

MADISON COUNTY BOARD OF SUPERVISORS
5th Day – Annual Session – Tuesday, December 28, 2010

The Board reconvened at 10:30 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present.

Pledge of Allegiance.

On motion by Supervisor Carinci, seconded by Supervisor Monforte, the minutes from the previous meeting were dispensed with and adopted as filed.

COMMUNICATIONS

REPORTS

1. Madison County Mental Health Monthly Report for December 2010.
2. Management Letter – Fiscal Year Ended 12/31/09 – by Toski, Schaefer & Co.

REPORTS OF COMMITTEES

| | |
|----------------------------------------------------------------------------------|-----------------|
| Supervisors, Highway, Social Services, JTPA/WIA And Cazenovia Sewer District: | \$ 1,151,657.83 |
| Miscellaneous Accounts: | \$ 1,497,523.27 |

UNFINISHED BUSINESS

Res. No. 426-10 – Designating Disposal of Obsolete and/or Surplus County Personal Property. TABLED By: Supervisor Degear, 2nd By: Supervisor Ball.

Supervisor Ball made the first amendment to this resolution, seconded by Supervisor Henderson and carried, that the last item on the list, a GMC Vandura Cascade Van will be transferred to the Sheriff's department for use.

Supervisor Degear made a second amendment to this resolution seconded by Supervisor Stepanski and carried, to remove item No. 100 – two chairs. The Town of DeRuyter would like to purchase these items.

A final vote with the two amendments was then taken:

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTIONS

By Supervisor Reinhardt (Vice Chairman):

RESOLUTION NO. 478-10

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 Paul W. Miller upon his retirement.

Paul W. Miller County Administrator 1992 - 2010 18 years

Mr. Miller was presented a gift on behalf of the Board and the County. Chairman Becker thanked Mr. Miller for being a great asset to the Board and Madison County and for being a good friend. He always put 100% into his job.

Mr. Miller thanked the Board for their support and stated it has been a real pleasure working with everyone and he hopes to continue a long friendship.

RESOLUTION NO. 479-10

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

WHEREAS, the County has a contract with Empire Safety Training and Consulting, Inc. of Chittenango, NY to provide 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 2010 rates and provides for a hourly rate of sixty-five dollars (\$65) per hour up to a maximum of \$38,000 in 2011; 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, 2011 through December 31, 2011 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 \$38,000 per year.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 480-10

DESIGNATING NEWSPAPERS FOR 2011

WHEREAS, Subdivision 1 of Section 214 of the County Law states that the Board of Supervisors shall annually designate newspapers published within the County to publish concurrent resolutions, election notices, and the official canvass; and

WHEREAS, Subdivision 2 of Section 214 of the County Law states that the Board of Supervisors shall annually designate two newspapers to publish local laws, notices and other matters required by law to be published; and

WHEREAS, both subdivisions state that each political party shall be entitled to five preferences to those newspapers espousing the political view of each respective party and if there are none, the fact that the newspaper published within the County espouse an independent view, shall be no deterrent to selection under either subdivision herein referred to:

Concurrent Resolutions

**Oneida Daily Dispatch
Madison County Courier**

Unredeemed Lands

**Oneida Daily Dispatch
Madison County Courier**

Official Notices

**Oneida Daily Dispatch
Madison County Courier**

Election Notices

**Oneida Daily Dispatch
Madison County Courier**

Local Laws and Notices

**Oneida Daily Dispatch
Madison County Courier**

BE IT FURTHER RESOLVED, that a copy of each County legal advertisement shall be distributed by the official County newspapers to all of the following located in Madison County: Town Clerks, Village Clerks, City Clerks, Public Libraries and Reading Centers, County Clerk, Clerk of the Board of Supervisors, County Veterans and County Board of Elections.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 481-10

**REAFFIRMING THE SALARIES OF ELECTED OFFICIALS, COUNTY OFFICERS
AND MANAGERIAL/CONFIDENTIAL EMPLOYEES FOR 2011**

WHEREAS, Madison County has experienced financial hardship along with other counties due to the continuing New York State fiscal crisis and national economic downturn; and

