

**MADISON COUNTY BOARD OF SUPERVISORS**  
**3<sup>rd</sup> Day – Annual Session – Tuesday, November 23, 2010**

The Board reconvened at 10:00 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Stepanski (47 votes), arriving at 10:15 a.m.

Pledge of Allegiance.

On motion by Supervisor Rafte, seconded by Supervisor Suits the minutes of the previous meeting were dispensed with and adopted as filed.

**COMMUNICATIONS**

1. Copy of Resolutions from Essex County – Urging NYS Public Service Commission to Reject Proposal from National Grid to Increase Residential Natural Gas and Electric Rates and Urging NYS to Significantly cut the Unfunded Mandates that Cause Local Property Tax Increases Before Imposing a Cap on Local Property Taxes.
2. Copy of a Resolution from Orange County – Urging NYS Public Services Commission to Reject the Proposal from National Grid to Increase Residential Natural Gas and Electric Rates.

**RESOLUTIONS**

**By Supervisor Bargabos:**

**RESOLUTION NO. 408-10**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH  
EXCELLUS BLUE CROSS AND BLUE SHIELD - UTICA REGION**

**WHEREAS**, Madison County offers the Excellus Blue Cross and Blue Shield Traditional Plan for medical insurance coverage for its active employees, retirees under the age of 65, and their eligible dependents; and

**WHEREAS**, the County's minimum premium agreement for the Traditional Plan with Excellus Blue Cross and Blue Shield Utica Region (EBCBSUR) expires on December 31, 2010; and

**WHEREAS**, Excellus Blue Cross and Blue Shield has extended their offering of the Traditional Plan, which EBCBSUR is now expected to terminate as of January 1, 2012; and

**WHEREAS**, EBCBSUR has developed renewal rates for the administration of this portion of the County's health insurance program for fiscal year 2011; and

**WHEREAS**, EBCBSUR is no longer the pharmacy benefit manager for the County's health insurance program effective July 1, 2010, which is reflected in the renewal rates for 2011; and

**WHEREAS**, the Madison County Treasurer, as the Health Plan Administrator, has reviewed the renewal rates and has recommended that the minimum premium agreement be renewed at the monthly rate of \$37.50 for single, 2-person, and family, a decrease of 16.0% compared with the rates for 2010.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board be, and hereby is, authorized to execute the minimum premium agreement with Excellus Blue Cross and Blue Shield - Utica Region, a copy of which is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the Health Plan Administrator and the Chairman of the Board, be and hereby are, authorized to request and receive any and all health plan information on behalf of the County of Madison as is necessary for plan administration; and

**BE IT FURTHER RESOLVED**, that the County Treasurer, as Health Plan Administrator, be and hereby is authorized to purchase stop loss insurance in an amount reasonable and necessary to protect the financial stability of the County's health insurance program.

**ADOPTED: AYES – 1453 NAYS - 0 ABSENT – 47 (Stepanski)**

**RESOLUTION NO. 409-10**

**AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH EXCELLUS BLUE CROSS AND BLUE SHIELD - UTICA REGION**

**WHEREAS**, Madison County offers the Excellus Blue Cross and Blue Shield 65+ Supplemental Plan for medical insurance coverage for its Medicare-eligible retirees and Medicare-eligible dependents; and

**WHEREAS**, the County's agreement with Excellus Blue Cross and Blue Shield Utica Region (EBCBSUR) for supplemental insurance coverage expires on December 31, 2010, and

**WHEREAS**, EBCBSUR has developed premium renewal rates for this portion of the County's health insurance program for fiscal year 2011; and

**WHEREAS**, these premium rates are final and have been approved by the New York State Insurance Department; and

**WHEREAS**, the Madison County Treasurer, as the Health Plan Administrator, has reviewed the renewal rates and has recommended that the agreement for 65+ supplemental insurance coverage be, and hereby is, renewed at the foregoing premium rates, a decrease of 3.6% compared with the premium rates for 2010.

