April 3, 2019
MADISON COUNTY BOARD OF SUPERVISORS
Agenda for Tuesday, April 9, 2019

Meeting Schedule

11:00 a.m. Criminal Justice, Public Safety and Emergency Communications
Re: Regular Business (Large Conference Room)

11:45 a.m. Administration and Oversight Committee – Small Conf. Room
Re: Resolution to Waive the Rules

11:50 a.m. Planning, Economic Development, Environmental and Intergovernmental
Affairs Committee – Chambers Re: Resolution Lease Agreement

12:00 p.m. Committee of the Whole – All Supervisors (Large Conference Room)
- AIM
- Internet Sales Tax
- Plastic Bag Ban
- Cashless Bail
- Host Community Money
- PINS Funding Elimination
- Fenner Wind Farm Litigation
- MCPLUS – Spectrum Franchise Discussion
- New Highway Garage

2:00 p.m. Board Meeting – Chambers

Starting with:
- Public Hearing – Establishment and Formation of the
  Clockville Water District No. 1 – Chambers

- Solid Waste Director, Amy Miller – Presentation “Earth Day and
  Recycling”

Resolutions

1. Declaring the Week of May 5-11, 2019 as “Public Service Recognition Week.”
2. Proclaiming April 2019 National Child Abuse Prevention & Sexual Assault
   Awareness Month in Madison County.
Resolutions – Preferred Agenda

By Government Operations Committee:

3. Authorizing Attendance at an Out-of-State Conference. (Emergency Management)
4. Authorizing Attendance at an Out-of-State Conference. (Public Health)
5. Authorizing Attendance at an Out-of-State Conference. (Sheriff)
6. Authorizing Attendance at an Out-of-State Conference. (Sheriff)
7. Authorizing the Chairman to Enter into an Agreement with MSD Online, Inc.
8. Authorizing the Chairman to Enter into an Agreement. (Empire Safety Training and Consulting, Inc.)
10. Creating Two Temporary Positions in the Planning & Workforce Development Department.
11. Authorizing an Agreement with Lifetime Benefit Solutions for Section 125 Administration Services.

By Finance, Ways and Means Committee:

12. Indicating Certain Intent Pursuant to RPTL §487(9) and Directing the Madison County Department of Law to Issue Certain Notice to High Peaks Solar.
13. Authorizing the Modification of the 2019 Adopted County Budget. (Bundle Mods 1-10)
15. Authorizing the Modification of the 2018 Adopted County Budget. (Clean-Up)

By Administration and Oversight Committee:

16. Authorizing the Chairman to Amend an Agreement with NTS Data Services.
17. Authorizing an Inter-Municipal Agreement with Madison-Oneida BOCES for Business Card Printing and Other Printing Services not provided by Central Services.
18. Designating Disposal of Obsolete and/or Surplus County Personal Property.

By Health and Human Services Committee:

19. Authorizing the Chairman to Enter into an Agreement with the University at Buffalo, the State University of New York.
20. Authorizing the Chairman to Enter into an Agreement with Club O at Olcott’s (Olcott’s Hotel) Code Blue.
21. Authorizing the Chairman to Enter into an Agreement with Community Action Program, Inc. (Code Blue)

By Planning, Economic Development, Environmental and Intergovernmental Affairs Committee:

22. Extending an Agreement with EMJ Premier Services, LLC.
23. Authorizing an Agreement with the New York Power Authority.
By Criminal Justice, Public Safety and Emergency Communications:

25. Authorizing Approval of the EMS Mutual Aid Plan.
27. Directing the County Attorney’s Office to Draft Legislation to Amend NYS Uniform Justice Court Act §106.
28. Directing the County Attorney’s Office to Draft Legislation to Amend NYS Corrections Law §500-a.
29. Adding Additional Electrical Work to the Site for the County Emergency Management Training Facility. (Knapp Electric)
30. Authorizing the Chairman to Modify and Extend an Agreement with UMR, a United Healthcare Company.
31. Authorizing the Chairman to Enter an Extension for an Agreement with New York State Office of Indigent Legal Services for a One-Year Distribution. (Grant No. 2)

By Highway, Buildings and Grounds Committee:

32. Authorizing the Chairman to Enter into an Agreement with Suit-Kote Corporation.
33. Authorizing the Chairman to Enter into an Agreement with All In Highway Services, LLC.
34. Authorizing the Chairman to Enter into an Agreement with Countertops & Cabinets, Inc.
35. Authorizing the Chairman to Enter Into an Agreement with King & King Architects.
36. Authorizing the Chairman to Enter into an Agreement with Argus Engineering.
37. Authorizing the Chairman to Enter into an Agreement with Stockyard BBQ to Provide a Food Truck Onsite at the Highway Department During Safety Training Days.
38. Authorizing the Chairman to Enter into an Agreement with J & J Construction and Rigging Inc. for Crane Services for the Carey Road Bridge Project.
40. Authorizing the Chairman to Renew an Agreement with Johnson Controls.
41. Awarding Bid 19.11 and Authorizing the Chairman to Enter into an Agreement for County Office Building Limestone Cleaning. (Driscoll Masonry)
42. Awarding Bid 19.12 and Authorizing the Chairman to Enter into an Agreement for PSB Shower Renovations. (Debrucque Equipment Co.)
43. Authorizing Chairman to Modify an Agreement with SI Technologies Inc. d/b/a Security Integrations.
44. Authorizing Modification of Agreement with Knapp Electric, Inc.

Resolutions – Regular Agenda

45. Authorizing the Chairman to Enter into an Enterprise Agreement with Day Automation.
46. Authorizing the Modification of the 2019 Adopted County Budget. (Fund Balance)
47. Acknowledging Introduction of Proposed Local Law No. 1 for the Year 2019 and Calling for a Public Hearing. (Creation of the Office of the Madison County Code Enforcement Officer)
48. Resolution and Order of the Madison County Board of Supervisors to Approve the Formation of the Clockville Water District No. 1 Pursuant to Article 5-a of the County Law.

49. Resolution of the Madison County Board of Supervisors Authorizing the Chairman of the Board to Make Application to the New York State Comptroller for Approval to Establish and Form the Clockville Water District No. 1 in the County of Madison Pursuant to Article 5-a of the County Law.

50. Authorizing the Modification of the 2019 Adopted County Budget. (Fund Balance)

51. Providing for a List of Items Identified as "Designated Recyclables" as Required by Local Law #3 of 2004.

52. Acknowledging Introduction of Proposed Local Law No.2 for the Year 2019 and Calling for a Public Hearing. (Opting out of RPTL §487 Exemptions)

53. Requesting the Waiver of Rule No. 24 and No. 24-A.

54. Authorizing the Chairman to Sign a Lease Agreement with the Oneida Indian Nation of New York.

PROCLAMATION
DONATE LIFE MONTH – APRIL 2019

PROCLAMATION
FEDERATION OF NEW YORK INSURANCE PROFESSIONALS WEEK
APRIL 28-MAY 5, 2019

APPROVAL OF VOUCHERS FOR PAYMENT
PUBLIC COMMENT PERIOD
ANY OTHER BUSINESS

cc: Oneida Daily Dispatch
Mid-York Weekly

Cindy Utz, Clerk

Visit our website at: www.madisoncounty.ny.gov
Click on Departments – Board of Supervisors
RESOLUTION NO. 1

DECLARING THE WEEK OF MAY 5 – 11, 2019 AS "PUBLIC SERVICE RECOGNITION WEEK"

WHEREAS, the Madison County Board of Supervisors believes public servants deserve thanks throughout the year for the work they do each and every day; and

WHEREAS, the Board of Supervisors recognizes the contributions of its employees as they continue to provide services to our citizens and assist in the cost efficient and effective use of tax dollars; and

WHEREAS, the Board of Supervisors wishes to honor our County employees as they continue to provide quality government programs and services for a better Madison County;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors, does hereby declare the week of May 5 – 11, 2019 as:

"PUBLIC SERVICE RECOGNITION WEEK"

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 2

PROCLAIMING APRIL 2019 NATIONAL CHILD ABUSE PREVENTION & SEXUAL ASSAULT AWARENESS MONTH IN MADISON COUNTY

WHEREAS, National Child Abuse Prevention and Sexual Assault Awareness Month is intended to draw attention to the fact that abuse and violence are widespread and impact individuals and families of Madison County; and

WHEREAS, child abuse prevention must be a priority to confront the reality that an estimated 683,000 children nationwide are victims of abuse and neglect each year; and

WHEREAS, abuse, rape, sexual assault, and sexual harassment impact our community as seen by national statistics indicating that one-in-six women and one-in-33 men will be assaulted at some point in their lives, with an estimated 116 such cases annually in Madison County alone; and

WHEREAS, in 2018, Madison County Children’s Services received 1,696 reports of child abuse and maltreatment, with 200 of the most serious physical and sexual abuse cases being investigated by a Multi-disciplinary Team at the Children’s Advocacy Center and resulting in 47 arrests; and

WHEREAS, we must work together to educate our community about child abuse and sexual violence prevention, support survivors, and speak out against harmful attitudes and actions; and

WHEREAS, each April, with leadership, dedication, and encouragement, there is evidence that the Madison County Department of Social Services, the Madison County Child Advocacy Center, and Liberty Resources Help Restore Hope Center can be successful in preventing abuse and sexual violence in Madison County through increased education, awareness, and community involvement; and

WHEREAS, the Madison County Board of Supervisors strongly supports the efforts of national, state, and local partners, and of every citizen to actively engage in public and private efforts to prevent child abuse and sexual assault violence; and

WHEREAS, it is time for all of us to start conversations, take appropriate action, and support one another to create a safer environment for all;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors joins advocates and communities across the country in playing an active role to prevent child abuse and sexual violence; and

BE IT FURTHER RESOLVED that the Madison County Board of Supervisors hereby recognizes April 2019 as CHILD ABUSE PREVENTION AND SEXUAL ASSAULT AWARENESS MONTH.

Dated: April 9, 2019

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Alexander R. Stepanski, Chairman
Health and Human Services Committee

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Paul H. Walrod, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee
RESOLUTION NO. 3

AUTHORIZED ATTENDANCE AT AN OUT-OF-STATE CONFERENCE
(Emergency Management)

WHEREAS, the National Homeland Security Conference will be held June 17 – 21, 2019 in Phoenix, AZ; and

WHEREAS, direct participation in this conference will provide invaluable information and experience to the Office of Emergency Management; and

WHEREAS, Ted Halpin, Director of Emergency Management Services has requested to attend; and

WHEREAS, his expenses will be funded through appropriations in the 2019 Office of Emergency Management budget; and

WHEREAS, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee, and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Ted Halpin be and hereby is authorized to attend said conference at a cost not to exceed $1,629.

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 4

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE
(Public Health)

WHEREAS, CDC/NEHA Private Well Network Stakeholders Meeting conference will be held April 16, 2019 in Denver, CO.; and

WHEREAS, Eric Faisst, Director of Public Health, has requested that Geoffrey Snyder, Director Environmental Health attend this conference; and

WHEREAS, his expenses are fully funded through the NEHA Grant Modification approved by Resolution #467-16 on December 6, 2016; and

WHEREAS, this request has been reviewed and approved by the Health and Human Services and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that Geoffrey Snyder be and hereby is authorized to attend said conference at no expense to the County.

Dated: April 9, 2019

Daniel S. Degear, Chairperson,
Government Operations Committee
RESOLUTION NO. 5

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE
(Sheriff)

WHEREAS, NCJTC Conducting Unexplained Child Death Investigations Training will be held July 29 - August 1, 2019, in Baltimore, MD; and

WHEREAS, Michael Fitzgerald, Commissioner of Social Services has requested that Samantha Walker, Caseworker attend this conference; and

WHEREAS, her expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff’s Office; and

WHEREAS, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications, Health and Human Services and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Samantha Walker be and hereby is authorized to attend said conference at no expense to the County.

Date: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 6

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE
(Sheriff)

WHEREAS, Trauma-Focused Cognitive Behavioral Therapy Training will be held May 1-3, 2019 in Huntsville, AL; and

WHEREAS, Teisha Cook, Madison County Mental Health Director, has requested that Kirin Quonce, LCSW, CASAC-Advance, attend this conference; and

WHEREAS, her expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff’s Office; and

WHEREAS, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications, Health and Human Services and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Kirin Quonce be and hereby is authorized to attend said conference at no expense to the County.

Date: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 7

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH MSD ONLINE, INC.

WHEREAS, the Hazard Communication Standard and the Public Employee Safety and Health Bureau (PESH) require that Material Safety Data Sheets (MSDS) and Safety Data Sheets (SDS) be maintained for all hazardous chemicals and substances being used by County employees; and

WHEREAS, the county's current agreement with MSDS Online, Inc. will expire on May 23, 2019; and

WHEREAS, MSD Online has provided a rate of $3,300 annually over a three (3) year period for the management of the County's MSDS and SDS inventory;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be, and hereby is, authorized to execute the agreement with MSD Online, Inc. for the period May 24, 2019 through May 23, 2022, as is on file with the Clerk of the Board.

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 8

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(Empire Safety Training and Consulting, Inc.)

WHEREAS, the County has contracted with Empire Safety Training and Consulting, Inc. of Chittenango, NY, since 2001 for the purpose of providing required employee safety training and other related employee safety services; and

WHEREAS, the renewal agreement with Empire Safety Training and Consulting, Inc. of Chittenango, NY, maintains the 2018 rate and provides for a hourly rate of one-hundred dollars ($100) per hour; and

WHEREAS, the Government Operations Committee recommends the County retain the services of Empire Safety Training and Consulting to continue to bring about a positive impact on the health and safety of Madison County employees;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into an extension agreement with Empire Safety Training and Consulting, Inc., for the period January 1, 2019 through December 31, 2019 and said agreement is on file with the Clerk to the Board; and

BE IT FURTHER RESOLVED that the total cost for these employee safety services shall not exceed $22,000 per year.

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 9

AMENDING THE OVERTIME PROVISIONS FOR NON-REPRESENTED EMPLOYEES IN JOB TITLES IN THE POLICE BENEVOLENT ASSOCIATION BARGAINING UNIT AND FOR SPECIAL PATROL OFFICERS POLICY AND PROCEDURES

WHEREAS, in order to retain adequate staffing of Special Patrol Officers to serve as security within Madison County schools, the Sheriff has requested that the payment of overtime modified for Special Patrol Officers serving in a school district; and

WHEREAS, the Wage Rates and Fringe Benefits for Non-Represented Employees in Job Titles in the Madison County Deputy Sheriffs Police Benevolent Association and for Special Patent Officers Policy outlines the terms and conditions of employment for this group of employees in these titles; and

WHEREAS, Special Patrol Officers may be assigned to work more hours than regularly scheduled to maintain order and provide security at after-school events; and

WHEREAS, all compensation for after-school hours will be 100% reimbursed by the responsible school district; and

WHEREAS, the Sheriff and Madison County have agreed to provide Special Patrol Officers, assigned to a school, with overtime compensation in accordance with the FLSA and for any authorized hours worked in a day in excess of their regularly scheduled workday; and

WHEREAS, the Government Operations Committee recommends the terms and conditions for Special Patent Officer titles working in Madison County schools be amended; and

WHEREAS, the Government Operations Committee recommends adoption by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby adopts the Wage Rates and Fringe Benefits for Non-Represented Employees in Job Titles in the Madison County Deputy Sheriffs Police Benevolent Association and for Special Patent Officers Policy and Procedures as amended.

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 10

CREATING TWO TEMPORARY POSITIONS IN THE PLANNING & WORKFORCE DEVELOPMENT DEPARTMENT

WHEREAS, the Madison County Department of Planning & Workforce Development will operate a Workforce Innovation & Opportunity Act (WIOA) and/or Temporary Assistance for Needy Families (TANF) Summer Youth Employment Program during 2019 if funds are appropriated; and

WHEREAS, this summer program may employ up to one hundred (100) youths, ages 14-21 (age depends on the funding streams), which will require up to two (2) temporary Summer Youth Counselor positions; and

WHEREAS, the wages and fringe for the Summer Youth Counselor positions are one hundred percent (100%) federally funded under the WIOA and TANF programs; and

WHEREAS, the County Planning Director certifies that no hiring will occur until official word of appropriation is received; and

WHEREAS, the request was submitted in accordance with the vacancy review procedure and has been approved by the Planning, Economic Development, Environmental and Intergovernmental Affairs and Government Operations Committees;

NOW THEREFORE BE IT RESOLVED, that the two (2) Summer Youth Counselor positions be and hereby are created, if appropriations are received, at an hourly rate not to exceed $12.50 per hour; and

BE IT FURTHER RESOLVED, that the County Planning Director is hereby authorized to fill the positions for the period June 3, 2019 through August 10, 2019, in accordance with Civil Service Law and Rule provided appropriations are received that warrant the positions.

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 11

AUTHORIZING AN AGREEMENT WITH
LIFETIME BENEFIT SOLUTIONS
FOR SECTION 125 ADMINISTRATION SERVICES

WHEREAS, the County provides an IRS Section 125 Flexible Spending Account for its eligible employees; and

WHEREAS, the Flexible Spending Account allows employees to pay for anticipated health care, dependent care and health insurance premiums with pre-tax dollars; and

WHEREAS, in addition to the tax savings for Flexible Spending Account participants, the County, as the employer, also benefits from Social Security and Medicare (FICA) tax savings; and

WHEREAS, Lifetime Benefit Solutions has provided the County with administrative Services for the Flexible Spending Plan for fiscal year 2019 at the cost of $4.60 per participant per month;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be, and hereby is, authorized to execute an agreement, as is on file with the Clerk to the Board, with Lifetime Benefit Solutions for Section 125 administrative services for the period of January 1, 2019 through December 31, 2019.

