

MADISON COUNTY BOARD OF SUPERVISORS
1st Day – Annual Session – Monday, November 14, 2011

The Board convened at 10:30 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Bradstreet (44 votes).

Pledge of Allegiance.

On motion by Supervisor Rafte, seconded by Supervisor Bono, the minutes from the previous meeting were dispended with and adopted as filed.

COMMUNICATIONS

1. Copy of a resolution from Fulton County – Urging Passage of Senate Bill S.5889-B and Assembly Bill A.8644 that would implement a Multi-State Takeover of the Local Share of Medicaid.
2. Acknowledgements received from Assemblyman Bill Magee regarding Resolution No. 320-11 (Inclusion of a Covanta Energy Contract), Resolution No. 343-11 (Medicaid Reform) and Resolution No. 360-11 (Against Findings of the Citizens Budget Commission regarding Consolidation of Industrial Development Agencies).

REPORTS

1. County of Madison Agreed Upon Procedures/Local Government Financial Test Worksheet as of 12/31/10, Madison County East Side/West Side Landfill.
2. Madison County Deferred Compensation Plan Financial Statements for year ended 12/31/10.
3. Financial Assurance for Madison County's East Side and West Side Landfill Prepared by Toski, Schaefer & Co.
4. Madison County Mental Health Department – Monthly Report for Oct. 2011.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$ 1,426,518.54
Miscellaneous Accounts:	\$ 372,219.41

At this time Chairman Becker announced Peg Lewis, Madison County 4-H Program Educator and the new group of twelve interns attending today's Board meeting. Each intern introduced themselves and stated what school they are representing.

Following intern introductions, the 2012 Tentative County Budget was presented by County Treasurer Cindy J. Edick who addressed Board members, department heads and members of the public attending today's meeting.

RESOLUTIONS

By Supervisor Suits:

RESOLUTION NO. 373-11

WAIVING THE RULES FOR RESOLUTIONS

RESOLVED, that Rule 24 and Rule 24-A of the Madison County Board of Supervisors, to the extent requiring that all resolutions intended to be moved for adoption be filed with the Clerk not less than seven calendar days prior to the meeting, and copies mailed to all members with the meeting agenda; and to the extent providing that resolutions be filed with the Chairman of the appropriate legislative committee at least ten days prior to the meeting at which its introduction will be sought, be waived during this annual session so that all resolutions may be acted upon immediately. Nothing herein shall be construed to limit the ability to table resolutions until the next succeeding meeting pursuant to Rule 17.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Reinhardt:

RESOLUTION NO. 374-11

ACCEPTING TENTATIVE BUDGET AS FILED BY THE BUDGET OFFICER

WHEREAS, Cindy J. Edick, Madison County Budget Officer has on November 14, 2011, filed the fiscal year 2012 budget with the Clerk to the Board of Supervisors; and

WHEREAS, said 2012 tentative budget contains several amounts recommended for the conduct of fiscal year 2012 County Government;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby acknowledge receipt of said budget; and

BE IT FURTHER RESOLVED, that in the event the Board of Supervisors fails to adopt by December 20, 2011, a budget for fiscal year 2012, the tentative budget with such changes, alterations, revisions, as shall have been made by resolutions of the Board of Supervisors, shall constitute the budget for fiscal year 2012 in accordance with Section 361 of the County Law.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 375-11

APPOINTING A COMMITTEE TO REVIEW THE 2012 TENTATIVE BUDGET

RESOLVED, that the Standing Finance, Ways and Means Committee of this Board, who were duly appointed by the Chairman and affirmed by the Board of Supervisors be and the same are hereby designated as the proper Committee to review the tentative budget for 2012, which said budget was filed with the Clerk to this Board on Monday, November 14, 2011.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT- 44 (Bradstreet)

RESOLUTION NO. 376-11

AUTHORIZING PUBLIC HEARING ON THE TENTATIVE BUDGET FOR MADISON COUNTY SEWER DISTRICT FOR 2012

RESOLVED, that the public hearing on the tentative budget for the Madison County Sewer District will be held at 9:30 a.m. on Tuesday, November 29, 2011; and

BE IT FURTHER RESOLVED, that pursuant to Section 271 of the County Law providing for the cost of improvements which will benefit each lot or parcel of land; the assessment roll has been filed in the office of the Clerk to the Board of Supervisors and is available for public inspection.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 377-11

AUTHORIZING PUBLIC HEARING ON THE TENTATIVE BUDGET FOR COWASELON WATERSHED DISTRICT FOR 2012

RESOLVED, that the public hearing on the tentative budget for the Cowaselon Watershed District will be held at 9:40 a.m. on Tuesday, November 29, 2011; and

BE IT FURTHER RESOLVED, that the annexed detailed statement of the estimated expenditures and revisions and the assessment roll heretofore submitted by the administrative agency heretofore appointed pursuant to Section 299-p of the County Law, which has been filed in the office of the Clerk to the Board of Supervisors and a summary of the entire budget is available for public inspection.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 378-11

AUTHORIZING PUBLIC HEARINGS ON THE TENTATIVE COUNTY BUDGET FOR FISCAL YEAR 2012

RESOLVED, pursuant to the provisions set forth in Section 359 of the County Law, public hearings on the tentative budget for fiscal year 2012 will be held on Tuesday, November 29, 2011 at the following times and locations:

9:50 a.m. Supervisors Chambers, Second floor, County Office Building #4,
North Court Street, Wampsville, New York

7:00 p.m. Supervisors Chambers, Second floor, County Office Building #4,
North Court Street, Wampsville, New York

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 379-11

LEVYING UNPAID WATER RENTS FOR ERIEVILLE WATER DISTRICT

WHEREAS, the Secretary of the Erieville Water District has filed with this Board a statement showing unpaid water bills in the Erieville Water District of the Town of Nelson;

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and there hereby are levied against the property liable therefore and are hereby directed to be included in the 2012 tax levy of said Town of Nelson and that when paid shall be turned over to the Supervisor of the Town of Nelson.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 380-11

LEVYING UNPAID WATER AND SEWER RENTS FOR LENOX WATER DISTRICT

WHEREAS, the Secretary of the Lenox Water District has filed with this Board a statement showing unpaid water bills in the Lenox Water District of the Town of Lenox, as attached:

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and they hereby are levied against the property liable therefore and are hereby directed to be included in the 2012 tax levy of said Town of Lenox and that when paid shall be turned over to the Supervisor of the Town of Lenox.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 381-11

LEVYING UNPAID WATER RENTS FOR THE HAMLET OF GEORGETOWN

WHEREAS, the Supervisor from the Hamlet of Georgetown has filed with this Board a statement showing water bills in the Hamlet of Georgetown, as attached;

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and they hereby are levied against the property liable therefore and are hereby directed to be included in the 2012 tax levy of said Hamlet of Georgetown and that said amount when paid shall be turned over by the collector to the Supervisor of the Hamlet of Georgetown.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 382-11

LEVYING UNPAID WATER RENTS FOR NEW WOODSTOCK WATER DISTRICT

WHEREAS, the Secretary of the New Woodstock Water District has filed with this Board a statement showing unpaid water bills in the New Woodstock Water District in the Town of Cazenovia, as attached;

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and they hereby are levied against the property liable therefore and are hereby directed to be included in the 2012 tax levy of said Town of Cazenovia and that when paid, shall be turned over to the Supervisor of the Town of Cazenovia.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 383-11

**LEVYING UNPAID WATER RENTS FOR WELLINGTON AND MT. PLEASANT
WATER DISTRICTS IN THE TOWN OF CAZENOVIA**

WHEREAS, the Secretary of the Wellington Water District and Mt. Pleasant Water District has filed with this Board a statement showing unpaid water bills for those districts in the Town of Cazenovia, as attached;

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and they hereby are levied against the property liable therefore and are hereby directed to be included in the 2012 tax levy of said Town of Cazenovia and that when paid, shall be turned over to the Supervisor of the Town of Cazenovia.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Bargabos:

RESOLUTION NO. 384-11

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

WHEREAS, the Madison County Board of Supervisors believes that County employees should be recognized for their faithful service to the public; and

WHEREAS, recognition of the distinguished service of a certain County employee with an upcoming retirement is in order,

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Sandra Kirley upon her retirement.

Sandra L. Kirley Social Services 1983 - 2011

ADOPTED: AYES – 1456 NAYS - 0 ABSENT- 44 (Bradstreet)

Sandra Kirley could not be present today. Social Services Commissioner Mike Fitzgerald accepted a gift on her behalf.

RESOLUTION NO. 385-11

ABOLISHING FOUR POSITIONS

WHEREAS, the recently enacted property tax cap will result in cuts of non-mandated services as approximately 93% of Madison County's property tax levy is to provide unfunded State mandated programs; and

WHEREAS, the County continues to review current staffing structure as a result of the property tax cap and eliminate a number of vacant positions in order to control costs; and

WHEREAS, the Government Operations Committee has reviewed and approved this recommendation;

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Caseworker position in the Department of Social Services and three (3) full-time Motor Equipment Operator positions in the Highway Department be abolished effective immediately.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 386-11

ABOLISHING TWO POSITIONS IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, the Board of Supervisors passed resolution 518-10 of 2010 declaring its intention to accept the proposal of L. Woerner, Inc., d/b/a HCR to assume the certified home health agency and a long term home health care program functions in Madison County conditioned on state approval of the Certificate of Need; and

WHEREAS, On October 6, 2011, the State of New York Public Health and Health Planning Council approved the Certificate of Need; and

WHEREAS, the Madison County certified home health agency will be closing; and

WHEREAS, the Public Health Director recommends two (2) Licensed Practical Nurse positions be abolished on December 2, 2011; and

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

NOW, THEREFORE BE IT RESOLVED that two (2) positions in the Public Health Department be and hereby are abolished on the dates listed above; and

BE IT FURTHER RESOLVED that the incumbents in these positions be and hereby are laid off from their positions on the dates listed above and in

accordance with New York State Civil Service Rule and the Agreement with the Civil Service Employees Association, White Collar Unit.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 387-11

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT

WHEREAS, the County’s Information Technology (IT) Department provides critical data security and support for the County’s IT infrastructure; and

WHEREAS, The Bonadio Group has implemented a majority of changes from a previous security review and will fully implement those changes by the end of this year; and

WHEREAS, The Bonadio Group has also provided valuable IT consulting services for the County since April 2011; and

WHEREAS, the County would like to continue to contract with The Bonadio Group to provide IT consulting services; and

WHEREAS, the Government Operations Committee recommends entering into an agreement with The Bonadio Group to provide said services; and

WHEREAS, the cost for professional fees and services shall be at an annual rate of \$60,000,

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and hereby is authorized to execute the agreement with The Bonadio Group effective January 1, 2012 – December 31, 2012, a copy of which is on file with the Clerk to the Board.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 388-11

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT

WHEREAS, Madison County’s current information and internet domain is “co.madison.ny.us”; and

WHEREAS, this domain is registered to Neustar and without a contract agreement the County is unable to make any administrative changes to the domain; and

WHEREAS, in order to ensure the County is able to continue to provide secure e-mail and County website services, the Information Technology Department recommends entering into an agreement with Neustar; and

WHEREAS, the Information Technology Department also recommends proceeding with a plan to change the County's domain to "madison.ny.gov" for better control of the domain as .gov is managed by the New York State Office of Technology; and

WHEREAS, the Government Operations Committee recommends entering into an agreement with Neustar; and

WHEREAS, the Government Operations Committee also recommends proceeding with a gradual changeover of the County's domain to madison.ny.gov; and

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and hereby is authorized to execute the agreement with Neustar, a copy of which is on file with the Clerk to the Board;

BE IT FURTHER RESOLVED that the Information Technology Department is authorized to proceed with a gradual changeover of the County's domain to madison.ny.gov.

On motion by Supervisor Bargabos, seconded by Supervisor Degear, an amendment was made to this resolution adding the word "county" to the domain name listed in paragraph 4, 6 and 8 correcting the domain name to: "madisoncounty.ny.gov". The amendment was carried.