**NOW, THEREFORE, BE IT RESOLVED**, that the County's agreement with EBCBSUR be renewed for the period of January 1, 2011 through December 31, 2011, at the following monthly premium rates:

Individual	\$187.61
2-Person	375.22

**BE IT FURTHER RESOLVED**, that the Health Plan Administrator and the Chairman of the Board, be and hereby are, authorized to request and receive any and all health plan information on behalf of the County of Madison as is necessary for plan administration.

**ADOPTED: AYES – 1453 NAYS – 0 ABSENT – 47 (Stepanski)**

**RESOLUTION NO. 410-10**

**AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH EBS-RMSCO, INC. FOR SECTION 125 FSA ADMINISTRATION SERVICES**

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

**WHEREAS**, the FSA allows employees to pay for anticipated health care, dependent care and health insurance premiums with pre-tax dollars, thus providing employees and the County with Social Security and Medicare (FICA) tax savings; and

**WHEREAS**, EBS-RMSCO, Inc. has provided the County with administrative services for this plan for fiscal year 2010 at a cost of \$4.45 per participant per month; and

**WHEREAS**, EBS-RMSCO, Inc. has proposed no increase to their fee of \$4.45 per participant per month for fiscal year 2011.

**NOW, THEREFORE, BE IT RESOLVED** that the County's agreement with EBS-RMSCO, Inc., for Section 125 administrative services, be and hereby is renewed for the period of January 1, 2011 through December 31, 2011.

**ADOPTED: AYES – 1389 NAYS – 64 (Reinhardt) ABSENT – 47 (Stepanski)**

**RESOLUTION NO. 411-10**

**AUTHORIZING THE RENEWAL OF  
AN AGREEMENT WITH MVP HEALTH CARE**

**WHEREAS**, the County's agreement with MVP Health Care expires on December 31, 2010; and

**WHEREAS**, MVP Health Care has developed premium rates for the health maintenance organization portion of the County's health insurance program for fiscal year 2011; and

**WHEREAS**, the Madison County Treasurer, as the Health Plan Administrator, has reviewed the renewal rates and has recommended that the agreement with MVP Health Care be renewed at the foregoing premium rates, an increase of 5.6% for single and double premiums, and an increase of 3.0% for family premiums.

**NOW, THEREFORE, BE IT RESOLVED**, that the County's agreement with MVP Health Care be, and hereby is, renewed for the period of January 1, 2011 through December 31, 2011, at the following monthly premium rates:

<u>Plan</u>	<u>Single</u>	<u>Double</u>	<u>Family</u>
MVP Health Care	\$636.28	\$1,272.56	\$1,654.33

**ADOPTED: AYES – 1453 NAYS – 0 ABSENT – 47 (Stepanski)**

**RESOLUTION NO. 412-10**

**AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH EBS-RMSCO,  
INC. FOR DENTAL ADMINISTRATION SERVICES**

**WHEREAS**, the County provides dental insurance for its eligible employees and their eligible dependents; and

**WHEREAS**, the employee dental program is a self-funded program; and

**WHEREAS**, EBS-RMSCO, Inc. has effectively served as the County's third party administrator of dental claims since January 1, 2000; and

**WHEREAS**, EBS-RMSCO, Inc. has provided the County with administrative services for this plan for fiscal year 2010 at a cost of \$2.50 per subscriber per month; and

**WHEREAS**, EBS-RMSCO, Inc. has proposed no change to their current fee of \$2.50 per subscriber per month for fiscal year 2011.

**NOW, THEREFORE, BE IT RESOLVED** that the County's agreement with EBS-RMSCO, Inc., for dental administration services, be and hereby is renewed for the period of January 1, 2011 through December 31, 2011.