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 12

INDICATING CERTAIN INTENT PURSUANT TO RPTL §487(9) AND DIRECTING THE MADISON COUNTY DEPARTMENT OF LAW TO ISSUE CERTAIN NOTICE TO HIGH PEAKS SOLAR

WHEREAS, the Madison County Board of Supervisors received correspondence on March 8, 2019, from High Peaks Solar, pursuant to New York State Real Property Tax Law (RPTL) § 487(9) that they intend to construct a solar energy system at 7594 Roberts Street in the Town of Lenox (the "Project"); and

WHEREAS, pursuant to RPTL § 487(9) where a county has not acted to remove the exemption under § 487, the County may require a solar energy system which meets the requirements of § 487(4) to enter into a contract for payments in lieu of taxes; and

WHEREAS, once the County has received written notification from the owner or developer of said system to construct such a system, the County then has sixty (60) days to notify in writing the developer or owner of the County’s intent to require a contract for payments in lieu of taxes;

NOW, THEREFORE, BE IT RESOLVED, that Madison County intends to require a contract for payments in lieu of taxes up to the amounts which would otherwise be payable but for the exemption under RPTL § 487 if such Project is eligible for such an exemption; and

BE IT FURTHER RESOLVED, that the Madison County Department of Law notify High Peaks Solar in writing of Madison County’s intent to require a contract for payments in lieu of taxes up to the amounts which would otherwise be payable but for the exemption under RPTL § 487 if such Project is eligible for such an exemption.

Dated: April 9, 2019

John A. Reinhardt, Chairman
Finance, Ways and Means Committee
# RESOLUTION NO. 13

AUTHORIZING THE MODIFICATION OF THE 2019 ADOPTED COUNTY BUDGET

BE IT RESOLVED, that the 2019 adopted County budget be modified as follows:

## Modification No. 1

<table>
<thead>
<tr>
<th>General Fund</th>
<th>From</th>
<th>To</th>
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<tbody>
<tr>
<td>1173 Public Defender Grant UQI &amp; CR</td>
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<tr>
<td>A117310 443914 St. Aid Indigent Legal Services</td>
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<td>$161,020</td>
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<td>Control Total</td>
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<tr>
<td>Expense</td>
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<tr>
<td>A117310 547493 ILSF UQI &amp; CR Legal Defense</td>
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<tr>
<td>A117310 540102 ILSF Equip/SW/Tel</td>
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## Modification No. 2

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<tr>
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<tr>
<td>1620 County Buildings</td>
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<tr>
<td>A162010 522015 Stake Rack Truck</td>
<td>$40,000</td>
<td>$11,721</td>
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<tr>
<td>A162010 522500 Vehicle Lease Expense</td>
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<td>28,279</td>
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<td>Control Totals</td>
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<td>$40,000</td>
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## Modification No. 3

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<tr>
<th>General Fund</th>
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<tbody>
<tr>
<td>1620 County Buildings</td>
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<tr>
<td>Expense</td>
<td></td>
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<tr>
<td>A162010 540224 COB Limestone Cleaning</td>
<td>$360,000</td>
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<td>A162010 549993 Building Improvements Reserve</td>
<td>300,000</td>
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<td>Control Totals</td>
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<td>$360,000</td>
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## Modification No. 4

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<tr>
<th>Capital Projects Fund</th>
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<tbody>
<tr>
<td>1625 Courthouse Renovation</td>
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<td>Expense</td>
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<tr>
<td>H162510 529465 NYS Courts Requested Change Orders</td>
<td>$73,191</td>
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<td>H162510 540384 Signage Expense</td>
<td>2,540</td>
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<td>H162510 544443 Construction Contingency</td>
<td>65,715</td>
<td>58,412</td>
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Modification No. 5
General Fund
3110 Sheriff's Office

Expense
A311030 522000 Vehicle Expense $554,540 $326,001
A311030 522500 Vehicle Lease Expense 0 228,539

Control Totals $554,540 $554,540

Modification No. 6
Road Machinery Fund
5130 Road Machinery Repairs & Expense

Expense
DM513050 529080 Pickup Trucks $305,000 $222,967
DM513050 522500 Vehicle Lease Expense 0 82,033

Control Totals $305,000 $305,000

Modification No. 7
Enterprise Landfill Fund
8164 Environmental Control - Landfill

Expense
EE816480 529080 Vehicle Expense $35,000 $0
EE816480 529330 Miscellaneous Equipment 30,000 $35,973
EE816480 522500 Vehicle Lease Expense 0 29,027

Control Totals $65,000 $65,000

Modification No. 8
General Fund
4010 Public Health Admin

Expense
A401040 549215 RHC/USAC Consultant Expense $0 $2,284

Control Total $2,284

Revenue
A401040 427020 RHC/USAC Telecom Refund $0 $2,284

Control Total $2,284
**Modification No. 9**  
**MH Clinic Program**  

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<tr>
<td>A430840 416204 MH VAP Award</td>
<td>$258,382</td>
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Control Total | $6,133 |

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<tr>
<th>Expense</th>
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<th>To</th>
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<tbody>
<tr>
<td>A430840 540530 Vital Access Provider Expense</td>
<td>$332,800</td>
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Control Total | $6,133 |

Net Control Total | $0 |

**Modification No. 10**  
**General Fund**  

**6010 Social Services Administration**  

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<th>Expense</th>
<th>From</th>
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<tr>
<td>A601060 522000 Vehicle Expense</td>
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<tr>
<td>A601060 522500 Vehicle Lease Expense</td>
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<td>21,109</td>
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Control Totals | $79,000 | $79,000 |

Dated: April 9, 2019

John A. Reinhardt, Chairman  
Finance, Ways and Means Committee
RESOLUTION NO. 14
ADOPTING THE RECORDS MANAGEMENT PROGRAM

WHEREAS, Resolution No. 135 adopted in 1990 by the Madison County Board of Supervisors designated the County Clerk as the Records Management Officer for Madison County; and

WHEREAS, the Records Management Officer of Madison County has, together with the Records Management Coordinator of Madison County, developed a Records Management Program to establish an inventory of records inclusive of all County departments; and

WHEREAS, the creation of department specific records management procedures and oversight will improve compliance with the CO2 retention schedule adopted by the Board of Supervisors with Resolution 137 in 1990;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Madison County do hereby adopt the Records Management Program to be administered by the Records Management Officer, assisted by the Records Management Coordinator, which will establish a Records Management Advisory Board to include all departments in the planning, drafting and execution of records management policies and procedures for each department, and that a copy of the Records Management Program is to be on file with the Clerk to the Board of Supervisors.

Dated: April 9, 2019

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John A. Reinhardt, Chairman
Finance, Ways and Means Committee
RESOLUTION NO. 15

AUTHORIZING THE MODIFICATION OF THE 2018 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2018 Adopted County budget be modified as follows:

<table>
<thead>
<tr>
<th>Modification No. 1</th>
<th>General Fund</th>
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<th>To</th>
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<tbody>
<tr>
<td>Expense</td>
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<td>Purchasing</td>
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<td>A134510 511000 Personal Services</td>
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<td>Director of Finance</td>
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<tr>
<td>A131010 511000 Personal Services</td>
<td>359,075</td>
<td>358,915</td>
<td></td>
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<tr>
<td>Sheriff’s Office Civil/Criminal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A311030 544231 Ammunition &amp; Targets</td>
<td>11,200</td>
<td>15,807</td>
<td></td>
</tr>
<tr>
<td>A311030 544250 Personnel Uniforms</td>
<td>40,080</td>
<td>35,473</td>
<td></td>
</tr>
<tr>
<td>Office of Emergency Management</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A341030 529330 Miscellaneous Equipment</td>
<td>34,250</td>
<td>34,484</td>
<td></td>
</tr>
<tr>
<td>A341030 549110 Office Supplies &amp; Expense</td>
<td>1,940</td>
<td>1,706</td>
<td></td>
</tr>
<tr>
<td>Public Health Preventive</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A401240 545220 Nursing Supplies</td>
<td>2,650</td>
<td>2,721</td>
<td></td>
</tr>
<tr>
<td>A401240 545210 Lab Supplies</td>
<td>152</td>
<td>81</td>
<td></td>
</tr>
<tr>
<td>Public Health Environmental</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A409040 542908 Rabies Supplies</td>
<td>2,500</td>
<td>4,114</td>
<td></td>
</tr>
<tr>
<td>A409040 545050 Post Exposure Rabies</td>
<td>35,083</td>
<td>33,469</td>
<td></td>
</tr>
<tr>
<td>Hospital &amp; Medical insurance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A906190 586015 Reimburse Retiree Premium</td>
<td>2,900</td>
<td>3,072</td>
<td></td>
</tr>
<tr>
<td>A906190 586030 Payment Non-Part in Health Ins</td>
<td>70,000</td>
<td>72,429</td>
<td></td>
</tr>
<tr>
<td>A906190 586110 Proact Prescription Expense</td>
<td>1,399,412</td>
<td>1,500,222</td>
<td></td>
</tr>
<tr>
<td>A906190 586060 Dental Claims Expense</td>
<td>291,406</td>
<td>256,022</td>
<td></td>
</tr>
<tr>
<td>A906190 586105 CanaRx Prescription Expense</td>
<td>15,000</td>
<td>9,000</td>
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<tr>
<td>A906190 586180 HDHP Claims Expense</td>
<td>191,193</td>
<td>173,577</td>
<td></td>
</tr>
<tr>
<td>A906190 586185 PPO Claims Expense</td>
<td>3,822,467</td>
<td>3,996,554</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$6,371,508</td>
<td>$6,590,006</td>
<td></td>
</tr>
<tr>
<td>Control Total</td>
<td>$218,498</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Hospital &amp; Medical insurance</th>
<th>Revenue</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A906190 427010 Rx Rebates</td>
<td>140,000</td>
<td>211,255</td>
<td></td>
</tr>
<tr>
<td>A906190 427090 Employee Contributions</td>
<td>1,000,000</td>
<td>1,017,784</td>
<td></td>
</tr>
<tr>
<td>A906190 427714 Dependent &amp; Cobra Charges</td>
<td>200,000</td>
<td>229,321</td>
<td></td>
</tr>
<tr>
<td>A906190 427715 Stop Loss Reimbursement</td>
<td>0</td>
<td>100,138</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$1,340,000</td>
<td>$1,558,498</td>
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</tr>
<tr>
<td>Control Total</td>
<td>$218,498</td>
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<td></td>
</tr>
</tbody>
</table>

Modification No. 2
## County Road Fund
### Maintenance of Roads & Bridges

<table>
<thead>
<tr>
<th>Expense</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>D511050 546002 Guide Rail</td>
<td>$84,412</td>
<td>$67,907</td>
</tr>
<tr>
<td>D511050 546005 Sign Blanks/Post Material</td>
<td>59,583</td>
<td>109,588</td>
</tr>
<tr>
<td>D511050 546006 Traffic Paint &amp; Material</td>
<td>231,011</td>
<td>223,957</td>
</tr>
<tr>
<td>D511050 546007 Miscellaneous Materials</td>
<td>46,280</td>
<td>46,805</td>
</tr>
<tr>
<td>D511050 546008 Culvert Pipe</td>
<td>104,000</td>
<td>119,853</td>
</tr>
</tbody>
</table>

### County Snow Removal

<table>
<thead>
<tr>
<th>Expense</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>D514250 546009 Sand &amp; Salt</td>
<td>717,629</td>
<td>759,602</td>
</tr>
<tr>
<td>D514250 546020 Stone Dust</td>
<td>65,369</td>
<td>165,686</td>
</tr>
</tbody>
</table>

Total $1,328,284 $1,493,198
Control Total $164,914

### Maintenance of Roads & Bridges

<table>
<thead>
<tr>
<th>Revenue</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>D501050 411360 Local Vehicle Use Tax</td>
<td>448,552</td>
<td>586,006</td>
</tr>
</tbody>
</table>

### County Snow Removal

<table>
<thead>
<tr>
<th>Expense</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>D514250 428076 IR Co Rd/Snow Removal</td>
<td>22,000</td>
<td>32,801</td>
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</tbody>
</table>

### State Snow Removal

<table>
<thead>
<tr>
<th>Expense</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>D514450 427010 Refund Prior Yr Rev/Exp</td>
<td>0</td>
<td>16,659</td>
</tr>
</tbody>
</table>

Total $470,552 $635,466
Control Total $164,914

### Modification No. 3

### Road Machinery Fund

### Road Machinery Repairs & Expense

<table>
<thead>
<tr>
<th>Expense</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>DM513050 546011 Steel for Sanders</td>
<td>$20,209</td>
<td>$7,400</td>
</tr>
<tr>
<td>DM513050 547160 Car Wash &amp; Tolls</td>
<td>0</td>
<td>10</td>
</tr>
<tr>
<td>DM513050 548200 Repair Parts</td>
<td>204,475</td>
<td>271,374</td>
</tr>
<tr>
<td>DM513050 548220 Fuel Oil (Diesel)</td>
<td>300,000</td>
<td>289,766</td>
</tr>
<tr>
<td>DM513050 548250 Painting of Equipment</td>
<td>11,510</td>
<td>3,257</td>
</tr>
<tr>
<td>DM513050 548300 Welding Supplies</td>
<td>10,000</td>
<td>5,601</td>
</tr>
<tr>
<td>DM513050 548350 Tools &amp; Repairs to Tools</td>
<td>7,000</td>
<td>5,786</td>
</tr>
</tbody>
</table>

Total $553,194 $583,194
Control Total $30,000

### Road Machinery Repairs & Expense

<table>
<thead>
<tr>
<th>Revenue</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>DM513050 426650 Sale of Equipment</td>
<td>90,000</td>
<td>120,000</td>
</tr>
</tbody>
</table>

Control Total $30,000

Dated: April 9, 2019

John A. Reinhardt, Chairman
Finance, Ways and Means Committee
RESOLUTION NO. 16

AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH
NTS DATA SERVICES

WHEREAS, Madison County Board of Elections maintains an agreement with NTS Data Services, Inc. of Niagara Falls, New York for the TEAM 2000 registration software system, Full Document Imaging, the eSuite system and the IMS Interface Messaging System; and

WHEREAS, NTS Data Services, Inc. offers a WorkFlow registration system to greatly improve the efficiency in processing voter registration records and absentee records;

WHEREAS, The WorkFlow system will integrate with the current registration software to ensure a clear and verifiable check on all registration and absentee input;

WHEREAS, NTS has agreed to a four year contract to be paid by the County as follows:
   On January 15, 2019 – the County shall make a payment of $4,950.00
   On January 15, 2020 – the County shall make a payment of $4,950.00
   On January 15, 2021 – the County shall make a payment of $4,950.00
   On January 15, 2022 – the County shall make a payment of $4,950.00

WHEREAS, this agreement has been reviewed and approved by the Administration and Oversight Committee and is in the Madison County Board of Elections budget:

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with NTS Data Services in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Yvonne M. Nirelli, Chairwoman
Administration and Oversight Committee
RESOLUTION NO. 17

AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH MADISON-ONEIDA BOCES
FOR BUSINESS CARD PRINTING AND OTHER PRINTING SERVICES
NOT PROVIDED BY CENTRAL SERVICES

WHEREAS, Madison County uses the Madison-Oneida BOCES printing services; and

WHEREAS, this agreement expires on April 30, 2019; and

WHEREAS, Madison County may continue to use the Madison-Oneida BOCES for any printing service that is offered that the County’s Central Services does not provide at this time; and

WHEREAS, the Administration and Oversight Committee has reviewed and recommended that Madison County continue to enter into an inter-municipal agreement with Madison-Oneida BOCES for printing services as needed that is not provided by the County’s Central Services;

NOW, THEREFORE BE IT RESOLVED, that the Madison County shall enter into an inter-municipal agreement with Madison-Oneida BOCES for a two-year term, May 1, 2019 through April 30, 2021, and

BE IT FURTHER RESOLVED that the Chairman of the Board is hereby authorized to execute the inter-municipal agreement between the County of Madison and Madison-Oneida BOCES in the form as is on file with the Clerk of the Board.