A final vote with amendment was then taken:

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 389-11

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO
ENTER INTO AN AGREEMENT
(New York State Nurses Association)**

WHEREAS, the Legislature of the State of New York enacted Article 14 of the Civil Service Law, which is known as the Taylor Law; and

WHEREAS, pursuant to Section 202 of the Civil Service Law, employees licensed or otherwise lawfully entitled to practice as a Registered Nurse are represented by the New York State Nurses Association; and

WHEREAS, the Board of Supervisors has recognized said employees' organization for the purpose of negotiating collectively in accordance with Section 204 of the Civil Service Law,

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized and empowered to enter into the negotiated agreement with New York State Nurses Association for the period January 1, 2010 to January 1, 2013, and to execute on behalf of the County such Agreement and such other and further documents as are required thereby.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 390-11

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 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:

ITEM	DEPARTMENT	MILEAGE	CONDITION
2004 International Bus	Planning	187,854	Fair/Good
2004 International Bus	Planning	203,181	Fair/Good
2007 Ford Aerotech Bus	Planning	115,627	Blown engine parts removed from dash to

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Salka and Reinhardt:

RESOLUTION NO. 391-11

AUTHORIZING THE CHAIRMAN TO ACCEPT GRANT FUNDS FROM CENTRAL NEW YORK COMMUNITY FOUNDATION, INC.

WHEREAS, Madison County Public Health Department has been notified by CNY Community Foundation, Inc. that grant funds are available for Small Grants & Initiatives; and

WHEREAS, a private contribution from CNY Community Foundation will aid the Health Department in the development of the production and distribution of the Trails of Madison County that will promote local businesses and an active lifestyle; and

WHEREAS, both Board of Health and the Public Health Services Committee supports the Health Department's involvement in this initiative,

NOW, THEREFORE BE IT RESOLVED, that the 2011 Adopted County Budget be modified as follows:

Public Health Department

A4014 Public Health Promotion and Planning

Expense		From	To
A4014.405	Health Promotion Expenses	\$17,200	\$25,000

Revenue		From	To
A2705.3025	Private Contribution – CNY Community Foundation	\$0	\$7,800

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 392-11

DRINKING WATER ENHANCEMENT GRANT RENEWAL

WHEREAS, the Madison County Public Health Department has been successfully administering the Drinking Water Enhancement Grant, providing additional services to the residents of Madison County; and

WHEREAS, this New York State funding is available to Madison County for the contract period of April 1, 2011 through March 31, 2012; and

WHEREAS, Madison County's total share for the twelve month period is \$ 113,204; and

WHEREAS, both the Board of Health and the Public Health Services Committee feel it expeditious to accept this funding and continue the additional environmental services in this area;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an

agreement with New York State Department of Health for the contract period of April 1, 2011 to March 31, 2012, as is on file with the Clerk of The Board; and

BE IT FURTHER RESOLVED, that the 2011 Adopted County Budget be modified as follows:

General Fund

	From	To
4090 Public Health Environmental <u>Expense</u>		
A4090.41004 PWS Enhancement Grant	\$ 6,304	<u>\$ 9,104</u>
Control Total		<u>\$ 2,800</u>

Revenue

A3401.6940 State Aid Public Water Supply	\$108,594	\$111,394
Control Total		<u>\$ 2,800</u>

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Salka:

RESOLUTION NO. 393-11

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH
PEACEMAKER PROGRAM, INC.**

WHEREAS, Madison County Department of Social Services has a number of children over the age of 14 years in the custody of the Commissioner of Social Services; and

WHEREAS, Madison County Department of Social Services is required to provide individual and group instruction to those children in a number of areas referred to as Independent Living Skills; and

WHEREAS, the contractor has helped to provide this required instruction for the past several years with the Madison County Department of Social Services; and

WHEREAS, Peacemaker Program, Inc., has demonstrated an ability to provide these services through their Young Leaders in Training Program and has offered to do so for the period January 1, 2012, to December 31, 2012, at a total cost not to exceed \$3,098, which is a slight decrease (\$16) from the previous year; and

WHEREAS, funds for this program are appropriated in the 2012 departmental budget and are reimbursed through the use of Chafee Funds with

an 80 percent federal reimbursement rate and 62 percent state reimbursement rate on non-federal share, for a total reimbursement rate of 92.40 percent; and

WHEREAS, the department has determined that the amount of funds to be paid to the contractor is fair and reasonable to provide such services; and

WHEREAS, this agreement has been reviewed and approved by the Social and Mental Health Services Committee:

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

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Ball:

RESOLUTION NO. 394-11

AUTHORIZING CHAIRMAN TO EXECUTE SUBLEASE AGREEMENT WITH ROBERT TACKABURY FOR MADISON COUNTY MULTI-DISCIPLINARY TEAM

WHEREAS, the Madison County Children’s Advocacy Center, a grant-funded program through the Madison County Sheriff’s Department, has established a satellite interview site in the Hamilton area; and

WHEREAS, such site is located at 2556 Route 12B in the Town of Hamilton, New York, said location currently being leased by Robert L. Tackabury (“sublessor”); and

WHEREAS, the County and the sublessor had originally negotiated a sublease agreement for the initial period of the sublease which terminated on October 31, 2008, and which sublease agreement had been reviewed and approved by the Madison County Attorney’s Office, the county’s insurance agent and the sublessor; and

WHEREAS, said sublease agreement had been previously extended to October 31, 2011; and

WHEREAS, said sublease agreement needs to be extended for an additional twelve-month period; and

WHEREAS, except for the term of the sublease, all other language of the sublease remains unchanged; and

WHEREAS, said sublease has also been reviewed and approved by the County Attorney’s Office and the Criminal Justice, Public Safety and Telecommunications Committee;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to execute the aforesaid sublease agreement on behalf of the County of Madison and the Madison County Multi-Disciplinary Team, in the form and as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisors Ball and Reinhardt:

RESOLUTION NO. 395-11

AUTHORIZING PARTICIPATION IN A FEDERAL GRANT AND MODIFYING THE 2011 COUNTY BUDGET

WHEREAS, Madison County has been awarded a Federal Grant through the New York State Governor’s Traffic Safety Committee; and

WHEREAS, the Federal awards grant is identified as follows;

Awarding Agency:	National Highway Safety Administration
Pass-through Agency:	NYS Governor’s Traffic Safety Committee
Catalog of Federal Domestic Assistance:	#20.600
Program Name:	Distracted Driving and Slow Moving Vehicle
Award Year:	October 1, 2011 through September 30, 2012
Federal Funds Percentage:	100%
Grant No.:	HS1-2012-Madison Co SO -00018-(027)
Total Grant Amount:	\$22,510.00, and