**ADOPTED: AYES – 1389 NAYS – 64 (Reinhardt) ABSENT – 47 (Stepanski)**

**RESOLUTION NO. 413-10**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN EQUIPMENT MAINTENANCE AGREEMENT WITH PITNEY BOWES**

**WHEREAS**, the County now owns a DI950 Folder/Inserter machine located in the Central Services Department; and

**WHEREAS**, the Central Services Department Head feels it is necessary to enter into an equipment maintenance agreement for this machine; and

**WHEREAS**, the equipment maintenance agreement shall run from December 1, 2010 to December 31, 2011; and

**WHEREAS**, the cost will be \$283.14 for the month of December 2010 and \$3,397.73 for January through December 2011; and

**WHEREAS**, the County Buildings and Grounds Committee have reviewed and recommend that the Board of Supervisors approve of this equipment maintenance agreement program;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into this Equipment Maintenance Agreement with Pitney Bowes effective December 1, 2010, a copy of which is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1453 NAYS – 0 ABSENT – 47 (Stepanski)**

**RESOLUTION NO. 414-10**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT**

**WHEREAS**, the Central Services Department presently has an agreement

with the PRESSTEK Company of Des Plaines, Illinois for the maintenance of the off-set machine and related equipment; and

**WHEREAS**, it is necessary to renew the maintenance agreement at this time; and

**WHEREAS**, the agreement is in the amount of \$3,216.00 (no increase);

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to renew this maintenance agreement for a period of one (1) year, commencing on January 1, 2011 and expiring on December 31, 2011, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1453 NAYS – 0 ABSENT – 47 (Stepanski)**

**By Supervisor Degear:**

**RESOLUTION NO. 415-10**

**AMENDING THE 2011 TENTATIVE BUDGET**

**WHEREAS**; The 2011 Madison County Tentative budget reflects an increase in the tax levy of \$550,386, and

**WHEREAS**; the 2011 Madison County Tentative budget also reflects a \$800,000 decrease in appropriated general fund balance compared to the 2010 Madison County Budget, and

**WHEREAS**; appropriating an additional \$550,386 from general fund balance to the 2011 Madison County Tentative Budget will result in eliminating an increase in the tax levy while maintaining a general fund balance of approximately 10% of the entire budget, and

**WHEREAS**; a stable tax levy reinforces the Madison County Board of Supervisor's commitment to maintain Madison County as an affordable community in which to live and operate a business;

**NOW THEREFORE BE IT RESOLVED**, that the Tentative 2011 Budget be amended, as follows.

<u>General Fund</u>	<u>From</u>	<u>To</u>
Appropriated Fund Balance	\$6,000,000	\$6,550,386

**ADOPTED: AYES – 1176 NAYS – 277 (Goldstein, DiVeronica, Carinci)  
ABSENT – 47 (Stepanski)**

**By Supervisor DiVeronica:**

**RESOLUTION NO. 416-10**

**AUTHORIZING 5-YEAR SOLID WASTE DISPOSAL AGREEMENTS WITH  
COMMERCIAL PERMIT HOLDERS**

**WHEREAS**, in order to continue to retain solid waste and recyclables within the County's existing system to ensure the proper management and disposal of all waste generated in the County; and

**WHEREAS**, in order to provide further long-term stability for the solid waste management system to support all of the costs associated with recycling and environmentally responsible solid waste management, including the Landfill Expansion Project, without the use of taxpayer funding; and

**WHEREAS**, in order to provide long-term price stability to haulers and residents of the County; and

**WHEREAS**, the contract for Haulers will provide for a lower tip fee than the tip fee for Haulers who do not enter into contracts with the County for disposal of all waste and recyclables at the County facilities; and

**NOW, THEREFORE, BE IT RESOLVED**, that Madison County be permitted to enter into a 5-year Solid Waste Disposal Agreement with Commercial Permit Holders that are willing to deliver both solid waste and recyclables to the Madison County Landfill and Recycling Facility in accordance with provisions of the Solid Waste Disposal Agreement, a copy of such Agreement is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, the Solid Waste Disposal Agreement shall cover the period from January 1, 2011 through December 31, 2016; and

**BE IT FURTHER RESOLVED**, that the Commercial Permit Holders listed below are hereby permitted to enter into a Solid Waste Disposal Agreement, and that the Chairman of the Board of Supervisors is authorized to execute such Solid Waste Disposal Agreement on behalf of Madison County with the following Commercial Permit Holders:

1. **BAKER CONSTRUCTION**
2. **BLISS ENVIRONMENTAL SERVICES**
3. **CAMPANY ROOFING CO.**
4. **CIOTTI ENTERPRISES**
5. **CLYDE BENIDICT**
6. **COLGATE UNIVERSITY**
7. **GERBER TOP SOIL**
8. **HAWKINS & HURLBUT SANITATION**

9. HEFFRONS GENERAL CONSTRUCTION
10. J & J CONSTRUCTION
11. J & R FULLER TRUCKING
12. J T ENTERPRISES
13. M & M TRASH REMOVAL
14. MAHONEY DESIGN & BUILD
15. MORRISVILLE AUXILIARY
16. TREELAND NURSERY & LANDSCAPING

**ADOPTED: AYES – 1453 NAYS – 0 ABSENT – 47 (Stepanski)**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 417-10**

**AUTHORIZING THE ASSISTANCE IN DEFENSE  
OF ASSESSMENT REVIEW PROCEEDINGS**

**WHEREAS**, by Local Law #5 of the year 1984 the County Board of Supervisors provided a mechanism to assist towns and cities financially in the defense of assessment review proceedings and appeals; and

**WHEREAS**, the Local Law provides for the annual appropriation of \$15,000.00 for such legal expenses involved in the defense of assessment review proceedings and appeals; and

**WHEREAS**, the Local Law further provides that by two thirds majority of the Board of Supervisors that the County will assist any town and city up to 25% of the total cost of any expense in the defense of any such proceedings whereby the assessment review proceedings is seeking a reduction of more than one hundred thousand dollars in assessed value; and

**WHEREAS**, the City of Oneida has requested the County assist them in a defense of assessment review proceedings brought by Oneida Shopping Center seeking a reduction in assessment of \$800,000.00 and Tracey Properties seeking a reduction in assessment of \$176,800.00;

**NOW, THEREFORE, BE IT RESOLVED**, by at least two thirds majority vote of the Madison County Board of Supervisors that the County will in accordance with Local Law #5 of the year 1984 assist the City of Oneida in the defense of the assessment proceedings brought by Oneida Shopping Center and Tracey Properties in the amount not to exceed 25% of the total cost and expense actually incurred in the defense of the City of Oneida; and

**BE IT FURTHER RESOLVED**, that the County Treasurer is authorized to reimburse the Comptroller/City of Oneida Assessment Department 25% of the legal fees incurred for the certiorari proceeding between Oneida Shopping Center, Tracey Properties and the City of Oneida in the amount of \$285.00.

Please Note: 2/3's vote required for this resolution.

**ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Stepanski)**

**RESOLUTION NO. 418-10**

**AUTHORIZING THE MODIFICATION OF THE 2010 ADOPTED COUNTY BUDGET**

**RESOLVED**, that the 2010 Adopted County Budget be modified as follows:

**Modification No. 1**

**General Fund**

**1420 County Attorney**

<u>Expense</u>	<u>From</u>	<u>To</u>
A1420.40101 Computer Equipment	\$ 896	\$ 0
A1420.402 Miscellaneous Expense	1,094	2,990
A1420.4111 Tuition/Education Reimbursement	1,000	0
Control Total	<u>\$ 2,990</u>	<u>\$ 2,990</u>

**Modification No. 2**

**General Fund**

**1680 Information Technology**

<u>Expense</u>	<u>From</u>	<u>To</u>
A1680.4911 Office Supply and Expense	\$ 2,200	\$ 1,800
A1680.4920 Telephone (Other)	<u>1,000</u>	<u>1,400</u>
Control Total	<u>\$ 3,200</u>	<u>\$ 3,200</u>

**Modification No. 3**

**County Road Fund**

**5112 Construction Projects**

<u>Expense</u>	<u>From</u>	<u>To</u>
D5112.46007 Misc. Materials	\$ 180,000	\$ 218,050
D5112.4735 In-Place Recycling	<u>100,000</u>	<u>61,950</u>
Control Total	<u>\$ 280,000</u>	<u>\$ 280,000</u>