Dated: April 10, 2018

Yvonne M. Nirelli, Chairwoman
Administration and Oversight Committee
RESOLUTION NO. 18

DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS
COUNTY PERSONAL PROPERTY

WHEREAS, in accordance with the Madison County Disposal of Obsolete and/or Surplus County Personal Property Policy and Procedures, County Personal Property is required to be declared obsolete and/or surplus by the Board of Supervisors; and

WHEREAS, the current list of County personal property for the Department of Solid Waste waiting obsolete and/or surplus designation is attached;

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors declares the list of said items as obsolete and/or surplus.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DEPARTMENT</th>
<th>MILEAGE</th>
<th>CONDITION</th>
<th>DESIGNATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>SW201: 2008 Chevy Impala LS</td>
<td>Solid Waste</td>
<td>69,652</td>
<td>Fair</td>
<td>Surplus</td>
</tr>
<tr>
<td>SW206: 2000 Chevy Service Truck</td>
<td>Solid Waste</td>
<td>67,558</td>
<td>Poor</td>
<td>Surplus</td>
</tr>
<tr>
<td>SW209: 2004 Chevy C2500HD Truck</td>
<td>Solid Waste</td>
<td>152,809</td>
<td>Poor</td>
<td>Surplus</td>
</tr>
<tr>
<td>SW212: 2011 Ford Focus</td>
<td>Solid Waste</td>
<td>104,279</td>
<td>Fair</td>
<td>Surplus</td>
</tr>
<tr>
<td>SW213: 1998 Chevy 2500 2WD Truck</td>
<td>Solid Waste</td>
<td>135,668</td>
<td>Poor</td>
<td>Surplus</td>
</tr>
<tr>
<td>SW214: 2007 Ford F250 Truck</td>
<td>Solid Waste</td>
<td>155,845</td>
<td>Poor</td>
<td>Surplus</td>
</tr>
<tr>
<td>SW216: 1984 Ford F350 Truck</td>
<td>Solid Waste</td>
<td>30,626</td>
<td>Poor</td>
<td>Surplus</td>
</tr>
<tr>
<td>SW217: 2006 Ford E350 Van</td>
<td>Solid Waste</td>
<td>52,835</td>
<td>Fair</td>
<td>Surplus</td>
</tr>
</tbody>
</table>

Dated: April 9, 2019

Yvonne M. Nirelli, Chairwoman
Administration and Oversight Committee
RESOLUTION NO. 19

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY AT BUFFALO, THE STATE UNIVERSITY OF NEW YORK

WHEREAS, the University at Buffalo provides a graduate level educational program in the discipline of Public Health; and

WHEREAS, the University at Buffalo Master of Public Health program requires supervised field training experience in the areas of biostatistics, environmental health, epidemiology, health behavior and health services administration; and

WHEREAS, the Madison County Health Department staff possess the expertise to provide such supervised field training; and

WHEREAS, the University at Buffalo and Madison County Health Department have a desire to have an association for the purpose of carrying out said educational program; and

WHEREAS, the Health and Human Services Committee has reviewed the agreement and feel it is in the best interest of Madison County to enter into said agreement;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with the University at Buffalo, SUNY effective April 9, 2019 as is on file with the Clerk of the Board.

Dated: April 9, 2019

Alexander R. Stepanski, Chairman
Health and Human Services Committee
RESOLUTION NO. 20

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
CLUB O at OLCOTTS (OLCOTT HOTEL) Code Blue

WHEREAS, the Madison County Department of Social Services must provide services to the homeless under Title 18 of the NYCRR 304.1, which include establishing comprehensive regional housing and supportive service networks designed to meet the diverse needs of each subgroup within the homeless population; and

WHEREAS, the Department lacks the necessary resources to perform some of these services; and

WHEREAS, such services would benefit the County by assisting recipients of public aid and low-income residents by promoting access to quality housing and homeless services, and maximizing successful outcomes by addressing the goals of self-support and self-sufficiency; and

WHEREAS, Olcott Hotel is a community partner with a demonstrated ability to provide temporary housing services; and

WHEREAS, an average of 5 individuals per month are believed to be homeless and assisting these individuals to improve their shelter or reduce the risk of homelessness is both required and the humane action to take; and

WHEREAS, a total (100 percent) state funding of $3,600 is available through the Office of Temporary and Disability Assistance to provide these services; and

WHEREAS, Olcott Hotel has agreed to provide these services for the period of October 1, 2018 to March 31, 2019 or any time the temperature is below 32 degrees Fahrenheit, at a total cost not to exceed three thousand, six hundred dollars ($3,600) in full and final satisfaction of all services and expenses; and

WHEREAS, this agreement has been reviewed and approved by the Health and Human Services Committee;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Club O at Olcotts (Olcott Hotel), in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Alexander R. Stepanski, Chairman
Health and Human Services Committee
RESOLUTION NO. 21

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH COMMUNITY ACTION PROGRAM, INC. (Code Blue)

WHEREAS, the Madison County Department of Social must provide services to the homeless under Title 18 of the NYCRR 304.1, which include establishing comprehensive regional housing and supportive service networks designed to meet the diverse needs of each subgroup within the homeless population; and

WHEREAS, the Department lacks the necessary staff and expertise to perform some of these services; and

WHEREAS, such services would benefit the County by assisting recipients of public aid and low-income residents by promoting access to quality housing and homeless services, and maximizing successful outcomes by addressing the goals of self-support and self-sufficiency; and

WHEREAS, Community Action Program, Inc., is a community partner with a demonstrated ability to develop and implement a full-service package of services; and

WHEREAS, an average of 5 families per month are believed to be homeless and assisting these families to improve their shelter or reduce the risk of homelessness is both required and the humane action to take; and

WHEREAS, a total (100 percent) state funding of $15,000 is available through the Office of Temporary and Disability Assistance to provide these services; and

WHEREAS, Community Action Program has agreed to provide these services for the period of January 1, 2019, to June 30, 2019, at a total cost not to exceed fifteen thousand dollars ($15,000) in full and final satisfaction of all services and expenses; and

WHEREAS, this agreement has been reviewed and approved by the Health and Human Services Committee;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Community Action Program, Inc., in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Alexander R. Stepanski, Chairman
Health and Human Services Committee
RESOLUTION NO. 22

EXTENDING AN AGREEMENT WITH EMJ PREMIER SERVICES LLC

WHEREAS, Madison County entered into a contract with EMJ Premier Services LLC for temporary restroom facilities and periodic restroom maintenance at Madison County Parks; and

WHEREAS, EMJ Premier Services LLC has shown that they have the equipment and capacity to effectively and efficiently provide these services;

NOW, THEREFORE, BE IT RESOLVED, that Madison County Board of Supervisors authorize the extension of the EMJ Premier Services LLC contract from January 1, 2019 to December 31, 2019; and

BE IT FURTHER RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to sign the contract extension (a copy of which is on file with the Clerk of this Board) with EMJ Premier Services LLC.

Dated: April 9, 2019

Cliff Moses, Chairman
Planning, Economic Development,
Environmental and Intergovernmental Affairs Committee
RESOLUTION NO. 23

AUTHORIZING AN AGREEMENT WITH THE NEW YORK POWER AUTHORITY

WHEREAS, in September 2017, the New York Power Authority and the New York State Canal Corporation announced a competition to “Reimagine the Canals” as part of the New York State Canal System; and

WHEREAS, the Madison County Planning Department submitted an idea focused on designing pocket neighborhoods along the canal that take advantage of the unique historic and recreational asset; and

WHEREAS, a jury chosen by the State selected Madison County’s proposal as one of 7 finalists out of 145 proposals statewide to move forward under Phase 2 of the competition; and

WHEREAS, Madison County partnered with Stream Collaborative, an architecture and landscape architecture firm, to develop and submit the final “Canalside Pocket Neighborhood” proposal; and

WHEREAS, the “Canalside Pocket Neighborhood” submittal to the final jury was selected as a winning proposal and was awarded the $1.5 million top prize; and

WHEREAS, Madison County has worked in the intervening months to develop a detailed scope of work and contract for implementation of this transformative project;

NOW, THEREFORE, BE IT RESOLVED that Madison County Board of Supervisors hereby authorizes John M. Becker, Chairman of the Board, to enter into a contract (a copy of which is on file with the Clerk of this Board) with the New York Power Authority, for award and implementation of the “Reimagine the Canals” competition funding.

Dated: April 9, 2019

Cliff Moses, Chairman
Planning, Economic Development, Environmental and Intergovernmental Affairs Committee
RESOLUTION NO. 24
AUTHORIZING AN ECONOMIC DEVELOPMENT PAYMENT

WHEREAS, Madison County maintains an economic development loan fund to assist in job creation and job retention; and

WHEREAS, the City of Oneida, Madison County, and the Madison County IDA have been working together to create a shovel ready Elm Street Development Site on nearly 420 acres of land along the CSX rail line in the Oneida/Wampsville area; and

WHEREAS, these cooperative marketing efforts have helped to attract the "Green Empire Farms" development to this site which will bring hundreds of jobs and millions of dollars in local investment; and

WHEREAS, the extension of water and sewer to this site is critical to its success;

WHEREAS, the City of Oneida has recently committed approximately $350,000 from its loan development fund for the provision of sewer and water infrastructure to this site;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby approves the provision of $300,000 from its loan fund, in addition to $200,000 that was committed in 2014; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors authorize the Treasurer of Madison County to disperse these funds on behalf of Madison County.

Dated: April 9, 2019

Cliff Moses, Chairman
Planning, Economic Development, Environmental and Intergovernmental Affairs Committee
RESOLUTION NO. 25

AUTHORIZING APPROVAL OF THE EMS MUTUAL AID PLAN

WHEREAS, the County of Madison has a responsibility to ensure the safety and security of its citizens; and

WHEREAS, having in place an EMS Mutual Aid Plan is integral to successful Emergency Medical Care; and

WHEREAS, all participating agencies have read and accepted the proposed EMS Mutual Aid Plan; and

WHEREAS, the EMS Coordinator has developed said plan and is forwarding the plan for approval by the Board of Supervisors and to be filed with the Clerk to the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED that this plan become effective.

Dated: April 9, 2019

__________________________________________
Paul H. Walrod, Chairman
Criminal Justice, Public Safety and Emergency Communications Committee
RESOLUTION NO. 26

ENDORsing A PLAN FOR CENTRALIZED ARRAIGNMENTS IN MADISON COUNTY AND AUTHORIZING SAID PLAN TO BE SUBMITTED TO THE 6TH JUDICIAL DISTRICT FOR REVIEW AND APPROVAL UNDER JUDICIARY LAW § 212(W)

WHEREAS, the settlement of the lawsuit in the Hurrell-Harring matter has imposed certain obligations on the counties with New York State to ensure that those accused of crimes have counsel available at first arraignment; and

WHEREAS, New York State has enacted Judiciary Law § 212(w) allows the chief administrator of the Courts to adopt, after consultation with the office of indigent legal services, the appropriate local magistrates association, institutional providers of criminal defense services and other members of the criminal defense bar, local government officials, including the district attorney, and with the approval of the administrative board of the courts, a plan for the establishment of off-hours arraignment parts in select local criminal courts of a county for the conduct of arraignments and other preliminary proceedings incidental thereto as well as for arrest warrant returns in criminal cases, where the use of such parts will facilitate the availability of public defenders or assigned counsel for defendants in need of legal representation at such proceedings; and

WHEREAS, a local workgroup composed of representatives of the Madison County Magistrates Association, the Public Defenders’ Office, other members of the criminal defense bar, and local government officials, including the County Attorney, District Attorney, Sheriff, and other law enforcement has met and developed a proposed plan for bail, arraignment, and centralized arraignment in Madison County; and

WHEREAS, said plan has been reviewed and recommended for approval by the Criminal Justice Committee to the Madison County Board of Supervisors for approval to submit the same to the 6th Judicial District for final review and approval;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby approve the Madison County Proposed “Bail, Arraignment, and Centralized Arraignment Plan” dated February 22, 2019 and do further authorize the same to be forwarded to the appropriate 6th Judicial District administrators for their review and approval.

Dated: April 9, 2019

Paul H. Walrod, Chairman
Criminal Justice, Public Safety and Emergency Communications Committee
RESOLUTION NO. 27

DIRECTING THE COUNTY ATTORNEY'S OFFICE TO
DRAFT LEGISLATION TO AMEND NYS UNIFORM JUSTICE COURT ACT §106

WHEREAS, Madison County is developing a plan for a Centralized Arraignment Part in order to be in compliance with the standards set by the Hurrell-Harrinq settlement; and

WHEREAS, part of that plan entails allowing for local criminal court justices within the County of Madison to preside as the justice of their court anywhere within in the County of Madison for the purpose of arraignments and/or proceedings on bench warrants; and

WHEREAS, New York State Uniform Justice Court Act §106 outlines the powers granted to local criminal court justices in New York State; and

WHEREAS, in order to be able to enact legislation to alter New York State Uniform Justice Court Act §106, the State Legislature requires a Home Rule request; and

WHEREAS, the County Attorney's Office is the office most appropriately equipped to address the issue with the legislature;

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors directs the County Attorney's office to work with the New York State Legislature to draft legislation to amend NYS Uniform Justice Court Act §106; and

BE IT FURTHER RESOLVED, that in so far as the State is willing and able to do so, the proposed legislation should incorporate the following language:

1. Notwithstanding the provisions of subdivision one of this section, a justice of a local criminal court situated in the County of Madison may preside as the justice of his or her court anywhere in the County of Madison for the limited purposes of arraignments and/or appearance proceedings pursuant to a bench warrant, provided that such arraignments and/or proceedings are held in a courtroom wherever possible, or other suitable facility open to the public, and provided further that any municipality providing such facilities shall have consented to such usage.

Dated: April 9, 2019

Paul H. Walrod, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee
RESOLUTION NO. 28
DIRECTING THE COUNTY ATTORNEY'S OFFICE TO
DRAFT LEGISLATION TO AMEND NYS CORRECTIONS LAW §500-a

WHEREAS, Madison County is developing a plan for a Centralized Arraignment Part in order to be in compliance with the standards set by the Hurrell-Harring settlement; and

WHEREAS, part of that plan entails allowing for the pre-arraignment detention of persons under arrest at the Madison County Correctional Facility; and

WHEREAS, New York State Corrections Law §500-a is the governing statute regarding the use of jails in New York; and

WHEREAS, in order to be able to enact legislation to alter New York State Corrections Law §500-a, the State Legislature requires a Home Rule request; and

WHEREAS, the County Attorney's Office is the office most appropriately equipped to address the issue with the legislature;

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors directs the County Attorney's office to work with the New York State Legislature to draft legislation to amend NYS Corrections Law §500-a; and

BE IT FURTHER RESOLVED, that in so far as the State is willing and able to do so, the proposed legislation should incorporate the following language:

1. The Madison County Correctional Facility may also be used for the detention of persons under arrest being held for arraignment in any court located within the County of Madison.

Dated: April 9, 2019

Paul H. Walrod, Chairman
Criminal Justice, Public Safety and Emergency Communications Committee
RESOLUTION NO. 29

ADDING ADDITIONAL ELECTRICAL WORK TO THE SITE FOR
THE COUNTY EMERGENCY MANAGEMENT TRAINING FACILITY
(KNAPP ELECTRIC)

WHEREAS, additional electrical work has been identified for the fire alarm system for the Emergency Management Fire Training Center; and

WHEREAS, the original contract for site electrical services did not include a connection for the fire alarm panel via an IP connection. This electrical contractor will need to acquire the necessary equipment and provide the required labor for an IP connection of the Alarm Panel to communicate an alarm to the alarm system answering point; and

WHEREAS, the additional work includes providing a Honeywell IP Communicator for installation in the fire alarm panel and the labor required for installation; and

WHEREAS, the additional cost for this change is $1,518.00 and shall be paid from account H309830-524130 for the Fire Training Center;

NOW, THEREFORE, BE IT RESOLVED, that the following additional services be added to the existing construction contract.

Date: April 9, 2019

Paul H. Walrod, Chairman,
Criminal Justice, Public Safety and
Emergency Communications Committee
RESOLUTION NO. 30

AUTHORIZING THE CHAIRMAN TO MODIFY AND EXTEND AN AGREEMENT WITH UMR, A UNITED HEALTHCARE COMPANY

WHEREAS, the County and POMCO, Inc. entered into an agreement, for the provision of cutting costs and enhancing the efficiency in administrative and medical processing services for the period March 1, 2017 to February 28, 2018, renewing automatically for successive one (1) year terms unless terminated by either party; which Agreement was authorized by Resolution No. 191-17; and

WHEREAS, POMCO Inc., is now operating under the UMR brand; and

WHEREAS, the parties hereto are desirous of entering into an annual extension; and

WHEREAS, the extension shall continue until December 31, 2019; and

WHEREAS, all of the other terms, conditions and provisions of the Agreement, shall remain unchanged and in full force and effect; and

WHEREAS, this modification and extension has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to extend to the agreement with UMR, a United Healthcare Company, as is on file with the Clerk of the Board of Supervisors.

Dated: April 9, 2019

Paul H. Walrod, Chairman
Criminal Justice, Public Safety and Emergency Communications Committee
RESOLUTION NO. 31

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN EXTENSION FOR AN AGREEMENT WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR A ONE-YEAR DISTRIBUTION (GRANT No. 2)

WHEREAS, the County of Madison by Resolution 251-12 dated August 14, 2012, entered into an agreement with the New York State Office of Indigent Legal Services for a Three-Year Distribution for 2012-2015; and

WHEREAS, the Madison County Public Defender’s office did not utilize all the funds in this grant in the time given by the New York State Office of Indigent Legal Services; and

WHEREAS, the New York State Office of Indigent Legal Services has agreed to a twelve (12) month extension of this grant so that these funds can be utilized; and

WHEREAS, the amount of funds available are $16,792.94 and are to be used to fund legal defense services and equipment; and

WHEREAS, the County shall be reimbursed only for costs actually incurred in accordance with this Agreement. Payments shall be made in arrears on a quarterly basis and shall be processed upon submission by the County and approval by the NYS Office in Indigent Legal Services of appropriate statements and vouchers; and

WHEREAS, this agreement has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an extension agreement on behalf of the County of Madison with the NYS Office of Indigent Legal Services, in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Paul H. Walrod, Chairman
Criminal Justice, Public Safety and Emergency Communications Committee
RESOLUTION NO. 32

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
SUIT-KOTE CORPORATION

WHEREAS, sealed bids were opened on March 7, 2019 for 2019 Cold In-Place Recycling at various sites in Madison County, Bid 1910, and reviewed by the Highway Buildings and Grounds Committee on March 25, 2019, and

WHEREAS, the low bid meeting specifications is as follows;

Suit-Kote Corporation Award all Items 1 through 16

WHEREAS, the cost for services has been appropriated in the 2019 County Road Fund Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors, be and is hereby authorized to enter into an Agreement on behalf of the County of Madison with Suit-Kote Corporation, in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 33

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
ALL IN HIGHWAY SERVICES LLC

WHEREAS, sealed bids were opened on March 21, 2019 for Guide Rail Installation Services, Bid 1914, and reviewed by the Highway Buildings and Grounds Committee on March 25, 2019, and

WHEREAS, the low bid meeting specifications is as follows;

All In Highway Services LLC Per Hour Cost $234.00

WHEREAS, the cost for services has been appropriated in the 2019 County Road Fund Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors, be and is hereby authorized to enter into an Agreement on behalf of the County of Madison with All In Highway Services LLC in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 34

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH COUNTERTOPS & CABINETS INC.