WHEREAS, the County seeks to control its costs to reduce the burden to the County tax payers during these difficult times; and

WHEREAS, the County appreciates the dedication and hard work that its workforce and elected officials continue to provide to its residents; and

WHEREAS, the County asks that these employees and elected officials sacrifice to help reduce the burden of our taxpayers by forgoing raises in salary for one year;

NOW, THEREFORE, BE IT RESOLVED, that all elected officials will forgo any increase in salary for 2011; and

BE IT FURTHER RESOLVED, that all Management/Confidential employees will forgo any increase in salary including the suspension of the Performance Incentive Program for 2011.

| TITLE | 1/1/2011 |
|----------------------------------------------|-----------------|
| Director of Community Mental Health Services | \$84,883 |
| Public Health Director | \$80,871 |
| County Attorney | \$79,331 |
| Commissioner of Social Services | \$77,060 |
| Sheriff | \$73,500 |
| Highway Superintendent | \$73,427 |
| Supervising Psychologist | \$73,364 |
| Director of Solid Waste Management | \$72,989 |
| Treasurer | \$72,839 |
| Information Technology Director | \$69,559 |
| First Assistant District Attorney | \$67,455 |
| Probation Director II | \$66,926 |
| Planning Director | \$65,515 |

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|-------------------------------------------------|----------|
| Undersheriff | \$63,341 |
| Deputy Commissioner for Administrative Services | \$63,220 |
| Employment & Training Director II | \$63,025 |
| Supervising Social Services Attorney | \$62,800 |
| Highway Operations Manager | \$62,788 |
| Director of Environmental Health | \$61,827 |
| Deputy Sheriff Captain | \$60,979 |
| Real Property Tax Services Director | \$60,870 |
| Building Maintenance Supervisor | \$60,484 |
| Personnel Officer | \$59,604 |
| Deputy Director for Administrative Services | \$59,602 |
| Director of Community Health Services | \$59,351 |
| Director of Administrative Services | \$58,580 |
| Director of Labor Relations | \$58,517 |
| Assistant Director of Patient Services | \$57,580 |
| Deputy Commissioner for Family Services | \$57,266 |
| Deputy Commissioner for Financial Aid | \$56,399 |
| County Clerk | \$56,289 |
| Assistant Director of Patient Services | \$55,524 |
| Clerk to Board of Supervisors | \$55,312 |
| <hr/> | |
| Director of Medical Assistance/Financial Aid | \$55,312 |
| Addictive Substance Director | \$54,263 |
| Deputy County Highway Superintendent | \$54,229 |
| E911 Director | \$53,944 |
| Research and Legislative Affairs Coordinator | \$53,697 |
| Director of Children With Special Needs Program | \$53,197 |
| Deputy Probation Director II | \$52,335 |
| Director of Administrative Services | \$52,232 |
| Deputy County Treasurer | \$51,960 |
| Corrections Captain | \$51,947 |
| Chief Wastewater Treatment Plant Operator | \$51,799 |
| Child Advocacy Center Director | \$51,778 |

| | |
|-----------------------------------------------------|----------|
| Assistant Director of Patient Services | \$51,586 |
| Director of Administrative Services | \$51,245 |
| Social Services Attorney II | \$51,245 |
| Fire Coordinator/Emergency Preparedness Director | \$50,944 |
| Election Commissioner | \$50,084 |
| Election Commissioner | \$50,084 |
| Corrections Lieutenant | \$49,473 |
| Director of Temporary Assistance/Financial Aid | \$49,346 |
| Director of Child Support Enforcement/Financial Aid | \$49,346 |
| Corrections Lieutenant | \$48,484 |
| Supervisor of Central Services | \$48,279 |
| Director of Weights and Measures | \$48,279 |
| Deputy County Treasurer | \$47,240 |
| Youth Bureau Director | \$46,415 |
| Assistant Director Environmental Health | \$45,480 |
| Assistant Director of Administrative Services | \$45,480 |
| Grants Coordinator | \$45,480 |
| Second Assistant County Attorney | \$45,391 |
| Second Assistant District Attorney | \$45,391 |
| Landfill Operations Manager | \$44,663 |
| Assistant Director of Administrative Services | \$44,625 |
| Assistant Director of Administrative Services | \$44,625 |
| First Assistant County Attorney | \$44,351 |
| Deputy County Clerk | \$44,203 |
| Deputy County Clerk | \$44,203 |
| Confidential Secretary to County Attorney | \$43,586 |
| Assistant Director of Administrative Services | \$43,284 |
| Assistant E911 Director | \$42,791 |
| Labor Relations Technician | \$42,406 |
| Director of Veterans Service Agency | \$42,220 |
| Personnel Technician II | \$41,491 |
| Public Relations Officer | \$38,471 |