WHEREAS, the funding agencies have approved the following budget for this project during the project year 10/1/11 – 9/30/12

General Fund

3111 Sheriff Department-Traffic Safety Coord Grant

<u>Expense</u>	<u>From</u>	<u>To</u>
A3111.111 Personal Services Distracted Driving 2011-12	\$ 0	\$19,000
A3111.4100 Commodities 2011-12	0	1,000
A3111.41 Travel-Conference & Seminar Expense 2011-12	0	1,000
A3111.810 Allocation of Fringe Benefits	<u>1,410</u>	<u>2,920</u>
Total	<u>1,410</u>	<u>23,920</u>

	Control Total		<u>\$22,510</u>
<u>Revenue</u>			
A4389.3510	Federal Aid Distracted Driving - 2011-12	\$ 0	<u>22,510</u>
	Control Total		<u>\$22,510</u>
	Net Cost to the County		\$ 0

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board is hereby authorized to execute the necessary documents to finalize receipt of the grant; and

BE IT FURTHER RESOLVED that the 2011 Adopted County Budget be modified in accordance with this grant.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Cary:

RESOLUTION NO. 396-11

AUTHORIZING THE CHAIRMAN TO ENTER INTO A SUBLEASE AGREEMENT WITH STAFFWORKS, INC.

WHEREAS, the County currently leases space in the Oneida Shopping Center Retail Center, 1006 Oneida Plaza Drive, Oneida NY, from Oneida Company, Ltd. for the occupancy of the Employment & Training Department and its partner service providers; and

WHEREAS, the lease provides that the County as the tenant, may sublet all or a portion of the leased premises to a third party contingent upon the written consent of the Landlord, Oneida Company, Ltd.; and

WHEREAS, the Employment & Training Department and its partner service providers do not use the entire premises; and

WHEREAS, the County would sublease a portion of the property consisting of approximately Sixty-Three (63) square feet to Staffworks, Inc.; and

WHEREAS, the sublease would be for a term of one year commencing on November 1, 2011 and terminating on October 31, 2012. During this term the subleased premises may be used for up to three (3) days per week; and

WHEREAS, During the period of November 1, 2011 through and including October 31, 2012, the total rental for the Subleased Premises, will be Three-Thousand, Five-Hundred, Nineteen and 00/100 Dollars (\$3,519.00), payable in

monthly installments of Two-Hundred, Ninety-Three and 25/100 Dollars (\$293.25) on the First day of the month, commencing November 1, 2011.

WHEREAS, this agreement has been reviewed and approved by the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee;

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

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 397-11

AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE CENTRAL NEW YORK REGIONAL PLANNING AND DEVELOPMENT BOARD

WHEREAS, the Central New York Regional Planning and Development Board is applying for Sustainable Communities Planning Grant through the Office of Housing and Urban Development (HUD) grant that will develop a Central New York Regional Plan; and

WHEREAS, preparation of such a plan will address a range of public policy issues on a regional basis including housing, land use, economic and workforce development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: (1) economic competitiveness and revitalization; (2) social equity, inclusion, and access to opportunity; (3) energy use and climate change; and (4) public health and environmental impact; and

WHEREAS, CNY RPDB will form the Central New York Regional Plan Advisory Council that will act as a Consortium for the purpose of submission of an application to HUD; and

WHEREAS, Madison County has been asked to serve on the Regional Plan Advisory Council; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors for the County of Madison be and hereby is authorized to sign the document entitled “CENTRAL NEW YORK REGIONAL PLAN FOR SUSTAINABLE DEVELOPMENT PARTNERSHIP AGREEMENT” on behalf of the County of Madison.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 398-11

**RECOMMENDING CHANGES TO THE RULES THAT GOVERN
COMPULSORY INTEGRATION IN THE STATE OF NEW YORK**

WHEREAS, effective August 2nd, 2005, an applicant for a permit to drill an oil or gas well in New York State is required to submit a map to define the area assigned to that well (spacing unit); and

WHEREAS, in New York State this map may include some or all of a landowners acreage, even though they may not have entered into an oil and gas lease; and

WHEREAS, The NYS Department of Environmental Conservation is responsible for issuing a well permit and has developed a compulsory integration process to deal with those landowners that have not signed leases (uncontrolled owners); and

b **WHEREAS**, the current compulsory integration policy in New York State can ensure that un-leased landowners in a spacing unit are reasonably compensated for their proportion of the natural gas extracted from beneath their un-leased acreage; and

WHEREAS, currently, an applicant is required to have 60% of the acreage in the unit secured through an oil and gas lease before the DEC will issue them a drilling permit; and

WHEREAS, the uncontrolled owners are then forced to participate in the extraction of gas or oil from below their property, and are given various options for how to participate in the extraction process; and

WHEREAS, a public hearing (integration hearing) for the integration is held in Albany, NY, making it difficult or impossible for the uncontrolled owner to attend; and

WHEREAS, the uncontrolled landowner is only given 21 days to respond to the letter asking them for their choice (“integrated non-participating owner” or an “integrated participating owner” or an “integrated royalty owner”) in the integration process; and

WHEREAS, uncontrolled owners are given the lowest royalty payment percentage of the other leasees making up the spacing unit; and

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors recommends reform of the compulsory integration process, rather than repeal of the current rules which would result in a return to the “Rule of Capture”; and

BE IT FURTHER RESOLVED, that 80% of the acreage in a unit should be secured with leases before a permit can be issued; and

BE IT FURTHER RESOLVED, that the integration hearings should be set at a designated location within the municipality in which the drilling will take place, preventing uncontrolled landowners from having to travel to Albany to be heard; and

BE IT FURTHER RESOLVED, uncontrolled landowners should be allowed 28 days to make their election on how to proceed with the integration process, not the 21 days as currently required; and

BE IT FURTHER RESOLVED, that uncontrolled owners are given an average of the lease royalty payments being offered to participating leases within the spacing unit, not the lowest percentage as is currently required; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Senator David Valesky, Assemblyman William Magee, to Chairman of the State Senate Committee on Energy and Telecommunications George Maziarz, and to Chairman of the Assembly Committee on Energy Kevin Cahill, and Governor Andrew Cuomo.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 399-11

EXTENDING THE CONTRACT WITH MADISON COUNTY TOURISM, INC.