WHEREAS, Madison County is in need of professional services with regard to restrooms renovations within the Health & Human Services Building; and

WHEREAS, Countertops & Cabinets Inc. as the apparent lowest responsible bidder possess the special skills and training to perform the services required, and

WHEREAS, Countertops & Cabinets Inc. has agreed to perform these services for a total amount of $11,775 with services to commence April 9, 2019 and ending April 8, 2020; and

WHEREAS, the costs for these services have been appropriated within the 2019 adopted county budget; and

WHEREAS, the Highway, Buildings and Grounds Committee have reviewed and recommends entering into a contract with Countertops & Cabinets Inc. for this service;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Countertops & Cabinets Inc., a copy of which is on file with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 35

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
KING & KING ARCHITECTS

WHEREAS, Madison County is in need of professional design services with regard to the Veteran's Building Basement for a centralized holding cell area and office space; and

WHEREAS, King & King Architects with previous work performed for Madison County possess the special skills and training to perform the services required, and

WHEREAS, King & King Architects has agreed to perform these services for a total amount of $13,400 with services to commence April 9, 2019 and ending April 8, 2020; and

WHEREAS, the costs for these services have been appropriated within the 2019 adopted county budget; and

WHEREAS, the Highway, Buildings and Grounds Committee have reviewed and recommends entering into a contract with King & King Architects for this service;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with King & King Architects. A copy of which is on file with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 36

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ARGUS ENGINEERING, PLLC

WHEREAS, Madison County is in need of professional design services with regard to the necessary Informational Technology (IT) upgrades within the Public Safety Building; and

WHEREAS, Argus Engineering, PLLC with previous work performed for Madison County possess the special skills and training to perform the services required, and

WHEREAS, Argus Engineering, PLLC has agreed to perform these services for a total amount of $14,800 with services to commence April 9, 2019 and ending April 8, 2020; and

WHEREAS, the costs for these services have been appropriated within the 2019 adopted county budget; and

WHEREAS, the Highway, Buildings and Grounds Committee have reviewed and recommends entering into a contract with Argus Engineering, PLLC for this service;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Argus Engineering, PLLC. A copy of which is on file with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 37

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH STOCKYARD BBQ TO PROVIDE A FOOD TRUCK ONSITE AT THE HIGHWAY DEPARTMENT DURING SAFETY TRAINING DAYS

WHEREAS, the Highway Buildings and Grounds Committee met on March 25, 2019 and authorized entering into an agreement with Stockyard BBQ to provide a food truck onsite at the Highway Department; and

WHEREAS, Stockyard BBQ food truck will be serving onsite at the Highway Department in Wampsville for a safety training day on April 16, 2019; and

WHEREAS, the food truck will be providing lunch for Madison County Highway Department Employees as well as for Madison County Town Highway Employees; and

WHEREAS, the cost for lunch will be covered by the Town Highway Superintendents Association;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an Agreement on behalf of the County of Madison with Stockyard BBQ, in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 38

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH J & J CONSTRUCTION AND RIGGING INC. FOR CRANE SERVICES FOR THE CAREY ROAD BRIDGE PROJECT

WHEREAS, written quotes were received for crane services for the Carey Road Bridge Project, Bid 1901, and reviewed by the Highway Buildings and Grounds Committee on March 25, 2019, and

WHEREAS, the low price for services is as follows;

J & J Construction and Rigging Inc. $6,200.00

WHEREAS, the above cost includes setting concrete beams for the Carey Road Bridge;

WHEREAS, the cost for services has been appropriated in the 2019 County Road Fund Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an Agreement on behalf of the County of Madison with J&J Construction and Rigging Inc., in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 39

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT
WITH KINSLEY POWER SYSTEMS

WHEREAS, Madison County entered into an agreement (Res#18-217) with Kinsley Power Systems for full preventative maintenance and repair services for all Madison County generators; and

WHEREAS, said agreement for professional services expires May 7, 2019; and

WHEREAS, the County would like to renew said agreement with Kinsley Power Systems for 2 years, with no increase to annual cost of $10,870, commencing May 8, 2019 and ending May 7, 2021, and

WHEREAS, the Highway, Buildings and Grounds Committee have reviewed the modified agreement and recommends extending said agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to extend the current Agreement with Kinsley Power Systems Accordingly, a copy of said Agreement is filed with the Clerk of the Board.

Dated: April 9, 2019

[Signature]
Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 40

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH JOHNSON CONTROLS

WHEREAS, the County has installed and maintains a variety of fire safety equipment (fire alarm panels, alarm equipment and sprinklers) throughout various Madison County Buildings; and

WHEREAS, Madison County entered into an agreement (Res#79-16) with Johnson Controls (Simplexgrinnell) for sprinkler inspection services, semi-annual fire alarm panel checks, peripheral testing and per-diem repair services; and

WHEREAS, it is necessary at this time to renew the agreements with Johnson Controls; and

WHEREAS, the agreement for quarterly sprinkler inspection services is for three (3) years, commencing March 1, 2019, and expiring on February 28, 2022, at a total annual cost of $850 per year; and the agreement for semi-annual fire alarm panel checks and annual peripheral testing is for three (3) years, commencing May 1, 2019, and expiring on April 30, 2022, at a total annual cost of $8,862; and

WHEREAS, the quote for these services is priced below New York State Contract PT63104, Group 77201, Award 20191; and

WHEREAS, there are no escalation clauses over the term of the agreement; and

WHEREAS, the County Buildings & Grounds Committee has reviewed the renewal and recommend that the renewal be accepted;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and hereby is authorized to renew the agreement with Johnson Controls, a copy of which is on file with the Clerk of the Board of Supervisors.

Dated: April 9, 2019

_____________________________________
Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 41

AWARDING BID 19.11 AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR COUNTY OFFICE BUILDING LIMESTONE CLEANING

WHEREAS, sealed bids were received and opened on March 14, 2019 for County office Building Limestone Cleaning (BID #19.11); and

WHEREAS, all bids have been canvassed and reviewed and it is the recommendation for the bid award to the lowest responsible bidder; and

WHEREAS, the Highway, Buildings and Grounds Committee has reviewed and recommends moving forward with entering into the contract for the performance of this work;

NOW, THEREFORE, BE IT RESOLVED, the County accepts the following bid for the work heretofore described, to wit:

Bid Ref. No. 19:11: County Office Building Limestone Cleaning

Driscoll Masonry Restoration Co. Inc.
4562 Jordan Rd.
Skaneateles Falls, NY 13153

Total Lump Sum: $65,850

BE IT FURTHER RESOLVED, that, upon receipt of all contract documents, the Chairman be and hereby is authorized to enter into said contract, copies of which are on file with the clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 42

AWARDING BID 19.12 AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR PSB SHOWER RENOVATIONS

WHEREAS, sealed bids were received and opened on March 21, 2019 for Public Safety Building Shower Renovation (BID #19.12); and

WHEREAS, all bids have been canvassed and reviewed and it is the recommendation for the bid award to the lowest responsible bidder; and

WHEREAS, the Highway, Buildings and Grounds Committee has reviewed and recommends moving forward with entering into the contract for the performance of this work;

NOW, THEREFORE, BE IT RESOLVED, the County accepts the following bid for the work heretofore described, to wit:

Bid Ref. No. 19:12: Public Safety Building Shower Renovations

Debrucque Equipment Company LLC
3 Technology Blvd.
Canastota, NY 13032

Total Lump Sum: $49,600

BE IT FURTHER RESOLVED, that, upon receipt of all contract documents, the Chairman be and hereby is authorized to enter into said contract, copies of which are on file with the clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings and Grounds Committee
RESOLUTION NO. 43

AUTHORIZING CHAIRMAN TO MODIFY AN AGREEMENT WITH SI TECHNOLOGIES INC d/b/a SECURITY INTEGRATIONS

WHEREAS, Madison County entered into an agreement (Res#18-302) with SI Technologies, Inc. d/b/a Security Integrations for security card system access within the newly renovated Madison County Courthouse; and

WHEREAS, additional areas for the card access systems have been identified as necessary by New York State; and

WHEREAS, the County would like to amend the current agreement with Security Integrations to include the additional identified areas at a total additional cost of $1,736.52, with 100% of the cost reimbursed by New York State, and

WHEREAS, the Buildings and Grounds Committee has reviewed the modified agreement and recommend that the agreement be accepted;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to modify and agreement with SI Technologies, Inc. d/b/a Security Integrations, 100% fully reimbursed by New York State. Accordingly, a copy of said Agreement is filed with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings & Grounds Committee
RESOLUTION NO. 44

AUTHORIZING MODIFICATION OF AGREEMENT WITH
KNAPP ELECTRIC, INC.

WHEREAS, Madison County has engaged Knapp Electric, Inc. for professional electrical services for the County Emergency Management Training Facility; and

WHEREAS, additional professional electrical services are needed for a change order request for the equipment and installation of a fire alarm panel via IP connection at the County Emergency Management Training Facility; and

WHEREAS, Knapp Electric, Inc. has determined the cost for the additional electrical services is $1,518.00; and

WHEREAS, the County would like to modify the current agreement with Knapp Electric, Inc. to add the additional professional electrical services and increase the total sum $1,518; and

WHEREAS, the funds for this change order have been appropriated within the 2019 county adopted budget; and

WHEREAS, the Buildings and Grounds Committee have reviewed the modified agreement and recommend that the modified agreement be accepted;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to modify the current Agreement with Knapp Electric, Inc. Accordingly, a copy of said Agreement is filed with the Clerk of the Board.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings & Grounds Committee
RESOLUTION NO. 45

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN ENTERPRISE AGREEMENT WITH DAY AUTOMATION

WHEREAS, Madison County has the need to install a video surveillance system to monitor exterior doors and parking lots in and around county office buildings; and

WHEREAS, a system that is expandable and has the capabilities to integrate with our access control system is desired; and

WHEREAS, the Information Technology and Building Maintenance departments recommend using Day Automation as the installers and integrators of this system at a cost not to exceed $150,000.00; and

WHEREAS, funds for this project have been allocated,

NOW, THEREFORE BE IT RESOLVED, that the Chairman be and hereby is authorized to execute the contracts with Day Automation on behalf of the County, in the form as is on file with the Clerk of the Board.

Dated: April 9, 2019

Daniel S. Degear, Chairman
Government Operations Committee
RESOLUTION NO. 46

AUTHORIZING THE MODIFICATION OF THE 2019 ADOPTED COUNTY BUDGET

BE IT RESOLVED, that the 2019 Adopted County Budget be modified as follows:

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</tbody>
</table>

Dated: April 9, 2019

John A. Reinhardt, Chairman
Finance, Ways & Means Committee
RESOLUTION NO. 47

ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 1 FOR THE YEAR 2019 AND CALLING FOR A PUBLIC HEARING

WHEREAS, Supervisor Bono has duly introduced proposed Local Law No. 1 for the year 2019, entitled "A LOCAL LAW PROVIDING FOR THE CREATION OF THE OFFICE OF THE MADISON COUNTY CODE ENFORCEMENT OFFICER REGARDING THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND NEW YORK STATE ENERGY CONSERVATION CODE FOR ALL BUILDINGS AND FACILITIES OWNED BY MADISON COUNTY"; and

WHEREAS, a copy of said proposed local law has been furnished to each Supervisor;

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held on the proposed Local Law in the Chambers of the Board of Supervisors at the Madison County Office Building on May 14, 2019 at 2:15 p.m.; and

BE IT FURTHER RESOLVED, that the Clerk of the Board duly publish a notice of this hearing in the official newspapers of the County at least five days prior to the scheduled hearing date.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings & Grounds Committee

This local law provides for the creation of the Office of the Madison County Code Enforcement Officer and for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) by the Madison County Code Enforcement Officer for all buildings and facilities owned by Madison County only. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law and pursuant to the Madison County’s statutory and police powers to regulate its own property and affairs. Except as otherwise provided in the NYS Uniform Building and Fire Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, owned by the county are subject to the provisions this local law.

SECTION 2. DEFINITIONS

In this local law the following terms shall have the following meaning:

"Building" shall mean any and all buildings, structures or premises owned by the Madison County.

"Building Permit" shall mean a permit issued pursuant to section 4 of this local law. The term Building Permit shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Certificate of Occupancy/Certificate of Compliance" shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Compliance Order" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 14 of this local law.

"County" shall mean Madison County, a municipal corporation of the State of New York.

"Energy Code" shall mean the New York State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

"Inspector" shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

"Operating Permit" shall mean a permit issued pursuant to section 9 of this local law. The term Operating Permit shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.
"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Temporary Certificate" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. COUNTY CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The Office of Code Enforcement Officer of Madison County is hereby established. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law with respect to all buildings, structures and premises owned by Madison County only. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications with respect to buildings, structures and premises owned by Madison County;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates and Operating Permits, and to include in Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate with respect to buildings, structures and premises owned by Madison County;

(3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy / Certificates of Compliance, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law with respect to buildings, structures and premises owned by Madison County;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 14 (Violations) of this local law;

(7) to keep and maintain records;

(8) to collect fees as set by the Madison County Board of Supervisors which shall be remitted to the Madison County Treasurer upon receipt;

(9) to pursue administrative enforcement actions and proceedings regarding the Uniform Code, the Energy Code and this enactment;

(10) in consultation with the Madison County Attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and
(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be the duly appointed Madison County Fire Coordinator and the duties hereunder shall be in addition to his or her duties as Madison County Fire Coordinator. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, a qualified individual and resident of Madison County shall be appointed by the Madison County Board of Supervisors to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law. Any such Acting Code Enforcement Officer shall have or promptly obtain as provided for by law New York State Code Enforcement certification.

(d) One or more Inspectors may be appointed by the Code Enforcement Officer within the limits of his or her appropriation from the Madison County Board of Supervisors, to serve at the pleasure of the Code Enforcement Officer, to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(e) The compensation for the Code Enforcement Officer and Inspectors, if any, shall be fixed from time to time by the Madison County Board of Supervisors.

SECTION 4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, demolition, or the extension of electrical, plumbing or HVAC systems of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) Construction or installation of one story detached structures associated with one- or two-family dwelling or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters) relative to buildings, structures and premises owned by Madison County;

(2) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) relative to buildings, structures and premises owned by Madison County;
(3) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground relative to buildings, structures and premises owned by Madison County;

(4) Installation of fences which are not a part of an enclosure surrounding a swimming pool relative to buildings, structures and premises owned by Madison County including snow fences;

(5) Construction of retaining walls unless such walls support a surcharge or impound class I, II or IIIA liquids relative to buildings, structures and premises owned by Madison County;

(6) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses) relative to buildings, structures and premises owned by Madison County;

(7) Installation of partitions or movable cases less than five (5) feet, nine (9) inches (5'-9'”) in height relative to buildings, structures and premises owned by Madison County;

(8) Painting, wallpapering, tiling, carpeting, or other similar finish work relative to buildings, structures and premises owned by Madison County;

(9) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances relative to buildings, structures and premises owned by Madison County;

(10) Replacement of any equipment provided the replacement does not alter the equipment’s listing or render it inconsistent with the equipment’s original specifications relative to buildings, structures and premises owned by Madison County; and

(11) Repairs, provided that such repairs do not involve (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component, (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time relative to buildings, structures and premises owned by Madison County.

c  Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

d  Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) A description of the proposed work;

(2) The tax map number and the street address of the premises where the work is to be performed;
(3) The occupancy classification of any affected building or structure;

(4) Where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) At least 2 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire 12 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable
provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit. Building Permits requested by Madison County shall be exempt from any Fees hereunder.

SECTION 5. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

(1) work site prior to the issuance of a Building Permit;
(2) footing and foundation;
(3) preparation for concrete slab;
(4) framing;
(5) building systems, including underground and rough-in;
(6) fire resistant construction;
(7) fire resistant penetrations;
(8) solid fuel burning heating appliances, chimneys, flues or gas vents;
(9) Energy Code compliance; and
(10) a final inspection after all work authorized by the Building Permit has been completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, re-inspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section. Inspections requested by Madison County shall be exempt from any Fees hereunder.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:
(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by [registered mail / certified mail]. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by [registered mail / certified mail]; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 14 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. CERTIFICATES OF OCCUPANCY/ CERTIFICATES OF COMPLIANCE

(a) Certificates of Occupancy / Certificates of Compliance required. A Certificate of Occupancy / Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy / Certificate of Compliance.

(b) Issuance of Certificates of Occupancy / Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy / Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an
Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy / Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy / Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy / Certificate of Compliance:

(1) a written statement of structural observations and/or a final report of special inspections, and
(2) flood hazard certifications.