| | |
|-----------------------------------------------------------|----------|
| Wastewater Treatment Plant Operator | \$38,451 |
| Confidential Secretary to District Attorney | \$37,239 |
| Assistant District Attorney – DWI Program | \$36,594 |
| Records Management Coordinator | \$36,159 |
| Confidential Secretary to Commissioner of Social Services | \$35,160 |
| Confidential Secretary to Board of Supervisors | \$34,771 |
| Wastewater Treatment Plant Operator | \$33,862 |
| Personnel Associate | \$33,160 |
| Personnel Associate | \$32,905 |
| Confidential Secretary to Sheriff | \$32,876 |
| Payroll Manager | \$32,807 |
| Confidential Secretary to Mental Health Director | \$32,397 |
| Confidential Secretary Clerk to Board | \$31,715 |
| Fifth Assistant District Attorney | \$30,900 |
| Administrative Assistant to the District Attorney | \$30,898 |
| Confidential Secretary to the Public Health Director | \$29,760 |
| Senior Election Clerk | \$29,445 |
| Stop-DWI Coordinator | \$28,653 |
| Payroll Specialist | \$28,314 |
| Administrative Assistant to the County Attorney | \$26,992 |
| Payroll Specialist | \$26,992 |
| Senior Election Clerk | \$26,992 |
| Fourth Assistant District Attorney | \$24,721 |
| County Historian | \$18,373 |

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 482-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT

WHEREAS, Allan Rotto Consultants, Inc. audits telecom billing charges to determine whether there are errors or discrepancies in billing; and

WHEREAS, Madison County has not had such a telecom audit in the recent past and utilizing said audit services may result in some cost recovery for the County; and

WHEREAS, Allan Rotto Consultants, Inc proposes to provide said audit services and receive a variable fee of ranging from 30% to 40% of the refund or credit dependant on amount of credit or refund received by the County; and

WHEREAS, if Allan Rotto Consultants, Inc secures a permanent reduction in the County's monthly telecom charges they would receive a variable fee of ranging from 35% – 40% of the savings dependant of amount of permanent reduction received by the County over a 12 month period; and

WHEREAS, if Allan Rotto Consultants, Inc. does not secure any credit, refund or permanent reduction in of monthly telecom changes no fee shall be charged to the County;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is authorized to sign an agreement with Allan Rotto Consultants, Inc for telecom audit services, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor Salka:

RESOLUTION NO. 483-10

AUTHORIZING AGREEMENT EXTENSION FOR DOG SHELTER SERVICES

WHEREAS, the Public Health Services Committee has made the recommendation for the County to renew its agreement with Wanderer's Rest Humane Association for dog shelter and population control services; and

WHEREAS, Wanderer's Rest Humane Association possesses the facilities necessary for meeting the sheltering need's of those municipalities in Madison County responsible for such provisions as mandated by Article 7 of New York State Agriculture and Markets Law; and

WHEREAS, Wanderer's Rest Humane Association further possesses the special skills, experience and capability to implement and provide low-cost spay-neuter services, and the outreach and promotion of such services that constitute an Animal Population Control Program as described by the aforementioned Article 7 of NYS Agriculture and Market's Law; and

WHEREAS, The Board of Supervisors has previously resolved to enter an agreement through 12/31/10; and

WHEREAS, the amended agreement will cover the period of January 1, 2011 through December 31, 2011 in the amount of \$ 93,126.00;

NOW, THEREFORE BE IT RESOLVED, that The Chairman of The Board of Supervisors be and is hereby authorized to sign said agreement with Wanderer's Rest Humane Association, a copy of which is on file with The Clerk of The Board of Supervisors.