WHEREAS, Madison County entered into a contract with the Madison County Tourism Committee, Inc. (now known as Madison County Tourism, Inc.), to promote tourism in Madison County; and

WHEREAS, Madison County Tourism, Inc. is a not-for-profit corporation located within Madison County and formed for the purpose, among others of developing and promoting tourism in Madison County; and

WHEREAS, Madison County wishes to have Madison County Tourism, Inc. continue to publicize the attractions of Madison County for the purpose of promoting tourism; and

WHEREAS, Section 224 of the County Law authorizes the County to enter into a contract for the provision of such services;

NOW, THEREFORE, BE IT RESOLVED, that Madison County Board of Supervisors authorize the extension of the current contract under the same terms and conditions with Madison County Tourism, Inc. from January 1, 2012 to December 31, 2012; 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 Madison County Tourism, Inc.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT- 44 (Bradstreet)

RESOLUTION NO. 400-11

RESOLUTION CALLING ON CONGRESSIONAL DELEGATION TO ENSURE THE FUTURE OF ECONOMICALLY VITAL CORMORANT MANAGEMENT ACTIVITIES IN THE ONEIDA LAKE REGION

WHEREAS, Oneida Lake is one of Upstate New York's most important natural resources, serving as an engine for regional economic activity via the hundreds of millions of dollars in angling-related revenue; and

WHEREAS, In less than 20 years' time, from the late 1980s to the mid-1990s, invasive double-crested cormorants nearly destroyed Oneida Lake's economic potential by eating the majority of important game fish populations; and

WHEREAS, Federal economists estimate the regional economic damage wrought by cormorants at \$500 million in lost revenue and 12,000 jobs; and

WHEREAS, A broad group of stakeholders and resource managers have established science-based, time-tested targets for cormorant populations on Oneida Lake and sought both local effort and outside assistance to meet these targets; and

WHEREAS, From 2004-2009, the U.S. Department of Agriculture successfully combated cormorant damage on Oneida Lake through a cost-effective program of harassment and monitoring, protecting \$50 million in total revenue and 5,000 local jobs as well as creating more than 90 new jobs annually in marinas, lodging, and related activities, for an average annual investment of \$1 million or less; and

WHEREAS, Oneida Lake's fisheries showed substantial rebounds under USDA stewardship, but are still at levels far below pre-cormorant averages, leaving them at grave risk from any increase in cormorant depredation; and

WHEREAS, The 111th Congress did not make cormorant management a priority, leading to the de-funding and discontinuation of the program since the start of the 2009 fiscal year; and

WHEREAS, The 112th Congress has better understood that the cormorant threat requires constant vigilance, and Congress has made the USDA the only agency with the legal authority, equipment, and expertise to manage cormorants in a cost-effective and environmentally sensitive manner; the U.S. House of Representatives and the U.S. Senate have each passed agriculture appropriations bills with funding for USDA to conduct such wildlife control activities; and USDA administrators have been instructed that they are to use said funding to restore the cormorant management program on Oneida Lake;

NOW THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors does hereby request that our delegates to the U.S. House of Representatives and the U.S. Senate demonstrate commitment to cormorant control in their legislative activities, by making every effort to pass into law agriculture appropriations legislation that fully funds cormorant management; and

BE IT FURTHER RESOLVED, that Members of Congress and Senators are respectfully asked to work together to create a funding mechanism designed to sustain current and future U.S. Department of Agriculture activities as needed to prevent the cormorant problem from recurring in New York State's waters.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisors Cary, Reinhardt and Bargabos:

RESOLUTION NO. 401-11

**AUTHORIZING THE CHAIRMAN TO ENTER INTO
AN AGREEMENT FOR AUCTIONEER SERVICES**

WHEREAS, the County of Madison acquires parcels of land as a result of non-payment of real property taxes levied on such parcels; and

WHEREAS, typically the County disposes of these parcels at a public land sale on an annual basis; and

WHEREAS, it has been the County's practice to utilize an auctioneer to auction off said parcels in order to secure the highest possible bids; and

WHEREAS, the 2011 public land sale was conducted on Saturday, September 24, 2011; and

WHEREAS, Farm and Land Agency, Inc. successfully provided the auctioneer services for the 2011 public land sale; and

WHEREAS, due to an administrative oversight, the agreement for auctioneer services was not presented to the full Board of Supervisors for review and approval; and

WHEREAS, Farm and Land Agency, Inc. has provided a proposal to perform the auctioneer services for five percent of the gross sale price, less the County's expenses for advertising and brochures in the amount of \$4,230.24; and

WHEREAS, the Planning, Economic Development and Environmental Affairs Committee, the Government Operations Committee, and the Finance, Ways and Means Committee have reviewed and approved the agreement with Farm and Land Agency, Inc. for auctioneer services for the 2011 public land sale.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be, and hereby is, authorized to enter into an agreement for auctioneer services as is on file with the Clerk of the Board of Supervisors.

On motion by Supervisor Ball, seconded by Supervisor DiVeronica, this resolution was TABLED. (This resolution will be brought up under "unfinished business" at the November 29, 2011 meeting.)

By Supervisor Degear:

RESOLUTION NO. 402-11

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE MADISON COUNTY SNOWMOBILE ASSOCIATION, INC FOR THE USE OF THE SWALLOWS BRIDGE ROAD BRIDGE

WHEREAS, the County of Madison co-owns the Swallows Bridge Road Bridge situated in the City of Oneida, over Oneida Creek with the County of Oneida; and

WHEREAS, the Bridge has been closed to regular vehicle traffic since 5/11/05; and

WHEREAS, Madison County allowed the Madison County Snowmobile Association to use and maintain the Bridge for recreational snowmobile traffic last season without incident; and

WHEREAS, the Swallows Bridge Road Bridge is still the most suitable crossing of Oneida Creek between Madison and Oneida Counties for snowmobiles; and

WHEREAS, the Madison County Snowmobile Association, Inc. has again agreed to certain terms and conditions for the use and maintenance of the Bridge for recreational snowmobile traffic;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is authorized to enter into an Agreement with the Madison County Snowmobile Association in the form as is on file with the Clerk of the Madison County Board of Supervisors.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Goldstein:

RESOLUTION NO. 403-11

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ENVIRONMENTAL PRODUCTS AND SERVICES, INC. TO RECEIVE, PROCESS AND DISPOSE OF MADISON COUNTY'S HOUSEHOLD HAZARDOUS WASTE

WHEREAS, the County of Madison is required pursuant to its New York State Department of Environmental Conservation approved Solid Waste Management Plan to collect, process and dispose of Household Hazardous Waste; and

WHEREAS, Environmental Products and Services, Inc. owns and operates a permitted facility in Syracuse, NY for the proper management of Household Hazardous Waste; and

WHEREAS, the County of Madison has no comparable facility and has met with Environmental Products and Services Inc. about continuing service to Madison County residents for the year 2012 at the same rates charged to the County in the year 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010 & 2011 (\$85.00 per household for large quantities and \$50.00 per household for small quantities); and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized and directed to enter into an Agreement with Environmental Products and Services, Inc., a copy of which is on file with the Clerk of the Board, for a total sum not to exceed \$20,000.00 for the period beginning January 01, 2012 and ending December 31, 2012.

This Resolution shall take effect January 01, 2012.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 404-11

OPPOSING PROPOSED AMENDMENTS TO THE NEW YORK STATE BOTTLE BILL REGULATIONS BY NYSDEC THAT WOULD PREVENT MUNICIPAL RECYCLING FACILITIES AND TRANSFER STATIONS FROM CLAIMING DEPOSITS ON RETURNABLE CONTAINERS

WHEREAS, Madison County supported expansion of New York State's "Bottle Bill" to provide for deposits on a broad range of recyclable containers to encourage recycling, reduce greenhouse gas emissions, protect the environment and conserve landfill space; and

WHEREAS, the Bottle Bill implementing regulations promulgated by the New York State Department of Environmental Conservation ("NYSDEC") under 6 NYCRR Part 367 provide the means and methods for accomplishing the expanded recycling program envisioned by the legislation; and

WHEREAS, Madison County currently generates approximately \$18,000 annually by redeeming the deposits on containers delivered to the County Materials Recycling Facility ("MRF") and transfer stations; and

WHEREAS, NYSDEC has proposed draft regulations that would amend the existing Bottle Bill's implementing regulations set forth in Part 367 to exclude all MRF's and Transfer Stations from the definition of facilities that are eligible to redeem deposits ("Redeemers"); and

WHEREAS, the proposed amendments would deprive the County of revenues generated by redeeming deposits on returnable containers delivered to the MRF and transfer stations thus harming its recycling program.

NOW, THEREFORE, BE IT RESOLVED, that Madison County Board of Supervisors opposes any amendment to 6 NYCRR Part 367 that would limit in any way the right of municipalities to redeem deposits on containers delivered to municipally owned MRF's and transfer stations.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Supervisor Goldstein offered an amendment to this resolution, seconded by Supervisor Cary adding to the last paragraph the following: "that copies of this resolution shall be submitted to our local State Assemblyman and Senator. Carried. A final vote was then taken:

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 405-11

**AUTHORIZING AGREEMENT FOR 2012 MISCELLANEOUS ENGINEERING/
LAND SURVEYING SERVICES**

WHEREAS, Madison County is in need of a variety of miscellaneous engineering/ land surveying services with regard to the County's solid waste management system and facilities; and

WHEREAS, Delta Engineers, Architects & Land Surveyors, P.C. possesses the special skills and training required to perform the engineering/ land surveying services in connection with the County's solid waste management system and facilities; and

WHEREAS, the Solid Waste/Recycling Committee has reviewed and approved the Delta Engineers, Architects & Land Surveyors, P.C. proposal; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board is hereby authorized and directed to enter into an Agreement with Delta Engineers, Architects & Land Surveyors, P.C. to furnish professional engineering/ land surveying services to assist the Solid Waste Department in determining available space and compaction rates in the operating West-Side landfill. The estimated cost of services contemplated by said Agreement is \$2,300.00 for each quarterly survey completed and not to exceed an annual total of \$9,200.00. This is an increase of \$800.00 from the 2010 and 2011 professional engineering/ land surveying service Agreements. A copy of said Agreement is filed with the Clerk of this Board; and

BE IT FURTHER RESOLVED, that this Agreement shall cover the period from January 1, 2012 and shall terminate on December 31, 2012; and

BE IT FURTHER RESOLVED, that funds from the Solid Waste Department engineering accounts will be utilized to cover the cost of the engineering services proposed.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 406-11

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS TO
ACCEPT ALTERNATIVE DAILY LANDFILL COVER MATERIAL**

WHEREAS, Madison County is currently in need of landfill cover material for the operation of the Westside Landfill and for revenue purposes; and

WHEREAS, Paragon Environmental Construction, Inc. and Abscope Environmental, Inc. are corporations located in the State of New York have the ability to supply Alternative Daily Landfill Cover Material (**Petroleum Contaminated Soil**) which such material may be used according to the New York State Department of Environmental Conservation; and

WHEREAS, Paragon Environmental Construction, Inc. and Abscope Environmental, Inc. is willing to provide such material and it is in the best interest of Madison County to receive same (on an as needed basis) upon payment to Madison County of an agreed upon price of \$22.00 per ton from November 14, 2011 through November 14, 2012; and

WHEREAS, an Agreement has been drafted whereby such arrangement may be formalized with Paragon Environmental Construction, Inc. and Abscope Environmental, Inc. who will provide such material to the County as a supplement in the event the County Landfill does not receive the quantity of incinerator ash needed for daily landfill cover; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board be and is hereby authorized and directed to enter into an Agreement (beginning November 14, 2011 and ending November 14, 2012) with Paragon Environmental Construction, Inc. and Abscope Environmental, Inc. in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 407-11

AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES FOR 2012 GROUNDWATER MONITORING AND MISCELLANEOUS ENGINEERING

WHEREAS, Madison County is in need of a variety of miscellaneous engineering services with regard to the County's solid waste management system and facilities; and

WHEREAS, Barton and Loguidice Engineering possesses the special skills and training required to perform the engineering services in connection with the County's solid waste management system and facilities; and

