSEDA for an energy study. **Motion by Axton, 2nd by Lockwood, all in favor.**

12-9-PW-8 Authorizing the Superintendent of Buildings and Grounds to obtain pricing from New York State Industries for the Disabled for the cleaning of County owned buildings in Auburn, NY. **Motion by Axton, 2nd by Lockwood, all in favor.**

- 12-9-PW-9 Authorization to Amend the 2009 Cayuga County Highway Budget for Internal Equipment Rentals. **Motion by Axton, 2nd by Lockwood, all in favor.**
- 12-9-PW-10 Budget Transfer of the 2009 Cayuga County Highway Budget for Building Maintenance. **Motion by Axton, 2nd by Lockwood, all in favor.**
- 12-9-PW-11 Authorizing the Chairman of the Legislature and the Highway Superintendent to Accept Bids for a Replacement of the Dresserville Rd Bridge (BIN 3363550). **Motion by Axton, 2nd by Lockwood, all in favor.**
- 12-9-PW-12 **(Added 12-8-09)** Awarding the Lab Testing Bid for the Behavioral Health Project. **Motion by Axton, 2nd by Lockwood, all in favor.**

JUDICIAL & PUBLIC SAFETY:

- 12-9-JP-1 Appointing Administrator Indigent Defendants, Part Time, and Setting Salaries for Administrator Indigent Defendants, Part Time, and Deputy Administrator Indigent Defendants, Part Time. **Motion by Petrus, 2nd by Murphy, all in favor.**
- 12-9-JP-2 Authorizing the Clerk of the Legislature to Advertise and Receive Sealed Bids for the Construction of a Post Frame Building to be Utilized by the Cayuga County Sheriff's Office for Storage of Equipment and Evidence, as well as for Usage as a Training Area. **Motion by Lockwood, 2nd by Murphy, all in favor.**
- 12-9-JP-3 **(Added 12-2-09)** To Authorize the Transfer of Funds Within the District Attorney's Budget. **Motion by Lockwood, 2nd by Chapman, all in favor.**
- 12-9-JP-4 **(Added 12-2-09)** Increasing the Number of Hours Assistant District Attorneys are Required to Work from 37.5 to 40 Hours Per Week to Address the Increase in Crime in a Cost Effective Manner. **Motion by Lockwood, 2nd by Murphy, all in favor.**
- 12-9-JP-5 **(Pulled, replaced by W&M's JP-5A)** Increasing the Salary of the District Attorney to Reflect Eleven Years without an Increase in Salary and the Eleven Years of Increases in the Cost of Living.
- 12-9-JP-5A **(Added 12-9-09)** Fixing Day & Notice of Public Hearing on a Local Law Providing for Salary Increase for the Cayuga County District Attorney During his Term. **Motion by Lockwood, 2nd by Murphy, all in favor.**
- 12-9-JP-6 **(Added and Revised 12-8-09)** Authorization for the County Treasure to Transfer Funds from the Contingency Fund to the Coroner/Medical Examiner's Account (1185) Due to Lack of funds. **Motion by Lockwood, 2nd by Chapman, all in favor.**
- 12-9-JP-7 **(Added 12-10-09)** Authorizing the Continuation of the District Attorney's Enhanced Felony Prosecution Project and the Receipt and Distribution of Aid to Prosecution to Fund Same. **Motion by Lockwood, 2nd by Murphy, all in favor.**

Other Business:

Cuddeback, I need dollar values on W&M #1, could I get something before the Legislature meeting on Tuesday.

Mitchell, yes.

Motion by Lockwood, 2nd by Murphy to adjourn at 7:33PM, all in favor.

Motion by Petrus, 2nd by Cuddeback, to approve minutes of 12-10-09, on 1-19-10, all in favor, except Fearon abstained.