On motion by Supervisor Becker, seconded by Supervisor Ball, this resolution was TABLED.

RESOLUTION NO. 484-10

AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH LIBERTY RESOURCES FAMILY SERVICES, INC.

WHEREAS, the Office of Children and Family Services has made available Temporary Assistance to Needy Families (TANF) funding to distribute to counties for the provision of non-residential domestic violence services; and

WHEREAS, Madison County has been granted \$28,742 in domestic violence TANF non-residential funding; and

WHEREAS, Liberty Resources Family Services, Inc., has the necessary expertise, staff and experience to administer the domestic violence non-residential programs; and

WHEREAS, the services proposed would enhance the services already provided under existing domestic violence contracts in place; and

WHEREAS, the funding is 100 percent federally reimbursed and will be utilized to provide necessary enhancements to women and families who are most at risk; and

WHEREAS, Liberty Resources Family Services, Inc., will provide the aforementioned services for the period October 1, 2009, to December 31, 2010, at a total cost not to exceed \$28,742; and

WHEREAS, this agreement was previously approved by the Board of Supervisors on December 4, 2009, for the contract period of October 1, 2009, to September 30, 2010, at a total cost of \$25,000, but the contract amount and timeframe have been increased due to an additional \$3,742 in TANF funding allocation; 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 amend an agreement on behalf of the

County of Madison with Liberty Resources Family Services, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 485-10

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LIBERTY RESOURCES FAMILY SERVICES, INC.

WHEREAS, the Madison County Department of Social Services is mandated, as per Chapter 53 of the Laws of 1991, to offer and provide necessary non-residential services to victims of domestic violence; and

WHEREAS, the Department lacks the necessary staff to provide the required services; and

WHEREAS, this program provided these services to nearly 265 individuals (215 adults and 50 children) and received 116 hotline calls as of October 2010; and

WHEREAS, Liberty Resources Family Services, Inc., has a domestic violence services program in place and has offered to provide the required services for the period January 1, 2011, to December 31, 2011, at a total cost of \$174,523, an increase of \$14,250 from the 2010 contract year; and

WHEREAS, funds for these services are appropriated in the 2011 departmental budget and are reimbursed at the rate of 49 percent; and

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

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

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 486-10

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LIBERTY RESOURCES FAMILY SERVICES, INC.

WHEREAS, the Madison County Department of Social Services may, as a result of the Combined Temporary Assistance to Needy Families (TANF) Allocation, provide necessary non-residential services to victims of domestic violence; and

WHEREAS, the Department lacks the necessary staff to provide the required services; and

WHEREAS, Liberty Resources Family Services, Inc., has a domestic violence services program in place and has offered to provide the required services for the period January 1, 2011, to December 31, 2011, at a total cost not exceed \$7,273, the same amount as the 2010 contract period; and

WHEREAS, funds for these services are appropriated in the 2011 departmental budget and are reimbursed at the rate of 100 percent; 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 Liberty Resources Family Services, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 487-10

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH THE 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 three years with the Madison County Department of Social Services; and

WHEREAS, The Peacemaker Program, Inc., has demonstrated ability to provide these services through their Young Leaders in Training Program and has offered to do so for the period January 1, 2011, to December 31, 2011, at a total cost not to exceed \$3,284, an increase of \$170 from the 2010 contract year; and

WHEREAS, funds for this program are appropriated in the 2011 departmental budget and are reimbursed through the use of Chafee Funds with an 80 percent federal

reimbursement rate and 63.7 percent state reimbursement rate on non-federal share, for a total reimbursement rate of 92.74 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 The Peacemaker Program, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 488-10