(c) Contents of Certificates of Occupancy / Certificates of Compliance. A Certificate of Occupancy / Certificate of Compliance shall contain the following information:

(1) the Building Permit number, if any;
(2) the date of issuance of the Building Permit, if any;
(3) the name, address and tax map number of the property;
(4) if the Certificate of Occupancy / Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy / Certificate of Compliance is issued;
(5) the use and occupancy classification of the structure;
(6) the type of construction of the structure;
(7) the assembly occupant load of the structure, if any;
(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;
(9) any special conditions imposed in connection with the issuance of the Building Permit; and
(10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy / Certificate of Compliance and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the
Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy / Certificate of Compliance or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy / Certificate of Compliance or for Temporary Certificate. Certificates of Occupancy or Compliance requested by Madison County shall be exempt from any Fees hereunder.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing fire fighting services for a property covered by this local law within this County shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent, any fire the origin of which has been traced to the electrical system of any buildings or structures, and any emergency response involving carbon monoxide detector activation.

SECTION 9. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled Fire Code of New York State and incorporated by reference in 19 NYCRR section 1225.1, as amended;

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Madison County Board of Supervisors;

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify
conformance, such tests or reports shall be performed or provided by such person or persons as may be
designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement
Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of
this section is to be conducted at a location, the Code Enforcement Officer may require a separate
Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion,
issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to
exceed one year in the case of any Operating Permit issued for an area of public assembly and not to
exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be
consistent with local conditions. The effective period of each Operating Permit shall be specified in the
Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code
Enforcement Officer, payment of the applicable fee, and approval of such application by the Code
Enforcement Officer.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that
any activity or building for which an Operating Permit was issued does not comply with any applicable
 provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15
(Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for
an amended Operating Permit, or for reissue or renewal of an Operating Permit. Permits requested by
Madison County shall be exempt from any Fee hereunder.

SECTION 10. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS FOR ALL
BUILDINGS, STRUCTURES AND PREMISES OWNED OR USED BY MADISON COUNTY

(a) Inspections required. Fire safety and property maintenance inspections of buildings and
structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code
Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures which contain
an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being
occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety and property maintenance inspections of all multiple dwellings not included in
paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and
occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least
once every thirty-six (36) months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a
fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any
dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the
Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such
owner;
(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) Fee. The fee specified in or determined in accordance with the provisions set forth in section 15 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. Fire Safety and Property Maintenance Inspections requested by Madison County shall be exempt from any fees hereunder.

SECTION 11. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 14 (Violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 12. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy / Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;
(6) all complaints received;

(7) all investigations conducted;

(8) all other features and activities specified in or contemplated by sections 4 through 12, inclusive, of this local law, including; and

(9) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 13. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to the Madison County Board of Supervisors a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 12 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of the county, on a form prescribed by the Secretary of State, a report of the activities of this county relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this county is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this county in connection with administration and enforcement of the Uniform Code.

SECTION 14. VIOLATIONS

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Compliance Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are public servants authorized to issue appearance tickets for any violation of the Uniform Code.
(c) Civil Penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy / Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than $200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of Madison County.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of Madison County, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy / Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of Madison County, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Madison County Board of Supervisors.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 381 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 381 of the Executive Law.

SECTION 15. FEES

A fee schedule shall be established by resolution of the Madison County Board of Supervisors. Such fee schedule may thereafter be amended, from time to time, by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of occupancy / Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law unless otherwise specifically exempted herein.

SECTION 16. INTER-MUNICIPAL AGREEMENTS

Madison County may, by resolution, authorize the Code Enforcement Officer of Madison County, to enter into an agreement, in the name of Madison County, with other governments to carry out the
terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 17. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 18. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.
RESOLUTION NO. 48

RESOLUTION AND ORDER OF

THE MADISON COUNTY BOARD OF SUPERVISORS

TO APPROVE THE FORMATION OF THE CLOCKVILLE WATER DISTRICT NO. 1
PURSUANT TO ARTICLE 5-a OF THE COUNTY LAW

Subject to Permissive Referendum

Supervisor ___________ moved and Supervisor ___________ seconded the following resolution.

WHEREAS, the Madison County Board of Supervisors (the “Board of Supervisors”), in the County of Madison, State of New York, has received a petition, dated February 13, 2019, from the Town of Lincoln, and a petition, dated February 12, 2019 from the Town of Lenox (which petitions were filed with the Madison County Clerk on or about February 20, 2019), pursuant to Article 5-a of the County Law, for the establishment and formation of the Clockville Water District No. 1, which petitions are signed by the Chief Executive Officers (i.e. the Supervisors) of the Towns of Lincoln and Lenox, respectively, on behalf said Towns and the areas which are situated within the proposed Clockville Water District No. 1; and

WHEREAS, said petitions describe the boundaries of the proposed Clockville Water District No. 1 in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the Petitioners and acknowledged or proved in the same manner as a deed to be recorded; and

WHEREAS, the proposed Clockville Water District No. 1 is bounded and described in the attached Schedule “A”; and
WHEREAS, also attached to the petitions is a Map, Plan and Report, dated July 2017, revised January 2019, prepared by Barton & Loguidice, competent engineers duly licensed by the State of New York, for the proposed Clockville Water District No. 1, and the construction of water facilities therein, consisting generally of water service connection to existing 8-inch water mains for residents along Oxbow Road, Old County Road, and Timmerman Road and will include the installation of new 8-inch water mains and services in the vicinity of Nelson Place, Nelson Road, Knolls Avenue, Cottons Road, Pavone Place, and Old County Road and will further consist of (1) connection to OCWA’s existing water system via the 8-inch ductile iron water main along Old County Road in the Town of Lenox and Seneca Turnpike in the Town of Lincoln; (2) the installation of approximately 23,700 linear feet of 8-inch diameter Class 50 ductile iron water main; (3) the installation of approximately 32 mainline valves, generally spaced at 800-foot intervals; (4) the installation of 42 hydrants, generally spaced at 600-foot intervals; and (5) the installation of approximately 169 water services for developed parcels extending from the water main to the highway right-of-way boundary, all as more fully set forth in the map, plan and report, which is on file in the Office of the County Clerk and is further available at the Town Offices of the Towns of Lincoln located at 3849 Timmerman Rd Canastota, NY 13032 and Lenox located at 205 South Peterboro Street Canastota, NY 13032; and

WHEREAS, the maximum amount proposed to be expended for the construction of the water improvements is estimated to be Two Million Three Hundred One Thousand and 00/100 Dollars ($2,301,000.00) and the plan of financing includes the issuance of bonds of the County to finance said cost and assessment, levy and collection of special assessments from the several lots and parcels of land within the Clockville Water District No. 1, which the Board of
Supervisors shall determine and specify to be especially benefitted thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, all as shown on the attached financing plan (Schedule “B”) as set forth in said Map, Plan and Report; and

WHEREAS, the estimated cost of the Clockville Water District No. 1 improvements to the “typical property” is Nine Hundred Sixty Five and 00/100 Dollars ($965.00) (taking into account the capital/debt service, operation and maintenance, water use, user fees and county fees), annually; and that the Board of Supervisors has heretofore caused to be prepared and filed for public inspection with the County Clerk, a detailed explanation of how such estimates were computed; and

WHEREAS, the estimate cost of the Clockville Water District No. 1 improvements to the “typical two-family home” is One Thousand Nine Hundred Thirty and 00/100 Dollars ($1,930.00)(taking into account the capital/debt service, operation and maintenance, water use, user fees and county fees); and

WHEREAS, the estimated cost of hook-up fees to the typical property in said Clockville Water District No. 1 is Two Thousand Eight Hundred and 00/100 Dollars ($2,800.00); and

WHEREAS, all future costs and expenses of operation, maintenance and improvements, in said Clockville Water District No. 1, including all expenses related to all extensions of said District which may thereafter be established, shall be a charge against the entire area of said District; and
WHEREAS, the Board of Supervisors has heretofore caused to be prepared and filed for public inspection with the County Clerk a detailed explanation of how such estimates were computed; and

WHEREAS, a Public Hearing Order and Resolution was adopted by the Board of Supervisors on March 12, 2018 for the hearing of all persons interested in this matter at a meeting of the Board of Supervisors held at the at the Chambers of the Board of Supervisors at the Madison County Office Building located at 138 N Court Street Wampsville, NY 13163, on April 9, 2019 at 2:00 p.m., to consider the establishment and formation of the Clockville Water District No. 1 herein referred to and the construction of such water improvements therein, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Board of Supervisors with relation thereto as may be required by law; and

WHEREAS, it was previously determined by the Board of Supervisors for purposes of the State Environmental Quality Review Act ("SEQRA") that:

1. The action is a Type I Action for purposes of SEQRA;

2. The Madison County Board of Supervisors shall act as lead agency;

3. New York State Department of Health; New York State Department of Agriculture & Markets; New York State Department of Environmental Conservation - Region 7; New York State Office of Parks, Recreation and Historic Preservation; New York State Department of Transportation (Region 2); Madison County Health Department; Madison County Highway Department; Onondaga County Water Authority (OCWA); Town of Lenox; Town of Lenox Highway Department; Town of Lincoln; Town of Lincoln Highway Department; Oneida Indian Nation; and Barton & Loguidice, D.P.C.; have been found to be involved and/or interested agencies in connection with the SEQRA review;

4. A Full Environmental Assessment Form was completed to provide information with regard to the environmental issues pertinent therein; and it is further
WHEREAS, the Board of Supervisors has given due consideration to the impact that such formation of the Clockville Water District No. 1 may have on the environment and on the basis of such consideration, the Board of Supervisors will hereby determine the environmental impact, if any, to be caused by such construction under SEQRA.

NOW THEREFORE, BE IT RESOLVED AND ORDERED, that that the Madison County Board of Supervisors hereby determines that the proposed action will not have a significant adverse effect on the environment and this resolution hereby adopts a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, et seq. for the reasons contained herein:

1. **Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects:** The Project will not create any adverse changes in the existing air quality, water quality or noise levels, nor in solid waste production, nor create potential for erosion, promote flooding or drainage problems. The Project will produce minimal disturbance of soil and vegetation, with minimal storm run-off. Such impacts will be temporary in nature and will be mitigated through the utilization of appropriate erosion control and construction measures. The Project will provide a positive impact on water supply and quality, as well as fire prevention and response. Disturbances will be limited to the area of installation of the water lines and associated appurtenances and will be confined to existing rights-of-way, when available.

2. **Aesthetics, Agriculture, Archeology, History, Natural or Cultural Resource, Community or Neighborhood Character:** The Project will not result in significant adverse impacts to agricultural, archeological, historical, natural or cultural resources. There are agricultural properties within the proposed Water District, and water main installation within road right of ways may temporarily disturb agricultural lands, but no permanent impacts to these resources will result from the project. The Project involves a provision of service which must be located as and where necessary to provide potable water to the affected areas. Further, there have been no identified archeologically or culturally sensitive areas where prior disturbance has not occurred.

3. **Vegetation, fish, Wildlife, Significant, Habitats, Threatened or Endangered Species:** The proposed action is likely to have a small impact on the local flora and fauna. Several threatened and endangered animal and plant species were reported to occur in or near the area which would
be negatively affected by this action. All efforts will be made to reduce or eliminate the impact by limiting clearing and following all Federal and State guidelines related to ecological impacts and review processes. The project is not anticipated to result in a substantial adverse impact to threatened or endangered species or their habitat.

4. **Community Plans, Use of Land or Natural Resources:** The proposed Project is not adverse to any official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.

5. **Growth, Subsequent Development, etc.:** The Project will not induce any significant or adverse growth or subsequent development. While some development may occur because of the introduction of a more stable water supply, it is not anticipated to be in such numbers as to threaten the environment.

6. **Long-Term, Short-Term, Cumulative or Other Effects:** The Project will not have any significant negative adverse long-term, short-term, cumulative, or other environmental effects.

7. **Critical Environmental Area:** The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, Subdivision 617.14(g) as no such CEAs have been created in the project areas; and it is further

**RESOLVED AND ORDERED,** that pursuant to Article 5-a of the County Law, the Madison County Board of Supervisors hereby determines that:

1. The Public Hearing Order and Resolution was duly published and posted as required by law, and is otherwise sufficient;

2. The Petitions aforesaid are signed and acknowledged or proved as required by law and duly comply with the requirements of Article 5-a of the County Law as to sufficiency of signers and are otherwise sufficient;

3. All the property and property owners within the District are benefitted thereby;

4. All the property and property owners benefitted are included within the limits of the District;

5. It is in the public interest to establish and form the District; and be it further

**RESOLVED AND ORDERED,** that the establishment of the proposed District, as set forth in the Map, Plan and Report, be approved as set forth herein; that the District herein above
referred to shall be constructed at a cost not to exceed Two Million Three Hundred One Thousand and 00/100 Dollars ($2,301,000.00); with an estimated cost of the District to the “typical property” of Nine Hundred Sixty Five and 00/100 Dollars ($965.00) (taking into account the capital/debt service, operation and maintenance, water use, user fees and county fees), annually; and an estimated cost of the District to the “Typical Two-Family Home” of One Thousand Nine Hundred Thirty and 00/100 Dollars ($1,930), annually; which costs will be financed as more particularly described in the financing plan on file with the Madison County Clerk and the Clerks of the Towns of Lincoln and Lenox; with hook-up costs estimated to be Two Thousand Eight Hundred and 00/100 Dollars ($2,800.00); which District shall be bounded and described as set forth in Schedule “A” attached hereto and made part hereof; and it is further

RESOLVED AND ORDERED, that Madison County Clerk be and hereby is authorized and directed, on behalf of said County, to file and record certified copies of this resolution and such other documents or instruments as may be required by law; and it is further

RESOLVED AND ORDERED, that the County’s legal counsel distribute and publish the Negative Declaration pursuant to the requirements of 6 N.Y.C.R.R., Part 617; and it is further

RESOLVED AND ORDERED, that the construction said water facilities within the District and the formation of the District shall be subject to approval of the New York State Comptroller as required by the County Law; and it is further

RESOLVED AND ORDERED, this Resolution and Order is subject to a permissive referendum as provided in Article 5-a, Section 257 of the County Law.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings & Grounds Committee
CERTIFICATE

STATE OF NEW YORK  
COUNTY OF MADISON  

I, the undersigned Clerk of Madison County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County on April ___, 2019.

HON. Michael Keville
Madison County Clerk

(SEAL)
CERTIFICATE

STATE OF NEW YORK    )
COUNTY OF MADISON    )

I, the undersigned Clerk of the Madison County Board of Supervisors, New York, DO
HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in my
office, and that the same is a true and correct copy of said original and of the whole of said
original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting
and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the
general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said
County on April ___, 2019.

HON. Cindy Urtz
Clerk of the Madison County Board of Supervisors

(SEAL)
SCHEDULE "A"

Boundary Description

Clockville Water District No. 1
Madison County, New York

The Madison County Clockville Water District No. 1, situated in the Hamlet of Clockville, Madison County, New York, being more particularly described as follows:

Commencing at a Point of Beginning (1), said Point being on the northwestern property corner of Parcel 44.-2-19.1; thence proceeding easterly along the boundary of Parcel 44.-2-19.1 to the property corner of said property; thence continuing southerly along the boundary of Parcel 44.-2-19.1 to the property corner of said Parcel; thence continuing westerly along the boundary of Parcel 44.-2-19.1 to the property corner of said Parcel; thence proceeding to the north and east along the boundary line of Parcel 44.-2-19.1 to a point where this property boundary meets the Right-of-Way (ROW) boundary for Oxbow Road; thence proceeding southerly along said ROW boundary for Oxbow Road to the northwestern property corner of Parcel 44.-2-21; thence proceeding easterly along the boundary of Parcel 44.-2-21 to the property corner of said Parcel; thence proceeding southerly along the boundary of Parcel 44.-2-21 to the property corner of said Parcel; thence proceeding easterly along the projection of the northerly boundary of Parcel 44.-2-32.2 to a point where the offset from the Oxbow Road ROW is 300 feet; thence proceeding southerly through the lands of Parcel 44.-2-32.1 and along the offset 300 feet east of the easterly ROW boundary of Oxbow Road to a point at the northeastern property corner of Parcel 44.-2-33.21; thence proceeding southerly along the extension of the easterly boundary of Parcel 44.-2-33.21 to a point at the southeastern corner of Parcel 44.-2-33.22; thence proceeding southerly along the offset 300 feet east of the easterly ROW boundary of Oxbow Road through the lands of Parcel 44.-2-33.11 to a point along the northern property line of Parcel 44.-2-33.32; thence proceeding easterly along the extension of the property line of Parcel 44.-2-33.32 to the northeastern corner of Parcel 44.-2-33.311; thence proceeding southerly to the southeastern property corner of Parcel 44.-2-33.311; thence proceeding easterly along the boundary of Parcel 52.-1-8.11 to the northeasterly property corner of said Parcel; thence proceeding southerly along the boundary of Parcel 52.-1-8.11 to the northeasterly property corner of Parcel 52.-1-6; thence proceeding westerly along the boundary of Parcel 52.-1-6 to the northwesterly property corner of said
Parcel; thence proceeding southerly along the extension of the property boundary of Parcel 52.-1-6 to the southwesterly property corner of Parcel 52.-1-7; thence proceeding westerly along the property boundary of Parcel 52.-1-8.12 to the northwesterly corner of said Parcel; thence proceeding southerly along the boundary of Parcel 52.-1-8.12 to the southwesterly property corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 52.-1-8.12 to the southeasterly corner of said Parcel; thence proceeding southeasterly along the property boundary of Parcel 52.-1-8.11 to a point at the southeasterly corner of said Parcel; thence proceeding southeasterly along the property boundary of Parcel 52.-1-8.2 to a point at the southeasterly property corner of Parcel 52.10-1-29; thence proceeding southeasterly along the property boundary of Parcel 52.10-1-29 to the northerly property corner of said Parcel; thence proceeding southwesterly along the property boundary of Parcel 52.10-1-28 to the northerly property corner of said Parcel; thence proceeding northwesterly along the property boundary of Parcel 52.10-1-28 to the northerly property corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.10-1-23 to the northerly property corner of said Parcel; thence proceeding southwesterly along the extension of the property boundary of Parcel 52.10-1-25.1 and crossing Clockville Road to a point at the westerly corner of Parcel 52.10-1-37; thence proceeding northerly along the property boundary of Parcel 52.10-1-37 to the westerly property corner of Parcel 52.10-1-38; thence proceeding easterly along the northerly property boundary of Parcel 52.10-1-37 to a point at the northwesterly property corner of Parcel 52.10-1-45; thence proceeding northerly along the property boundary of Parcel 52.10-1-41.12 to the northwesterly property corner of said Parcel; thence proceeding westerly along the boundary of Parcel 52.10-1-41.12 to a point at the property corner of Parcel 52.10-1-41.11; thence proceeding northwesterly along the property boundary of Parcel 52.10-1-41.11 to the northwesterly corner of said Parcel; thence proceeding southerly along the extension of the property boundary of Parcel 52.10-1-41.11 to a point at the southeasterly corner of Parcel 52.10-1-42; thence proceeding easterly along the property boundary of Parcel 52.10-1-41.1 to the northerly property corner of Parcel 52.10-1-41.1; thence proceeding southeasterly along the extension of the property boundary of Parcel 52.10-1-41.1 to a point at the easterly property corner of Parcel 52.10-1-51.11; thence proceeding easterly across Crandall Road to a point at the southeasterly property corner of Parcel 52.-2-48; thence proceeding northerly and easterly along the property boundary of Parcel 52.-2-48 to the northeasterly property corner of said Parcel; thence proceeding northerly and easterly along the property boundary of Parcel 52.-2-40.1 to a point at the northwesterly property corner of Parcel 52.-2-41.1; thence proceeding southerly along the property boundary of Parcel 52.-2-41.1 to the southwesterly property corner of said
Parcel; thence proceeding easterly along the property boundary of Parcel 52.-2-41.1 to the southeasterly property corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.-2-41.1 to the northeasterly property corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 52.-2-40.1 to the northeasterly property corner of said Parcel; thence proceeding southerly along the projection of property boundary of Parcel 52.-2-40.1 to the northwesterly corner of Parcel 52.-2-38; thence proceeding easterly and southerly along the property boundary of Parcel 52.-2-38 to the southeasterly corner of said Parcel; thence proceeding easterly along the projection of the southerly boundary of Parcel 52.-2-38 to a point 152-feet from the southeasterly corner of Parcel 52.-2-40.6; thence proceeding southerly across Timmerman Road to the northwestern corner of Parcel 52.-2-54.12; thence proceeding southerly, easterly, and northerly along the property boundary of Parcel 52.-2-54.12 to the northwesterly corner of said Parcel; thence proceeding easterly along the projection of northerly property boundary of Parcel 52.-2-54.11 to the northeasterly corner of Parcel 52.-2-54.2; thence proceeding southerly along the property boundary of Parcel 52.-2-54.2 to the southeasterly corner of said Parcel; thence proceeding westerly along the projection of property boundary of Parcel 52.-2-54.2 to the southwesterly corner of Parcel 52.-2-54.11; thence proceeding northerly along the property boundary of Parcel 52.-2-54.11 to the southeasterly corner of Parcel 52.-2-53.1; thence proceeding westerly along the property boundary of Parcel 52.-2-53.1 to the southeasterly property corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.-2-53.1 to the southeasterly corner of Parcel 52.10-1-51.12; thence proceeding westerly along the extension of the property boundary of Parcel 52.10-1-51.12 to a point at the southwesterly corner of Parcel 52.10-1-51.1; thence proceeding southerly along the property boundary of Parcel 52.10-1-50 to the southernmost corner of said Parcel; thence proceeding northerly along the extension of the property boundary of Parcel 52.10-1-50 to a point at the southwesterly corner of Parcel 52.10-1-48; thence proceeding westerly and southerly along the property boundary of Parcel 52.10-1-47 to the southernmost corner of said Parcel; thence proceeding northwesterly along the extension of the property boundary of Parcel 52.10-1-47 to a point along the extension of the easterly boundary of Parcel 52.10-1-35.1; thence proceeding southerly across Old County Road to the northeasterly corner of Parcel 52.10-1-35.1; thence proceeding southwesterly along the property boundary of Parcel 52.10-1-35.1 to the southeasterly property corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-35.1 to the southeasterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.10-1-35.1 to the southeasterly property corner of Parcel 52.10-1-34; thence proceeding westerly along the extension of the property boundary of Parcel 52.10-1-34 to the southeasterly property corner of Parcel 52.10-1-32.2; thence proceeding westerly along the property boundary of Parcel 52.10-1-32.2 to the southwesterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-31 to the southwesterly corner of said Parcel; thence continuing westerly along the property boundary of Parcel 52.10-1-30 to the southwesterly corner of said Parcel; thence proceeding northwesterly along the property boundary of Parcel 52.10-1-30 to the northwesterly corner of
said Parcel; thence proceeding northeasterly along the extension of the northern boundary of Parcel 52.10-1-30 to the northeasterly corner of Parcel 52.10-1-31; thence proceeding northwesterly across Cottons Road to the easterly corner of Parcel 52.10-1-22; thence proceeding southwesterly along the extension of the southerly boundary of Parcel 52.10-1-22 to the southwesterly corner of Parcel 52.10-1-21; thence proceeding northerly along the property boundary of Parcel 52.10-1-21 to the northerly corner of said Parcel; thence proceeding westerly across Oxbow Road to the southeasterly corner of Parcel 52.10-1-9; thence proceeding southerly along the property boundary of Parcel 52.10-1-10 to the southeasterly corner of said Parcel; thence proceeding southwesterly along the extension of the property boundary for Parcel 52.10-1-10 to a point along the extension of the easterly boundary of Parcel 52.10-1-19; thence proceeding southerly across Cottons Road to the northeasterly corner of Parcel 52.10-1-19; thence proceeding northeasterly along the projection of northerly property boundary of Parcel 52.10-1-20 to the northeasterly corner of said Parcel; thence proceeding southeasterly along the property boundary of Parcel 52.10-1-20 to the southwesterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-20 to the northwesterly corner of said Parcel; thence proceeding southwesterly along the ROW boundary of Cottons Road to the northeasterly corner of Parcel 52.10-1-19; thence proceeding southerly and westerly along the property boundary of Parcel 52.10-1-19 to the southernmost point of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-19 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.10-1-19 to the southeasterly corner of Parcel 52.10-1-18; thence proceeding southwesterly along the extension of the northern property boundary of Parcel 52.10-1-18 to the southwesterly corner of Parcel 52.10-1-17; thence proceeding northwesterly along the property boundary of Parcel 52.10-1-17 to the southeasterly corner of Parcel 52.-1-10; thence proceeding southwesterly along the property boundary of Parcel 52.-1-10 to the southwesterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 52.-1-1 to a point where the offset from the Cottons Road ROW is 300 feet; thence proceeding westerly along the offset 300 feet south of the southerly ROW boundary of Cottons Road through the lands of Parcel 52.-1-1 and through the lands of Parcel 52.-1-15 to a point on the eastern boundary of Parcel 52.-1-14.8; thence proceeding southerly along the property boundary of Parcel 51.-1-14.8 to the southeasterly corner of said Parcel; thence proceeding westerly along the projection of the property boundary of Parcel 52.-1-14.8 to the southwesterly corner of Parcel 52.-1-14.5; thence proceeding northerly along the property boundary of Parcel 52.-1-14.5 to the southeasterly corner of parcel 52.-1-14.93; thence proceeding westerly along the projection of the property boundary of Parcel 52.-1-14.93 to the southwesterly corner of Parcel 52.-1-14.91; thence proceeding northerly along the property boundary of Parcel 52.-1-14.91 to the southeasterly corner of Parcel 52.-1-14.31; thence proceeding westerly along the property boundary of Parcel 52.-1-14.31 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.-1-14.31 to the southeasterly
corner of Parcel 52.-1-13; thence proceeding westerly along the property boundary of Parcel 52.-1-13 to the southwesterly corner of said Parcel; thence proceeding northerly along extension of the western property boundary of Parcel 52.-1-13 across Cottons Road to the southeasterly property corner of Parcel 51.-1-28.177; thence proceeding southeasterly along the extension of the southern property boundary of Parcel 51.-1-34 across Nelson Rd to the southwesterly corner of Parcel 51.-1-34; thence proceeding northerly along the property boundary of Parcel 51.-1-34 to the northwesterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 51.-1-16.2 to the southeasterly corner of said Parcel; thence proceeding northerly along the projection of the property boundary of Parcel 51.-1-16.2 to the northwesterly corner of Parcel 51.-1-28.172; thence proceeding easterly along the property boundary of Parcel 51.-1-28.172 to the northeasterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 51.-1-44 to the southeasterly corner of Parcel 51.-1-16.12; thence proceeding westerly along the property boundary of Parcel 51.-1-16.12 to the southwesterly corner of said Parcel; thence proceeding northerly along the projection of the property boundary of Parcel 51.-1-16.2 to the northwesterly corner of Parcel 51.-1-17; thence proceeding easterly along the projection of the property boundary of Parcel 51.-1-17, crossing Nelson Road, and continuing to the southerly central corner of Parcel 51.-1-16.22; thence proceeding northerly along the projection of the property boundary of Parcel 51.-1-16.22 to its intersection with the projection of the southerly boundary of Parcel 43.-2-21.141; thence proceeding westerly along the projection of the property boundary of Parcel 43.-2-21.141 to the southeasterly corner of Parcel 43.-2-21.143; thence proceeding northerly along the property boundary of Parcel 43.-2-21.143 to the northwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 43.-2-21.2 to the southeaste sterly corner of Parcel 43.-2-21.131; thence proceeding westerly along the projection of the property boundary of Parcel 43.-2-21.131 to a point where the offset from the Nelson Road ROW is 300 feet; thence proceeding southerly along the offset 300 feet east of the easterly ROW of Nelson Road through the lands of Parcel 43.-2-23.2 to a point on the southern boundary of Parcel 43.-2-23.2; thence proceeding westerly along the projection of property boundary of Parcel 43.-2-23.2 and crossing Nelson Road to a point where the offset from the Nelson Road ROW is 300 feet; thence proceeding northerly along the offset 300 feet west of the westerly ROW of Nelson Road to a point on the southern boundary of Parcel 43.-2-18.4; thence proceeding westerly along the property boundary of Parcel 43.-2-18.4 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 43.-2-18.4 to the northwesterly corner of said Parcel; thence proceeding southeasterly along the property boundary of Parcel 43.-2-18.4 to its intersection with the extension of the westerly property boundary of Parcel 43.-2-19; thence proceeding northerly along the extension of the property boundary of Parcel 43.-2-19 to its intersection with the extension of the southern property boundary of Parcel 43.-2-18.6; thence proceeding southwesterly along the extension of the property boundary of Parcel 43.-2-18.6 to the southwesterly corner Parcel 43.-2-18.6; thence proceeding northerly along the projection of the property boundary of Parcel 43.-2-18.6 to the northwesterly corner of Parcel 43.-3-52.2 to its
intersection with the southwesterly corner of Parcel 43.-3-52.35; thence proceeding northeasterly to the northwest corner of Parcel 43.-3-52.35; thence proceeding northwesterly along the right of way boundary of Pavone Place to the southeasterly corner of Parcel 43.-3-52.36; thence proceeding westerly to the southwesterly corner of said Parcel; thence proceeding northerly along the projection of the property boundary of Parcel 43.-3-52.36 to the northwesterly corner of Parcel 43.-3-52.38; thence proceeding easterly along the projection of the property boundary of Parcel 43.-3-52.38 to the northeasterly corner of Parcel 43.-3-52.39; thence proceeding northerly to the northeast corner of Parcel 43.8-2-6; thence proceeding easterly along the projection of the property boundary of Parcel 43.8-2-6 and crossing Nelson Road to a point along the westerly property boundary of Parcel 43.8-2-9.2; thence proceeding northerly to the north west corner of said Parcel; thence proceeding easterly along the northern most property boundary of said Parcel to the northeasterly corner of said Parcel; thence proceeding southerly along the property boundary to the corner; thence proceeding easterly to the most easterly corner of the property boundary of Parcel 43.8-2-9.2; thence proceeding southerly along the projection of the property boundary of Parcel 43.8-2-9.2 to the southeasterly corner of Parcel 43.12-1-5; thence proceeding westerly along the property boundary of said Parcel to a point on the southern property boundary that is 300 feet easterly from the northwesterly corner of Parcel 43.12-1-33.21, thence proceeding southerly to the northeasterly corner of Parcel 43.12-1-4.2 that is 300 feet from the northwesterly corner of Parcel 43.12-1-4.2; thence proceeding southerly along the projection of the property boundary of Parcel 43.12-1-4.2 to the southeasterly corner of Parcel 43.12-1-4.3; thence proceeding easterly to the northeasterly corner of Parcel 43.12-1-4.4; thence proceed southeasterly along the property boundary to the southeasterly corner of Parcel 43.12-1-4.4; thence proceeding easterly along the projection of the property boundary of Parcel 43.-2-21.132 to the northeasterly corner of Parcel 44.-3-23.24; thence proceeding southerly along the projection of the property boundary of Parcel 44.-3-23.24 to the northern corner of Parcel 44.-3-23.2; thence proceeding southerly along the property boundary of Parcel 44.-3-23.2 to the corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 44.-3-23.2 to the northeasterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 44.-3-23.2 to the southerly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 44.-3-23.9 to the southeasterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 44.-3-23.19 to the southeasterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 44.-3-23.19 to the southwesterly corner of said Parcel; thence proceeding northerly to the intersection with Parcel 51.-1-16.20; thence proceeding westerly along the projection of the property boundary of Parcel 51.-1-16.20 to a point along this projection line that is 300-feet from the ROW boundary of Nelson Road; thence proceeding southerly along the 300-foot projection of the ROW boundary for Nelson Road and through the lands of Parcel 51.-1-28.19 to a point along the northerly property boundary of Parcel 51.-1-28.18; thence proceeding easterly along the property boundary of the Parcel 51.-1-28.18 to the northeasterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 51.-1-28.18 to the southeasterly
corner of said Parcel; thence proceeding easterly along the property line of Parcel 51.-1-28.12 to a point along the eastern property boundary of said Parcel; thence proceeding southerly along the property boundary of Parcel 51.-1-28.12 to the southeasterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 51.-1-28.12 to the southeasterly corner of Parcel 51.-1-28.3; thence proceeding westerly along the property boundary of Parcel 51.-1-28.3 to the southwesterly corner of said parcel; thence proceeding southerly along the property boundary for Parcel 52.-1-45 to the northwesterly corner of Parcel 51.-1-28.176; thence proceeding easterly along the property boundary of Parcel 51.-1-28.176 to the northeasterly corner of Parcel 51.-1-28.176; thence proceeding southerly along the projection of the property boundary line for Parcel 51.-1-28.176 to a point 300-feet from the southerly property boundary of Parcel 51.-1-28.173; thence proceeding easterly parallel to southerly property boundary of Parcel 51.-1-28.173 and through the lands of Parcel 51.-1-28.173 to a point along the property boundary of Parcel 51.-1-28.13; thence proceeding northerly along the property boundary of Parcel 51.-1-28.13 to the northwesterly corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 51.-1-28.13 to the northeasterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 51.-1-28.13 to a point 300-feet from the southeasterly corner of said Parcel; thence proceeding easterly through the lands of Parcel 51.-1-28.173, Parcel 51.-1-30.2, and Parcel 52.-1-1 and parallel to the southerly property boundaries of said Parcels to a point along the easterly boundary of Parcel 52.-1-1; thence proceeding northerly along the property boundary of Parcel 52.10-1-14 to the southeasterly corner of Parcel 52.-1-5; thence proceeding northwesterly along the property boundary of Parcel 52.-1-5 to the southwesterly corner of Parcel 52.-1-5; thence proceeding northerly along the property boundary of Parcel 52.-1-5 to the northwesterly corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 52.-1-5 to the northeasterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.10-1-1.2; thence proceeding northerly along the property boundary of Parcel 52.10-1-1.2 to the northeasterly corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 52.10-1-1.2 to the southerly property boundary of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.10-1-3.3; thence proceeding westerly along the property boundary of Parcel 52.-1-3.3 to the southeasterly corner of said Parcel; thence proceeding northerly along the extension of the property boundary of Parcel 52.-1-3.3 to the northwesterly corner of Parcel 52.-1-3.1; thence proceeding northerly along the extension of the property boundary of Parcel 52.-1-3.2 to the northwesterly corner of Parcel 44.-3-33.132; thence proceeding easterly along
the property boundary of Parcel 44.-3-33.132 to its intersection with Parcel 44.-3-33.16. thence proceeding northerly and westerly along the property boundary of Parcel 44.-3-33.16 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-33.16 to the northerly corner of said Parcel; thence proceeding southeasterly along the property boundary of Parcel 44.-3-33.16 to a point 300-feet from the northeasterly corner of said Parcel; thence proceeding parallel to the ROW boundary for Oxbow Road, through the land of Parcel 44.-3-33.14 to a point along the southerly boundary of Parcel 44.-3-26.2; thence proceeding westerly along the property boundary of Parcel 44.-3-26.2 to the southwesterly corner of said Parcel; thence proceeding northerly along the extension of the property boundary of Parcel 44.-3-26.2 to the northern central corner of Parcel 44.-3-25; thence proceeding westerly along the property boundary of Parcel 44.-3-25 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-22 to the northwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-22 to the northeasterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-17 to the southeasterly corner of Parcel 44.-3-18; thence proceeding westerly along the property boundary of Parcel 44.-3-18 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-18 to the northwesterly corner of said Parcel; thence proceeding easterly along the projection of the property boundary of Parcel 44.-3-18 and crossing Oxbow Road to a point along the westerly property boundary of Parcel 44.-2-19.1; thence proceeding northerly along the property boundary of Parcel 44.-2-19.1 to the northwesterly corner of said Parcel, said point also being the Point of Beginning (1) and encompassing all parcels between and within said boundary lines.
## SCHEDULE "B"

**Project No.:** 154.091.012  
**Estimated By:** DCP/TCB2  
**Checked By:** JC  
**Date:** 1/8/2019

### MADISON COUNTY CLOCKVILLE WATER DISTRICT NO. 1

#### ESTIMATE OF PROJECT & USER COSTS

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total</th>
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<tr>
<td>Mobilization/Demobilization/General Conditions</td>
<td>1</td>
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*Unit Prices Generally Estimated from August, 2018 Clockville W.D. Malone Bid Prices

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<th>Total</th>
<th>Contingencies (10%)</th>
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<td>Estimated Engineering (per B&amp;L Amendment No. 1)</td>
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<td>Total Estimated Project Costataire</td>
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(1) Rounded to the Nearest Thousand Dollars

#### Estimated Annual Construction Cost Debt Service Charge per EDU $639

(1) Rounded to the Nearest Thousand Dollars  
(2) The County plans to increase an existing bond to fund this project.