WHEREAS, the Solid Waste/Recycling Committee has reviewed and approved the Barton and Loguidice Engineering proposal; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board is hereby authorized and directed to enter into an Agreement with Barton and Loguidice, P.C. Consulting Engineers, a professional corporation, to furnish professional engineering services in connection with the County's solid waste management system. The estimated cost of services contemplated by said Agreement is not to exceed **\$175,000**. The estimated cost of services in the 2011 professional engineering services Agreement is not to exceed **\$182,000**. A copy of said Agreement is filed with the Clerk of this Board; and

BE IT FURTHER RESOLVED, that this Agreement shall cover the period from January 1, 2011 and shall terminate on December 31, 2011; and

BE IT FURTHER RESOLVED, that funds from the Solid Waste Department engineering accounts will be utilized to cover the cost of the engineering services proposed.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Reinhardt:

RESOLUTION NO. 408-11

APPROVAL – MORTGAGE TAX REPORT

WHEREAS, this Board is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each tax district of the County of the money collected during the preceding six months ending September 30, 2011;

NOW, THEREFORE BE IT RESOLVED, that pursuant to Section 261 of the Tax Law, this Board issue tax warrants for the payment of the respective tax districts of the amounts so credited, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report:

Town of Brookfield	\$6,671.23
Town of Cazenovia	\$80,175.31
Village of Cazenovia	\$14,623.21
Town of DeRuyter	\$7,804.09
Village of DeRuyter	\$697.19
Town of Eaton	\$9,259.52
Village of Hamilton	\$1.71
Village of Morrisville	\$2,530.63
Town of Fenner	\$4,623.38
Town of Georgetown	\$873.69

Town of Hamilton	\$18,877.76
Village of Earlville	\$532.43
Village of Hamilton	\$10,850.69
Town of Lebanon	\$5,923.28
Town of Lenox	\$28,316.16
Village of	\$8,252.11
Canastota	
Village of	\$1,706.42
Wampsville	
Town of Lincoln	\$9,738.8
Town of Madison	\$13,763.42
Village of Hamilton	\$131.34
Village of Madison	\$500.59
Town of Nelson	\$22,369.57
Town of Smithfield	\$9,982.94
Town of Stockbridge	\$6,284.68
Village of	\$685.68
Munnsville	
Town of Sullivan	\$88,247.04
Village of	\$14,581.64
Chittenango	
City of Oneida	\$53,368.96
TOTAL	\$421,373.47

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 409-11

AUTHORIZING THE MODIFICATION OF THE 2011 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2011 Adopted County budget be modified as follows:

Modification No. 1

General Fund

1010 Legislative Board

Expense

	<u>From</u>	<u>To</u>
A1010.41 Travel Expense (Mileage)	\$12,000	\$19,000
A1010.4130 County Administrator Recruitment	<u>12,649</u>	<u>5,649</u>
Control Totals	<u>\$24,649</u>	<u>\$24,649</u>

Modification No. 2

General Fund

1165-District Attorney

Expense

A1165.4005 Books & Periodicals

From

To

\$ 4,289

\$ 4,189

A1165.4911 Office Supply &

800

900

Expense (outside)

Control Totals

\$ 5,089

\$ 5,089

Modification No. 3

General Fund

1170 Public Defender Service

Expense

A1170.4219 Assigned Counsel Family Court

From

To

\$240,000

\$290,000

1990 Contingent Fund

Expense

A1990.4444 Contingent Account

459,642

409,642

Control Totals:

\$699,642

\$699,642

Modification No. 4

General Fund

1420 County Attorney

Expense

A1420.4208 Professional Legal Counsel

From

To

\$113,237

\$138,237

A1990 Contingent Fund

Expense

A1990.4444 Contingent Account

409,642

384,642

Control Totals

\$522,879

\$522,879

Modification No. 5

General Fund

1165 District Attorney

Expense

A1165.4062 Forensic Evaluation Expense

From

To

\$ -0-

\$ 6,000

1990 Contingent Fund

A1990.4444 Contingent Fund

384,642

378,642

Control Totals

\$384,642

\$384,642

Modification No.6

General Fund

1170 Public Defender Service

<u>Expense</u>	<u>From</u>	<u>To</u>
A1170.42181 Assigned Counsel-Criminal Disbursements	\$ 13,000	\$ 18,000

1990 Contingent Fund

<u>Expense</u>		
A1990.4444 Contingent Account	<u>378,642</u>	<u>373,642</u>
Control Totals:	<u>\$391,642</u>	<u>\$391,642</u>

Modification No. 7**General Fund****1325 County Treasurer**

<u>Expense</u>	<u>From</u>	<u>To</u>
A1325.40104 Call Accounting Software	\$ -0-	\$ 1,495
A1325.4111 Tuition/Education Reimbursement	1,620	810
A1325.4206 Computer Software & Maintenance	30,518	30,643
A1325.4713 Bank Courier	<u>6,500</u>	<u>5,690</u>
Control Totals	<u>\$38,638</u>	<u>\$38,638</u>

Risk Retention Fund**900 Liability & Fleet Insurance**

<u>Expense</u>	<u>From</u>	<u>To</u>
CS1722.44001 Excess Insurance Premium	\$453,400	\$461,190
CS1930.44006 Judgments & Claims-Liability	<u>162,100</u>	<u>154,310</u>
Control Totals	<u>\$615,500</u>	<u>\$615,500</u>

9060 Hospital & Medical Insurance

<u>Expense</u>		
CS9060.8600 Excellus Medicare Premiums	\$550,000	\$527,750
CS9060.8601 Excellus Hospital/Medical Premiums	207,500	170,000
CS9060.8602 Excellus Hospital/Medical Claims	1,800,000	1,948,150
CS9060.8604 Premiums on HMO's	65,000	47,100
CS9060.8606 EBS-RMSCO Dental Claims	380,000	360,000
CS9060.8608 Teamsters Benefit Fund Premiums	526,000	533,000
CS9060.8612 EBS-RMSCO Premiums	<u>207,500</u>	<u>150,000</u>
Control Totals	<u>\$3,736,000</u>	<u>\$3,736,000</u>