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH DR. SCOTT PETOSA OF K.A.G. CONSULTING

WHEREAS, in recent years, federal and state funding for foster care placements has been significantly reduced; and

WHEREAS, the laws and regulations regarding Persons in Need of Supervision (PINS) have a strong emphasis on prevention; and

WHEREAS, it is recognized that it is better for children to stay with their own families if at all possible; and

WHEREAS, Dr. Scott Petosa, of K.A.G. Consulting, has experience and expertise in working with young people to help them make better choices in their lives; and

WHEREAS, Dr. Scott Petosa also has training and experience in working with parents to help them improve their skills; and

WHEREAS, Dr. Scott Petosa is currently providing this service; and

WHEREAS, funds for this program are reimbursed at a rate of 100 percent through federal and/or state funding; and

WHEREAS, Dr. Scott Petosa has agreed to provide this service for the period of July 1, 2010, to June 30, 2011, at a total cost not to exceed \$47,560; 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 Dr. Scott Petosa of K.A.G Consulting, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1443 NAYS – 30 (Goldstein) ABSENT – 27 (Bargabos)

RESOLUTION NO. 489-10

**AUTHORIZING CHAIRMAN TO RENEW AN AGREEMENT WITH
MED-REV RECOVERIES, INC.**

WHEREAS, New York State's codes, rules, and regulations authorize a local Social Services district to contract for services pertaining to recovering costs of public assistance; and

WHEREAS, due to the complexity of administering the Public Assistance Program, local Social Services Departments, including Madison County's Department of Social Services, are subjected to fraudulent practices in the public assistance application process as well as practices that result in public assistance overpayments; and

WHEREAS, the Social Services official is required to recover overpayments through all reasonable steps necessary and the Commissioner desires to contract with Med-Rev Recoveries, Inc., for professional services to enhance and amplify the department's current recovery programs; and

WHEREAS, Med-Rev Recoveries, Inc., specializes in collection and litigation services and is ready, willing, and able to perform such services for the Madison County Department of Social Services as an enhancement to Social Services' current recovery programs; and

WHEREAS, Med-Rev Recoveries, Inc., has agreed to provide these services for the period of January 1, 2011, to December 31, 2011, and the County shall pay the Contractor on a fee not to exceed 33 percent of amounts recovered through collection efforts, the same amount as the 2010 contract year; 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 enter into an agreement on behalf of the

County of Madison with Med-Rev Recoveries, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 490-10

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH MADISON COUNTY OFFICE FOR THE AGING

WHEREAS, the County, through the Department of Social Services, is charged with the responsibility, insofar as funds are available for that purpose, to assist recipients of medical assistance in obtaining necessary transportation to and from the places where medical services are provided to said recipients; and

WHEREAS, these funds are reimbursed at a rate of 100 percent; and

WHEREAS, the Madison County Office for the Aging has a transportation system in place through which many of the County's recipients can be serviced; and

WHEREAS, Madison County Office for the Aging has agreed to provide this service for the period of January 1, 2011, to December 31, 2011, for the sum of seventy-five cents (75¢) per mile for each mile an eligible person is transported, a five-dollar (\$5.00) pickup fee for each trip, and another five-dollar (\$5.00) fee if a single client's trip involves three (3) hours or more between drop off and pickup; 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 Madison County Office for the Aging, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

At 10:45 a.m. Chairman Becker announced the scheduled public hearing on Local Law No. 2 for the year 2010 Amending Local Law No. 4 of 2008 and Creating the Office of Administrative Assistant to the Chairman of the Board of Supervisors. Supervisor Degear made a motion to open the hearing, seconded by Supervisor Monforte and carried.

Chairman Becker asked for speakers and there was no one wishing to speak. Supervisor Reinhardt then made a motion to close the public hearing, seconded by Supervisor Stepanski and carried.