**Total Estimated OCWA Annual O&M & Water Purchase Charge per EDU $326**

(1) OCWA's Hydrant Maintenance Fees cover the cost of routine maintenance and future replacement of the hydrants. The fee per hydrant for 2019 is $71.61 per hydrant and is billed to the District semi-annually. The County is then responsible for charging the fee to the individual homeowners within the Water District.  
(2) OCWA Water Board charges are billed directly to the Town; the Town will be responsible for charging this fee to the individual homeowners within the Water District. Typical Charges are $10 per $100,000 of assessed value.

| Total Estimated Annual Construction Cost Debt Service Charge per EDU | $639 |
| Total Estimated OCWA Annual O&M & Water Purchase Charge per EDU | $326 |
| Total Estimated Annual Cost per EDU $965 |
RESOLUTION NO. 49

RESOLUTION OF THE MADISON COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE CHAIRMAN OF THE BOARD TO MAKE APPLICATION TO
THE NEW YORK STATE COMPTROLLER FOR APPROVAL TO ESTABLISH AND
FORM THE CLOCKVILLE WATER DISTRICT NO. 1 IN THE COUNTY OF
MADISON PURSUANT TO ARTICLE 5-a OF THE COUNTY LAW

Supervisor _______ moved and Supervisor _______ seconded the following
resolution.

WHEREAS, Madison County Board of Supervisors on April 9, 2019 pursuant to Article
5-a of the County Law, approved the formation of the Clockville Water District No. 1 in the
County of Madison, State of New York; and

WHEREAS, pursuant to County Law § 258 upon adoption of such a Resolution and
Order of the Board of Supervisors, the County is required to make application to the New York
State Department of Audit and Control (NYS Comptroller) for permission to construct and
operate said Water Improvements in compliance with the statutes in such cases and pursuant to 2
NYCRR Part 85; and

WHEREAS, the Board desires to direct and authorize the Chairman of the Board of
Supervisors to make such application, a copy of which is attached hereto.

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Madison County
Board of Supervisors is hereby authorized and directed to make application for permission to
approve the formation of the Clockville Water District No. 1, Madison County, New York
pursuant to Article 5-a of the County Law in accordance with County Law § 258 and 2 NYCRR
Part 85; and it is further

RESOLVED AND ORDERED,

A. That the attached Application was prepared at the direction of the governing Board;
B. That the Board believes the contents of the Application to be accurate;

C. That the Board has determined that the formation, construction, operation or expenditure for which permission is sought is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof; and

D. If the cost of the proposed Water District is to be assessed in whole or in part against a benefitted area, that all real property to be so assessed will be benefitted by the proposed Water Improvements and that no benefitted property has been excluded.

RESOLVED AND ORDERED, this Resolution shall take effect immediately.

Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings & Grounds Committee
SCHEDULE “A”

Boundary Description

Clockville Water District No. 1

Madison County, New York

The Madison County Clockville Water District No. 1, situated in the Hamlet of Clockville, Madison County, New York, being more particularly described as follows:

Commencing at a Point of Beginning (1), said Point being on the northwestern property corner of Parcel 44.-2-19.1; thence proceeding easterly along the boundary of Parcel 44.-2-19.1 to the property corner of said property; thence continuing southerly along the boundary of Parcel 44.-2-19.1 to the property corner of said Parcel; thence continuing westerly along the boundary of Parcel 44.-2-19.1 to the property corner of said Parcel; thence proceeding to the north and east along the boundary line of Parcel 44.-2-19.1 to a point where this property boundary meets the Right-of-Way (ROW) boundary for Oxbow Road; thence proceeding southerly along said ROW boundary for Oxbow Road to the northwestern property corner of Parcel 44.-2-21; thence proceeding easterly along the boundary of Parcel 44.-2-21 to the property corner of said Parcel; thence proceeding southerly along the boundary of Parcel 44.-2-21 to the property corner of said Parcel; thence proceeding easterly along the projection of the northerly boundary of Parcel 44.-2-32.2 to a point where the offset from the Oxbow Road ROW is 300 feet; thence proceeding southerly through the lands of Parcel 44.-2-32.1 and along the offset 300 feet east of the easterly ROW boundary of Oxbow Road to a point at the northeast property corner of Parcel 44.-2-33.21; thence proceeding southerly along the extension of the easterly boundary of Parcel 44.-2-33.21 to a point at the southeastern corner of Parcel 44.-2-33.22; thence proceeding southerly along the offset 300 feet east of the easterly ROW boundary of Oxbow Road through the lands of Parcel 44.-2-33.11 to a point along the northern property line of Parcel 44.-2-33.32; thence proceeding easterly along the extension of the property line of Parcel 44.-2-33.32 to the northeast corner of Parcel 44.-2-33.311; thence proceeding southerly to the southeastern property corner of Parcel 44.-2-33.311; thence proceeding easterly along the boundary of Parcel 52.-1-8.11 to the northeasterly property corner of said Parcel; thence proceeding southerly along the boundary of Parcel 52.-1-8.11 to the northeasterly property corner of Parcel 52.-1-6; thence proceeding westerly along the boundary of Parcel 52.-1-6 to the northwesterly property corner of said Parcel; thence proceeding southerly along the extension of the property boundary of Parcel 52.-1-6 to the southwesteby property corner of Parcel 52.-1-7; thence proceeding westerly along the property boundary of Parcel 52.-1-8.12 to the northwesterly corner of said Parcel; thence proceeding southerly along the boundary of Parcel 52.-1-8.12 to the southeasterly property corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 52.-1-8.12 to the southeasterly corner of said Parcel; thence proceeding southwesterly along the
property boundary of Parcel 52.-1-8.11 to a point at the southeasterly corner of said Parcel; thence proceeding southwesterly along the easterly property boundary of Parcel 52.-1-8.2 to a point at the easterly property corner of Parcel 52.10-1-29; thence proceeding northwesterly along the property boundary of Parcel 52.10-1-29 to the northerly property corner of said Parcel; thence proceeding southwesterly along the property boundary of Parcel 52.10-1-28 to the southeasterly property corner of said Parcel; thence proceeding easterly along the southerly property boundary of Parcel 52.10-1-28 to the southerly property corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.10-1-28 to the westerly property corner of said Parcel; thence proceeding along the southerly property boundary of Parcel 52.10-1-23 to the southerly property corner of said Parcel; thence proceeding southeasterly along the extension of the property boundary of Parcel 52.10-1-25.1 and crossing Clockville Road to a point at the westerly corner of Parcel 52.10-1-37; thence proceeding northeasterly along the property boundary of Parcel 52.10-1-37 to the westerly property corner of Parcel 52.10-1-38; thence proceeding easterly along the northerly property boundary of Parcel 52.10-1-37 to a point at the northwesterly property corner of Parcel 52.10-1-45; thence proceeding northerly along the property boundary of Parcel 52.10-1-41.12 to the northerly property corner of said Parcel; thence proceeding easterly along the boundary of Parcel 52.10-1-41.12 to a point at the property corner of Parcel 52.10-1-41.11; thence proceeding northerly along the property boundary of Parcel 52.10-1-41.11 to the northerly property corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 52.10-1-41.11 to a point at the southeasterly corner of Parcel 52.10-1-42; thence proceeding easterly along the property boundary of Parcel 52.10-1-42 to the northerly property corner of Parcel 52.10-1-41.1; thence proceeding southeasterly along the extension of the property boundary of Parcel 52.10-1-41.1 to a point at the southeasterly corner of Parcel 52.-2-48; thence proceeding northerly and easterly along the property boundary of Parcel 52.-2-48 to the northerly property corner of said Parcel; thence proceeding northerly and easterly along the property boundary of Parcel 52.-2-40.1 to a point at the northwesterly property corner of said Parcel; thence proceeding northwesterly along the property boundary of Parcel 52.-2-40.1 to the southeasterly property corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.-2-41.1 to the northeasterly property corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 52.-2-41.1 to the northwesterly corner of Parcel 52.-2-38; thence proceeding
the boundary proceeding Parcel 52.10-1-30 northwesterly along the property boundary of Parcel 52.10-1-30 to a point 152-feet from the southeasterly corner of Parcel 52.10-2-40.6; thence proceeding southerly across Timmerman Road to the northwesterly corner of Parcel 52.10-2-54.12; thence proceeding southerly, easterly, and northerly along the property boundary of Parcel 52.10-2-54.12 to the northeasterly corner of said Parcel; thence proceeding easterly along the southern boundary of Parcel 52.10-1-22 to the northerly corner of Parcel 52.10-2-54.11; thence proceeding northerly along the property boundary of Parcel 52.10-2-54.11 to the northeast corner of Parcel 52.10-2-54.2; thence proceeding southerly along the property boundary of Parcel 52.10-2-54.2 to the southeasterly corner of said Parcel; thence proceeding westerly along the southeasterly corner of Parcel 52.10-2-54.2 to the southeasterly corner of Parcel 52.10-2-54.11; thence proceeding northwesterly along the property boundary of Parcel 52.10-2-54.11 to the southeasterly corner of Parcel 52.10-2-54.1; thence proceeding westerly along the property boundary of Parcel 52.10-2-54.1 to the southeasterly corner of Parcel 52.10-2-54.1; thence proceeding northwesterly along the property boundary of Parcel 52.10-2-54.1 to a point at the southeasterly corner of Parcel 52.10-1-51.1; thence proceeding southerly along the property boundary of Parcel 52.10-1-50 to the southernmost corner of said Parcel; thence proceeding northwesterly along the extension of the property boundary for Parcel 52.10-1-47 to a point along the southeasterly corner of Parcel 52.10-1-47; thence proceeding southerly across Old County Road to the northeasterly corner of Parcel 52.10-1-35.1; thence proceeding southwesterly along the southeasterly property corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-35.1 to the southwest corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.10-1-34 to the southeasterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-34 to the southwest corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-32.2 to the southwest corner of said Parcel; thence continuing westerly along the property boundary of Parcel 52.10-1-32.2 to the southwest corner of said Parcel; thence proceeding northwesterly along the property boundary of Parcel 52.10-1-30 to the southwest corner of said Parcel; thence proceeding northwesterly along the extension of the northern boundary of Parcel 52.10-1-30 to the northeasterly corner of Parcel 52.10-1-31; thence proceeding northwesterly across Cottons Road to the easterly corner of Parcel 52.10-1-22; thence proceeding southeasterly along the extension of the southerly boundary of Parcel 52.10-1-22 to the southwest corner of Parcel 52.10-1-21; thence proceeding northerly along the property boundary of Parcel 52.10-1-21 to the northerly corner of said Parcel; thence proceeding westerly
across Oxbow Road to the southeasterly corner of Parcel 52.10-1-9; thence proceeding southerly along the property boundary of Parcel 52.10-1-10 to the southeasterly corner of said Parcel; thence proceeding southwesterly along the extension of the property boundary for Parcel 52.10-1-10 to a point along the extension of the easterly boundary of Parcel 52.10-1-19; thence proceeding southerly across Cottons Road to the northeasterly corner of Parcel 52.10-1-19; thence proceeding northeasterly along the projection of northerly property boundary of Parcel 52.10-1-20 to the northeasterly corner of said Parcel; thence proceeding southeasterly along the property boundary of Parcel 52.10-1-20 to the southeasterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-20 to the northwesterly corner of said Parcel; thence proceeding southwesterly along the ROW boundary of Cottons Road to the northeasterly corner of Parcel 52.10-1-19; thence proceeding southerly and westerly along the property boundary of Parcel 52.10-1-19 to the southernmost point of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.10-1-19 to the southeasterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.10-1-19 to the southeasterly corner of Parcel 52.10-1-18; thence proceeding southwesterly along the extension of the northern property boundary of Parcel 52.10-1-18 to the southeasterly corner of Parcel 52.10-1-17; thence proceeding northwesterly along the property boundary of Parcel 52.10-1-17 to the southeasterly corner of Parcel 52.-1-10; thence proceeding southwesterly along the property boundary of Parcel 52.-1-1 to a point where the offset from the Cottons Road ROW is 300 feet; thence proceeding westerly along the offset 300 feet south of the southerly ROW boundary of Cottons Road through the lands of Parcel 52.-1-1 and through the lands of Parcel 52.-1-15 to a point on the eastern boundary of Parcel 52.-1-14.8; thence proceeding southerly along the property boundary of Parcel 51.-1-14.8 to the southeasterly corner of said Parcel; thence proceeding westerly along the projection of the property boundary of Parcel 52.-1-14.8 to the southeasterly corner of Parcel 52.-1-14.5; thence proceeding northerly along the property boundary of Parcel 52.-1-14.5 to the southeasterly corner of parcel 52.-1-14.93; thence proceeding westerly along the projection of the property boundary of Parcel 52.-1-14.93 to the southeasterly corner of Parcel 52.-1-14.91; thence proceeding northerly along the property boundary of Parcel 52.-1-14.91 to the southeasterly corner of Parcel 52.-1-14.31; thence proceeding westerly along the property boundary of Parcel 52.-1-14.31 to the southeasterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 52.-1-14.31 to the southeasterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.-1-13 to the southeasterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.-1-13 across Cottons Road to the southeasterly property corner of Parcel 51.-1-28.177; thence proceeding westerly along the extension of the southern property boundary of Parcel 51.-1-34 across Nelson Rd to the southeasterly corner of Parcel 51.-1-34; thence proceeding northerly along the property boundary of Parcel 51.-1-34
to the northwesterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 51.-1-16.2 to the southwesterly corner of said Parcel; thence proceeding northerly along the projection of the property boundary of Parcel 51.-1-16.2 to the northwesterly corner of Parcel 51.-1-28.172; thence proceeding easterly along the property boundary of Parcel 51.-1-28.172 to the northeasterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 51.-1-16.12 to the southwesterly corner of said Parcel; thence proceeding northerly along the projection of the property boundary of Parcel 51.-1-16.2 to the northwesterly corner of Parcel 51.-1-17; thence proceeding easterly along the projection of the property boundary of Parcel 51.-1-17, crossing Nelson Road, and continuing to the southerly central corner of Parcel 51.-1-16.22; thence proceeding northerly along the projection of the property boundary of Parcel 51.-1-16.22 to its intersection with the projection of the southerly boundary of Parcel 43.-2-21.141; thence proceeding westerly along the projection of the property boundary of Parcel 43.-2-21.141 to the southerly corner of Parcel 43.-2-21.143; thence proceeding northerly along the property boundary of Parcel 43.-2-21.143 to the northwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 43.-2-21.2 to the southeasterly corner of Parcel 43.-2-21.131; thence proceeding westerly along the projection of the property boundary of Parcel 43.-2-21.131 to a point where the offset from the Nelson Road ROW is 300 feet; thence proceeding southerly along the offset 300 feet east of the easterly ROW of Nelson Road through the lands of Parcel 43.-2-23.2 to a point on the southern boundary of Parcel 43.-2-23.2; thence proceeding westerly along the projection of property boundary of Parcel 43.-2-23.2 and crossing Nelson Road to a point where the offset from the Nelson Road ROW is 300 feet; thence proceeding northerly along the offset 300 feet west of the westerly ROW of Nelson Road to a point on the southern boundary of Parcel 43.-2-18.4; thence proceeding westerly along the property boundary of Parcel 43.-2-18.4 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 43.-2-18.4 to the northwesterly corner of said Parcel; thence proceeding southeasterly along the property boundary of Parcel 43.-2-18.4 to its intersection with the extension of the westerly property boundary of Parcel 43.-2-19; thence proceeding northerly along the extension of the property boundary of Parcel 43.-2-19 to its intersection with the extension of the southern property boundary of Parcel 43.-2-18.6; thence proceeding southwesterly along the extension of the property boundary of Parcel 43.-2-18.6 to the southwesterly corner Parcel 43.-2-18.6; thence proceeding northerly along the projection of the property boundary of Parcel 43.-2-18.6 to the northwesterly corner of Parcel 43.-3-52.2 to its intersection with the southwesterly corner of Parcel 43.-3-52.35; thence proceeding northeasterly to the northwest corner of Parcel 43.-3-52.35; thence proceeding northwesterly along the right of way boundary of Pavone Place to the southeasterly corner of Parcel 43.-3-52.36; thence proceeding westerly to the southwesterly corner of said Parcel; thence proceeding northerly along the projection of the property boundary of Parcel 43.-3-52.36 to the northwesterly corner of Parcel 43.-3-52.38; thence proceeding easterly along the projection of the property boundary.
of Parcel 43.-3-52.38 to the northeasterly corner of Parcel 43.-3-52.39; thence proceeding northerly to the northeast corner of Parcel 43.8-2-6; thence proceeding easterly along the projection of the property boundary of Parcel 43.8-2-6 and crossing Nelson Road to a point along the westerly property boundary of Parcel 43.8-2-9.2; thence proceeding northerly to the north west corner of said Parcel; thence proceeding easterly along the northern most property boundary of said Parcel to the northeasterly corner of said Parcel; thence proceeding southerly along the property boundary to the corner; thence proceeding easterly to the most easterly corner of the property boundary of Parcel 43.8-2-9.2; thence proceeding southerly along the projection of the property boundary of Parcel 43.8-2-9.2 to the southeasterly corner of Parcel 43.12-1-5; thence proceeding westerly along the property boundary of said Parcel to a point on the southern property boundary that is 300 feet easterly from the northwesterly corner of Parcel 43.12-1-33.21, thence proceeding southerly to the northeasterly corner of Parcel 43.12-1-4.2 that is 300 feet from the northwesterly corner of Parcel 43.12-1-4.2; thence proceeding southerly along the projection of the property boundary of Parcel 43.12-1-4.2 to the southeasterly corner of Parcel 43.12-1-4.3; thence proceeding easterly along the northeasterly corner of Parcel 43.12-1-4.4; thence proceed southeasterly along the property boundary to the southeasterly corner of Parcel 43.12-1-4.4; thence proceeding easterly along the projection of the property boundary of Parcel 43.-2-21.132 to the northeasterly corner of Parcel 44.-3-23.24; thence proceeding southerly along the projection of the property boundary of Parcel 44.-3-23.24 to the northern corner of Parcel 44.-3-23.2; thence proceeding southerly along the property boundary of Parcel 44.-3-23.2 to the corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 44.-3-23.2 to the northeasterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 44.-3-23.2 to the southerly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 44.-3-23.9 to the southeasterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 44.-3-23.19 to the southeasterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 44.-3-23.19 to the southwesterly corner of said Parcel; thence proceeding northerly to the intersection with Parcel 51.-1-16.20; thence proceeding westerly along the projection of the property boundary of Parcel 51.-1-16.20 to a point along this projection line that is 300-feet from the ROW boundary of Nelson Road; thence proceeding southerly along the 300-foot projection of the ROW boundary for Nelson Road and through the lands of Parcel 51.-1-28.19 to a point along the northerly property boundary of Parcel 51.-1-28.18; thence proceeding easterly along the property boundary of the Parcel 51.-1-28.18 to the northeasterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 51.-1-28.18 to the southeasterly corner of said Parcel; thence proceeding easterly along the property line of Parcel 51.-1-28.12 to a point along the eastern property boundary of said Parcel; thence proceeding southerly along the property boundary of Parcel 51.-1-28.12 to the southeasterly corner of Parcel 51.-1-28.3; thence proceeding westerly along the property boundary of Parcel 51.-1-28.3 to the southwesterly corner of said parcel; thence proceeding southerly along the
property boundary for Parcel 52.-1-45 to the northwesterly corner of Parcel 51.-1-28.176; thence proceeding easterly along the property boundary of Parcel 51.-1-28.176 to the northeasterly corner of Parcel 51.-1-28.176; thence proceeding southerly along the projection of the property boundary line for Parcel 51.-1-28.176 to a point 300-feet from the southerly property boundary of Parcel 51.-1-28.173; thence proceeding easterly parallel to southerly property boundary of Parcel 51.-1-28.173 and through the lands of Parcel 51.-1-28.173 to a point along the property boundary of Parcel 51.-1-28.13; thence proceeding northerly along the property boundary of Parcel 51.-1-28.13 to the northwesterly corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 51.-1-28.13 to the northeasterly corner of said Parcel; thence proceeding southerly along the property boundary of Parcel 51.-1-28.13 to a point 300-feet from the southeasterly corner of said Parcel; thence proceeding easterly through the lands of Parcel 51.-1-28.173, Parcel 51.-1-30.2, and Parcel 52.-1-1 and parallel to the southerly property boundaries of said Parcels to a point along the easterly boundary of Parcel 52.-1-1; thence proceeding northerly along the property boundary of Parcel 52.10-l-14 to the southeasterly corner of Parcel 52.-1-5; thence proceeding northwesterly along the property boundary of Parcel 52.-1-5 to the southwesterly corner of Parcel 52.-1-5; thence proceeding northerly along the property boundary of Parcel 52.-1-5 to the northwesterly corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 52.-1-5 to the northeasterly corner of said Parcel; thence proceeding northerly crossing Old County Road West to the southwesterly corner of Parcel 52.10-1-5; thence continuing northerly along the property boundary of Parcel 52.10-1-5 to the northwesterly corner of said Parcel; thence proceeding easterly along the extension of the northern property boundary of Parcel 52.10-1-5 to the southwesterly corner of Parcel 52.10-1-1.2; thence proceeding northerly along the property boundary of Parcel 52.10-1-1.2 to the northwesterly corner of said Parcel; thence proceeding westerly along the property boundary of Parcel 52.1-4 to the southwesterly corner of said Parcel; thence proceeding northerly along the extension of the westerly boundary of Parcel 52.-1-4 to the northwesterly corner of Parcel 52.-1-4.1; thence proceeding easterly along the property boundary of Parcel 52.-1-4.1 to a point 300-feet from the northeasterly corner of said Parcel; thence proceeding parallel to the ROW boundary for Oxbow Road, through the land of Parcel 52.-1-1 to a point along the southerly property boundary of Parcel 52.-1-3.3; thence proceeding westerly along the property boundary of Parcel 52.-1-3.3 to the southwesterly corner of said Parcel; thence proceeding northerly along the extension of the property boundary of Parcel 52.-1-3.3 to the northwesterly corner of Parcel 52.-1-3.1; thence proceeding northerly along the extension of the property boundary of Parcel 52.-1-3.2 to the northwesterly corner of Parcel 44.-3-33.132; thence proceeding easterly along the property boundary of Parcel 44.-3-33.132 to its intersection with Parcel 44.-3-33.16. thence proceeding northerly and westerly along the property boundary of Parcel 44.-3-33.16 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-33.16 to the northerly corner of said Parcel; thence proceeding southeasterly along the property boundary of Parcel 44.-3-33.16 to a point 300-feet from the northeasterly corner of said Parcel; thence proceeding parallel to the ROW boundary for Oxbow Road, through the land
of Parcel 44.-3-33.14 to a point along the southerly boundary of Parcel 44.-3-26.2; thence proceeding westerly along the property boundary of Parcel 44.-3-26.2 to the southwesterly corner of said Parcel; thence proceeding northerly along the extension of the property boundary of Parcel 44.-3-26.2 to the northern central corner of Parcel 44.-3-25; thence proceeding westerly along the property boundary of Parcel 44.-3-25 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-22 to the northwesterly corner of said Parcel; thence proceeding easterly along the property boundary of Parcel 44.-3-22 to the northeasterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-17 to the southeasterly corner of Parcel 44.-3-18; thence proceeding westerly along the property boundary of Parcel 44.-3-18 to the southwesterly corner of said Parcel; thence proceeding northerly along the property boundary of Parcel 44.-3-18 to the northwesterly corner of said Parcel; thence proceeding easterly along the projection of the property boundary of Parcel 44.-3-18 and crossing Oxbow Road to a point along the westerly property boundary of Parcel 44.-2-19.1; thence proceeding northerly along the property boundary of Parcel 44.-2-19.1 to the northwesterly corner of said Parcel, said point also being the Point of Beginning (1) and encompassing all parcels between and within said boundary lines.
RESOLUTION NO. 50