Modification No. 8**General Fund****1430 – Personnel & Civil Service**

<u>Expense</u>	<u>From</u>	<u>To</u>
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A1430.4013 Labor Relations Fees	\$ 4,000	\$11,000
A1430.4110 Training and Staff Development	16,000	13,000
A1430.4111 Tuition/Education Reimbursement	1,000	-0-
A1430.464 Physical Exams/Personnel	<u>6,000</u>	<u>3,000</u>
Control Totals	<u>\$27,000</u>	<u>\$27,000</u>

Modification No. 9

General Fund

1450-Board of Elections

Expense

	<u>From</u>	<u>To</u>
A1450.40101 Computer Equipment	\$ 1,352	\$ 3,579
A1450.4026 Outside Printing Expense	<u>59,124</u>	<u>56,897</u>
Control Totals	<u>\$ 60,476</u>	<u>\$60,476</u>

Modification No. 10

General Fund

1620-County Buildings

Expense

	<u>From</u>	<u>To</u>
A1620.2905 Courthouse Windows	\$ 12,000	\$ 4,000
A1620.2703 Paving Parking Lots	<u>100,000</u>	<u>108,000</u>
Control Totals	<u>\$112,000</u>	<u>\$112,000</u>

Modification No. 11

General Fund

1680 Information Technology

Expense

	<u>From</u>	<u>To</u>
A1680.2110 Computer Equipment	\$10,000	\$10,300
A1680.40101 Computer Equipment	5,850	7,350
A1680.402 Miscellaneous Expense	3,000	4,000
A1680.4050 Sitewide Antivirus Subscription	<u>2,800</u>	<u>-0-</u>
Control Totals	<u>\$21,650</u>	<u>\$21,650</u>

Modification No. 12

General Fund

3020-Communications Center

Expense

	<u>From</u>	<u>To</u>
A3020.4911 Office Supply & Expense	\$ 2,000	\$ 1,800
Control Total		<u>\$ 200</u>

3021-Communications-E911

Expense

<u>From</u>	<u>To</u>
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A3021.4716 Recording Equipment Maintenance	\$10,000	\$10,200
Control Total		<u>\$ 200</u>

Modification No. 13

General Fund

3021 Communications-E911

	<u>From</u>	<u>To</u>
Expense		
A3021.4192 Tower Rental	\$ 14,300	\$ 26,400

2490 Community College Tuition

A2490.4445 Tuition Expense	<u>1,475,000</u>	<u>1,462,900</u>
Control Totals	<u>\$1,489,300</u>	<u>\$1,489,300</u>

Modification No. 14

General Fund

3645 Homeland Security

	<u>From</u>	<u>To</u>
Expense		
A3645.10 Personal Services – LETPP	\$ 2,740	-0-
A3645.224 Tactical Team Vehicle	55,000	63,750
A3645.2822 Surveillance Equipment	180	-0-
A3645.4200 CCIP Consultant-SLETPP Grant	2,000	-0-
A3646.4110 Travel & Training-CCIP & IDE-SLETPP Grant	1,810	500
A3645.44205 CCIP/IED Training-SLETPP Grant	<u>27,167</u>	<u>24,647</u>
Control Totals	<u>\$88,897</u>	<u>\$88,897</u>

Modification No. 15

General Fund

3989 Navigation & Snowmobile Patrol

	<u>From</u>	<u>To</u>
Expense		
A3989.4110 Training and Staff Development	\$ 1,800	\$ 400
A3989.4425 Personnel Uniforms & Equipment Navigation	1,500	200
A3989.4426 Personal Gear Snowmobile	1,000	800
A3989.44271 Navigation Equipment	1,000	100
A3989.4847 Snowmobile Equipment Repair & Expense	<u>3,000</u>	<u>6,800</u>
Totals	<u>\$ 8,300</u>	<u>\$ 8,300</u>

Modification No. 16

General Fund

4010 Public Health Administration

	<u>From</u>	<u>To</u>
Expense		

A4010.4111 Tuition/ Education Reimbursement	\$ 12,000	\$14,500
A4010.4305 Malpractice Insurance	<u>50,000</u>	<u>47,500</u>
Totals	<u>\$ 62,000</u>	<u>\$ 62,000</u>

Modification No. 17
County Road Fund

<u>5110 Maintenance of Roads & Bridges</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
D5110.46000 Local Bridge Expense	\$200,000	\$155,558
D5110.46007 Misc. Materials	40,000	25,000

5112 Construction Projects

<u>Expense</u>		
D5112.46007 Misc. Materials	300,000	328,363
D5112.4733 Contract Paving	105,000	115,380

5113 Consolidated Highway Program

<u>Expense</u>		
D5113.4733 Contract Paving	1,449,266	1,469,965
Control Total	<u>\$2,094,266</u>	<u>\$2,094,266</u>

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

By Supervisor Ball:

RESOLUTION NO. 410-11

**AUTHORIZING THE COUNTY ATTORNEY TO
COMMENCE A LAWSUIT**

WHEREAS, the County of Madison entered into a Lease Agreement on September 28, 2010 with Jordan Ashcraft to lease property to put a Tower Site for the new E-911 system; and

WHEREAS, the entire project is a Twenty Three Million dollar project; and

WHEREAS, the lease agreement provides language wherein Mr. Ashcraft is to “fully cooperate with any utility company requesting an easement over, under and across the Property in order for the utility company to provide service to the Tenant”; and

WHEREAS, Mr. Ashcraft is refusing to sign an easement with National Grid without further payment by the County of Madison; and

WHEREAS, Mr. Ashcraft's lack of cooperation in this matter is putting Madison County at great risk of damages and threatens the viability of the entire project;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Department of Law be authorized to immediately commence a lawsuit seeking to enforce the terms of the Lease and hold Mr. Ashcraft responsible for any all damages that are incurred by Madison County due to his failure to abide by the terms of the Lease Agreement.

Supervisor Ball offered an amendment to this resolution, seconded by Supervisor Goldstein, to change National Grid in paragraph four to NYSEG. The amendment was carried and a final vote then taken:

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

RESOLUTION NO. 411-11

APPROVING THE PAYMENT OF CLAIMS

RESOLVED, that the claims presented to this Board by the Clerk, having been duly audited, be and the same hereby are authorized to be paid by the Treasurer upon receipt of a copy of the abstract of audited claims attested by the Clerk.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)

PUBLIC COMMENT PERIOD

No Speakers.

The Board stands recessed until November 29, 2011.