By Supervisor Reinhardt (Vice Chairman):

RESOLUTION NO. 491-10

ADOPTING LOCAL LAW NO. 2 FOR THE YEAR 2010

WHEREAS, there has been introduced Local Law No. 2 for the year 2010, entitled: "LOCAL LAW NO. 2 FOR THE YEAR 2010 AMENDING LOCAL LAW NO. 4 OF 2008 AND CREATING THE OFFICE OF ADMINISTRATIVE ASSISTANT TO THE CHAIRMAN OF THE BOARD OF SUPERVISORS"; and

WHEREAS, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on December 28, 2010;

NOW, THEREFORE BE IT RESOLVED, that Local Law No. 2 for the year 2010 be and the same is hereby adopted.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 492-10

AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT FOR THE HOME ENERGY ASSISTANCE WEATHERIZATION PROGRAM AND MODIFYING THE 2010 ADOPTED COUNTY BUDGET

WHEREAS, in accordance with Section 97 of the New York State Social Services Law, local districts are required to administer the Low Income Home Energy Assistance Program; and

WHEREAS, The New York State Office of Temporary and Disability Assistance provides a Home Energy Assistance Program (HEAP) Weatherization Referral and Packaging (WRAP) allocation for the home weatherization and repair/replacement of heating equipment for low-income households; and

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

WHEREAS, Stoneleigh Housing, Inc., is an agency with a demonstrated ability to develop and implement a full-service package of services for home weatherization and heating equipment repair/replacement and is currently providing these services for the period October 1, 2009, to September 30, 2010, at a cost of \$22,500; and

WHEREAS, 108 families have been served, which includes 60 furnace replacements and 76 furnace repairs in the 2009 – 2010 contract year, a 14 percent increase from the previous year; and

WHEREAS, there has been an increased demand due to the “clean and tune” component of these services; and

WHEREAS, additional administrative money of \$1,500 is available to fund this program; and

WHEREAS, the funding for this service is reimbursable through the New York State Office of Temporary and Disability Assistance Home Energy Assistance Program at a rate of 100 percent; and

WHEREAS, Stoneleigh Housing, Inc., has agreed to provide these services for the period October 1, 2009, to September 30, 2010, at a cost not to exceed \$27,350; 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 amend an agreement on behalf of the County of Madison with Stoneleigh Housing, Inc., in the form as is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the 2010 Adopted County Budget be modified as follows:

General Fund

6010 Social Services Administration

Expense

A6010.41094 Weatherization Referral

| | <u>From</u> | <u>To</u> |
|--|-------------|-----------|
| | \$ 22,500 | \$ 24,000 |

| | | |
|---------------|--|-----------------|
| Control Total | | <u>\$ 1,500</u> |
|---------------|--|-----------------|

Revenue

A4610.1010 Fed. Aid Social Services

| | | |
|--|--------------------|--------------------|
| | <u>\$2,309,077</u> | <u>\$2,310,577</u> |
|--|--------------------|--------------------|

| | | |
|---------------|--|-----------------|
| Control Total | | <u>\$ 1,500</u> |
|---------------|--|-----------------|

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor Salka:

RESOLUTION NO. 493-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT

FOR POLYGRAPH SERVICES

WHEREAS, the Mental Health Department provides assessment and treatment of sexual offenders that requires a polygraph examination of clients, and, since there is not a qualified clinician on staff, must contract for this service; and

WHEREAS, the Department has reviewed the credentials of Ronald Hotaling, President, Northeast Polygraph Services, Inc., a Certified Polygraph Examiner, whose professional office is at 55 Pulver Avenue, Ravena, NY 12143, and found him to be acceptable to perform these polygraph examinations; and

WHEREAS, money has been appropriated for the provision of these services in the 2011 County Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be hereby authorized to enter into an agreement with Northeast Polygraph Services, Inc., for the provision of polygraph consultation services to the Mental Health Department at a rate of two hundred fifty dollars (\$250.00) for Examinations, said rate to be effective January 1, 2011 to December 31, 2011. A copy of this agreement is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 494-10