AUTHORIZING THE MODIFICATION OF THE 2019 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2019 Adopted County Budget be modified as follows:

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<tr>
<th>General Fund</th>
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<tr>
<td>9901 Contribution to Other Funds</td>
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<tr>
<td>Expense</td>
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<tr>
<td>A990199 594101 Transfer to Road Machinery Mid-Year</td>
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<tr>
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<td>Revenue</td>
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<td>Revenue</td>
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<td>H513250 542080 Legal Expense</td>
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<td>Control Total</td>
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Dated: April 9, 2019

Ronald C. Bono, Chairman
Highway, Buildings & Grounds Committee

John A. Reinhardt, Chairman
Finance, Ways & Means Committee
RESOLUTION NO. 51

PROVIDING FOR A LIST OF ITEMS IDENTIFIED AS "DESIGNATED RECYCLABLES" AS REQUIRED BY LOCAL LAW #3 OF 2004

WHEREAS, pursuant to Local Law #3 of 2004, certain listed items are identified and defined in the law as "Designated Recyclables" and, as such, must be separated from the waste stream and handled in a particular manner for recycling; and

WHEREAS, the list of "Designated Recyclables" includes curbside recyclables that should be placed in the recycling bin or delivered to a recycling facility, as well as other recyclables that are not accepted in the recycling bin, but that require segregation from the waste stream and proper recycling (such as electronic waste); and

WHEREAS, Local Law #3 of 2004 creates a process by which the Board of Supervisors, or the Department of Solid Waste and Sanitation, acting in accordance with the guidelines adopted by the Board of Supervisors, may amend the list of "Designated Recyclables" from time to time, as necessary;

NOW, THEREFORE BE IT RESOLVED, the following items are considered "Designated Recyclables" as that term is defined in proposed Local Law #3 for 2004:

Newspapers
Magazines
Catalogues
Office Paper
Junk Mail
Phone Books
Corrugated Cardboard
Boxboard
Pizza Boxes
Glass Containers
Metal Containers
Plastic Bottles and Jugs with a neck
Plastic Dairy and Yogurt Tubs
Electronic Waste

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately and that this list of Designated Recyclables shall remain in effect until amended or deleted by the procedure designated in the proposed Local Law or by or amendment of the Local Law.

Dated: April 9, 2019

James S. Goldstein, Chairman
Solid Waste & Recycling Committee
RESOLUTION NO. 52

ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 2 OF 2019 AND CALLING FOR A PUBLIC HEARING

WHEREAS, Supervisor Reinhardt has duly introduced proposed Local Law No. 2 for the year 2019, entitled "A LOCAL LAW OPTING OUT OF REAL PROPERTY TAX LAW §487 EXEMPTIONS"; and

WHEREAS, a copy of said proposed local law has been furnished to each Supervisor;

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held on the proposed local law in the chambers of the Board of Supervisors at the Madison County Office Building on May 14, 2019 at 2:20 p.m.; and

BE IT FURTHER RESOLVED, that the Clerk of the Board duly publish a notice of this hearing in the official newspapers of the County at least five days prior to the scheduled hearing date.

Dated: April 9, 2019

John A. Reinhardt, Chairman
Finance, Ways and Means Committee
COUNTY OF MADISON
LOCAL LAW NO. 2 FOR THE YEAR 2019
OPTING OUT OF
REAL PROPERTY TAX LAW § 487 EXEMPTIONS

Be it enacted by the Board of Supervisors of the County of Madison as follows:

SECTION 1. LEGISLATIVE INTENT. New York Real Property Tax Law § 487 provides an exemption from real property taxes for certain energy systems which the County can remove by local law.

SECTION 2. REMOVAL OF EXEMPTION. No tax exemption made available by New York Real Property Tax Law § 487 shall be applicable within the jurisdiction of the County of Madison with respect to any solar or wind energy system or farm waste energy system constructed subsequent to the effective date of this Local Law.

No tax exemption made available by New York Real Property Tax Law § 487 shall be applicable within the jurisdiction of the County of Madison with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system constructed subsequent to the effective date of this Local Law.

SECTION 3. This Local Law shall be effective immediately.
RESOLUTION NO. 53
REQUESTING THE WAIVER OF RULE NO. 24 AND NO. 24-A

WHEREAS, Rule No. 24 requires that all resolutions intended to be moved for adoption at a regular meeting shall be filed with the Clerk not less than seven (7) calendar days prior to the meeting; and

WHEREAS, Rule No 24-A requires that all such resolutions be introduced by the Chairman of the Legislative Board having jurisdiction after having been filed with the Chairman at least ten (10) days prior to the meeting at which time it is to be introduced;

NOW, THEREFORE BE IT RESOLVED, that Rule No. 24 and 24-A are hereby waived only for the purpose of Authorizing the Chairman to Sign an Lease Agreement with the Oneida Indian Nation of New York.

Dated: April 9, 2019

Yvonne M. Nirelli, Chairwoman
Administration and Oversight Committee
RESOLUTION NO. 54

AUTHORIZING THE CHAIRMAN TO SIGN A LEASE AGREEMENT WITH
THE ONEIDA INDIAN NATION OF NEW YORK

WHEREAS, the Oneida Indian Nation (hereinafter referred to as "Nation") possesses certain parcels of land located in Madison County on which the City of Oneida would like to construct certain sanitary wastewater collection facilities and for which the City of Oneida needs a right-of-way; and

WHEREAS, the Nation has applied to the Bureau of Indian Affairs (hereinafter referred to as "BIA") to obtain permission for said right-of-Way; and

WHEREAS, the approval of said right-of-way is not immediately forthcoming;

WHEREAS, the Nation has agreed to lease the property to Madison County until the right-of-way is approved by the BIA; and

WHEREAS, as consideration for the lease and proposed right-of-way, Madison County operates the Madison County Interoperable Communications System (hereinafter referred to as "MCICS") which is or will be utilized by the Nation; and

WHEREAS, the lease will allow construction of wastewater facilities by the City of Oneida prior to the grant of a right-of-way by the BIA;

WHEREAS, the term of the agreement shall be for an initial term of twenty-five years (25) years; and

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby authorizes the Chairman of the Board to enter into a lease agreement with the Oneida Indian Nation as is on file with the Clerk of the Board and to transfer the right-of-way to the City of Oneida under the terms of this Agreement.

Dated: April 9, 2019

Cliff Moses, Chairman
Planning, Economic Development, Environmental and Intergovernmental Affairs Committee
PROCLAMATION
DONATE LIFE MONTH
STATE OF NEW YORK - COUNTY OF MADISON

WHEREAS, through our membership with NYSAC, New York State Association of Counties and NYSACC, New York State Association of County Clerks, New York Counties have come together to collectively support April as Donate Life Month; and

WHEREAS, this observance pays tribute to organ and tissue donors and their families whose meaningful decision enables others to receive life-saving organs or tissue, whereby a transplant not only improves the quality of life for the recipient, but in many cases can save a life; and

WHEREAS, a single individual's donation of organs can save up to 8 lives while a donation of tissue can the lives of up to 75 others; and

WHEREAS, there are approximately 9,500 men, women and children waiting for an organ transplant in New York State which represents the third highest need in the nation, and there are approximately 400 New Yorkers that die every year while waiting for an organ transplant; and

WHEREAS, only 35% of New York State residents are currently signed up to be organ, eye and tissue donors, and there are also tens of thousands persons nationwide in need of bone, corneal or other tissue transplant, with names added to the waiting list each day; and

WHEREAS, a new online New York State Donate Life Registry located at www.donatelife.ny.gov launched in October 2017 ensuring that New Yorkers can quickly and easily communicate their consent to give the gift of life and become organ and tissue donors; and

WHEREAS, legislation which took effect in February 2017 has allowed more than 55,000 sixteen and seventeen year olds to enroll in the New York State Donate Life Registry; and

WHEREAS, New Yorkers can help save another's life by joining the New York State Donate Life Registry and enrolling when they apply for, or renew, their New York State driver's license, or non-driver's license identification card, or on voter registration forms; and

WHEREAS, New York State counties are joining organ and tissue donation advocacy organizations to raise awareness of the need for organ and tissue donation and to provide residents with opportunities to join the New York State Donate Life Registry;

NOW, THEREFORE, I, John Becker, Chairman of the Board of Madison County, do hereby proclaim April 2019 as: DONATE LIFE MONTH in Madison County.

In Witness Whereof, I have hereunto set my hand and seal on the 9th day of April in the year Two Thousand and Nineteen.

John M. Becker, Chairman
Madison County Board of Supervisors
PROCLAMATION

FEDERATION OF NEW YORK INSURANCE PROFESSIONALS WEEK
APRIL 28-MAY 5, 2019

WHEREAS, the week of April 28-May 5, 2019 has been proclaimed the Federation of New York Insurance Professionals Week; and

WHEREAS, the Insurance Professionals of the Mohawk Valley are a valued member of this Federation; and

WHEREAS, the insurance industry is indebted to the very necessary and vital role which the professionals of this industry play; and

WHEREAS, these insurance professionals are both productive and effective in the local and statewide aspects of this industry and such related fields as fire prevention, safety, crime prevention, education, and legislation; and

WHEREAS, these insurance professionals are deserving of a week-long designation in celebration of their year round efforts and accomplishments;

NOW, THEREFORE, I, John M. Becker, Chairman of the Madison County Board of Supervisors, do hereby proclaim the week of April 28-May 5, 2019 as:

FEDERATION OF NEW YORK INSURANCE PROFESSIONALS WEEK IN MADISON COUNTY

and urge all residents of Madison County to take part in this official recognition of a job well done.

In Witness Whereof, I have hereunto set my hand and seal on this 9th day of April in the year Two Thousand Nineteen.

[Signature]

John M. Becker, Chairman
Madison County Board of Supervisors