**ADOPTED: AYES – 1453 NAYS – 0 ABSENT – 47 (Stepanski)**

**By Supervisors Bargabos and Reinhardt:**

**RESOLUTION NO. 419-10**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT AND MODIFYING THE 2010 ADOPTED BUDGET (The Bonadio Group)**

**WHEREAS**, due to the anticipated retirement of the current County Administrator, Madison County will be initiating the recruitment effort for a successor; and

**WHEREAS**, The Bonadio Group will assist the County Administrator Search Committee in assessing the expectations and goals of our new County Administrator as well as assist in developing a firm and aggressive recruitment schedule; and

**WHEREAS**, the Government Operations Committee and the County Administrator Search Committee recommend entering into an agreement with The Bonadio Group to help facilitate this recruitment effort; and

**WHEREAS**, the cost for professional fees and services shall be at an hourly rate of \$150.00/hour plus mileage,

**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 November 23, 2010, a copy of which is on file with the Clerk to the Board,

**BE IT FURTHER RESOLVED** that the 2010 County Budget be modified to cover recruitment expenses as follows:

Contingent – Department 1990

	<u>From</u>	<u>To</u>
A1990.4444 Contingent Fund	\$527,593	\$512,593

Legislative Board – Department 1010

A1010.4130 County Administrator Recruitment	-0-	\$ 15,000
Control Total:	<u>\$527,593</u>	<u>\$527,593</u>

**ADOPTED: AYES – 1235 NAYS – 265 (Cary, Kuiper, Goldstein, Ball, Bargabos)**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 420-10**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TOSKI, SCHAEFFER & CO, P.C.**

**WHEREAS**, pursuant to the standards and guidelines contained in the Single Audit Act, as amended, and OMB Circular A-133, the County is required to engage an independent auditor for the purpose of annually performing a Federal Single Audit of financial assistance awards; and

**WHEREAS**, the County is required to engage an independent auditor for the purpose of annually auditing the County's basic financial statements, to include auditing Madison County's Soil and Water Conservation District component unit; and

**WHEREAS**, the County is required to engage an independent auditor for the purpose of annually performing agreed-upon procedures relative to financial assurance requirements for the County's municipal solid waste landfill; and

**WHEREAS**, the County is also required to engage an independent auditor for the purpose of annually performing a New York State Department of Transportation Single Audit; and

**WHEREAS**, Toski, Schaefer & Co, P.C. has performed said auditing services for fiscal years ending 2007, 2008, and 2009; and

**WHEREAS**, Toski, Schaefer & Co, P.C., has provided a proposal for the aforementioned auditing services for the fiscal years 2010, 2011, and 2012, for a fee of \$56,000 per year; and

**WHEREAS**, there is no increase in the proposed fees as compared with the fee for these same auditing services for fiscal year 2009.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be and hereby is authorized to enter into an agreement with Toski, Schaefer & Co, P.C., for professional auditing services, as is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Ball and Reinhardt:**

**RESOLUTION NO. 421-10**

**MODIFYING THE 2010 COUNTY BUDGET**

**RESOLVED**, that the 2010 Adopted County Budget be modified as follows:

**General Fund**

**3315-Special Traffic Programs – Stop DWI**

**Revenue**

A2615.1010	Stop DWI Fees	\$63,709	\$78,709
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<b>Control Total</b>			<b>\$15,000</b>
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<u>Expense</u>	<u>From</u>	<u>To</u>
A3315.41017 Stop DWI Patrol Expense	\$ 1,000	\$ 3,000
A3315-41018 Stop DWI Patrol Payroll	0	2,591
A3315.41021 Stop DWI Overtime Patrols	3,000	6,000
A3315.41022 District Attorney – Prosecution	1,060	4,963
A3315.41023 Probation – Stop DWI	28,573	30,868
A3315.41024 Substance Abuse Counseling	0	1,211
Control Total	<u>\$33,633</u>	<u>\$48,633</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**PUBLIC COMMENT PERIOD**

**No Speakers.**

**There being no further business the Board stands recessed until Tuesday, December 7, 2010.**