APPOINTING MEMBERS TO THE MADISON COUNTY YOUTH BOARD

WHEREAS, the Madison County Board of Supervisors must approve the appointment of members to the Madison County Youth Board, which acts as a community advisory board to the Madison County Youth Bureau; and

WHEREAS, the following individuals have been recommended by the membership of the Madison County Youth Board for appointment to the Youth Board and have been approved by the Social & Mental Health Services Committee;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors do hereby appoint **Christine Crandall**, 113 Third Street, Canastota, **Breanna Rogers**, 1887 Gorton Lake Road, Brookfield, and **Donna Cashman**, 1427 Salt Springs Road, Chittenango to the Madison County Youth Board for a term commencing on January 1, 2011 and expiring on December 31, 2012.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 495-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH AGENCIES TO PROVIDE YOUTH SERVICES AND TO MODIFY THE 2011 ADOPTED COUNTY BUDGET

WHEREAS, the following agencies have submitted proposals to the Madison County Youth Bureau to provide services to the youth of Madison County during the period of January 1, 2011 – December 31, 2011; and

WHEREAS, the Madison County Youth Board has evaluated the proposals and has recommended the following allocation of funds to these programs, and the Social & Mental Health Services Committee has approved the allocations;

| <u>AGENCY</u> | <u>PROGRAM</u> | <u>AMOUNT</u> |
|------------------------------------------------|---------------------------------------------------|-----------------|
| Madison Co. Sheriff's Office | Youth Recognition Awards Program | \$ 2,051.00 |
| Madison County Council on Alcoholism (BRiDGES) | INROADS – School-based Substance Abuse Prevention | \$ 15,000.00 |
| Community Action Program | Mentoring Partnership | \$ 8,000.00 |
| Church on the Rock | Youth Center | \$ 5,016.00 |
| Madison Co. Sheriff's Office | D.A.R.E. Program | \$ 3,077.00 |
| Earlville Opera House | Children's Performing Arts | \$ 7,500.00 |
| Project Café, Inc. | After-School Program | \$ 7,000.00 |
| Jim Marshall Farms Foundation | Teen Counseling Services | \$ 4,000.00 and |

WHEREAS, these costs are reimbursed 100% by State Aid;

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements on behalf of the County of Madison with the above agencies, in the form 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

Youth Programs

7146 Youth Programs - Agencies

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|-------------------------------------------------------|-------------|-----------|
| A7146.41007 Anticipated Agency Allocation | \$ 70,000 | \$ 18,356 |
| A7146.42722 Youth Recognition Awards (Sheriff's Dept) | 0 | 2,051 |
| A7146.42723 MCCASA – InRoads | 0 | 15,000 |
| A7146.42724 Partnership Mentoring (CAP) | 0 | 8,000 |
| A7146. 42725 Church on the Rock Youth Center | 0 | 5,016 |
| A7146.42727 DARE (Sheriff) | 0 | 3,077 |
| A7146.42729 Child Performing Arts (Earlville) | 0 | 7,500 |
| A7146.42734 Project Café- After School Program | 0 | 7,000 |
| A7146.42742 Teen Counseling Services-Marshall Farms | 0 | 4,000 |

| | | |
|---------------|------------------|------------------|
| Control Total | <u>\$ 70,000</u> | <u>\$ 70,000</u> |
|---------------|------------------|------------------|

| <u>Revenues</u> | <u>From</u> | <u>To</u> |
|-----------------------------------------------------------|-------------|-----------|
| A3820.2001 St Aid Anticipated Youth Programs | \$ 70,000 | \$ 18,356 |
| A3820.2022 St Aid-Youth Recognition Award Program | 0 | 2,051 |
| A3820.2020 St Aid-MCCASA-INROADS | 0 | 15,000 |
| A3820.2031 St Aid-Partnership Mentoring (CAP) | 0 | 8,000 |
| A3820.2006 St Aid-Church on the Rock Youth Center | 0 | 5,016 |
| A3820.2076 St Aid-DARE | 0 | 3,077 |
| A3820.2086 St Aid-Children’s Performing Arts | 0 | 7,500 |
| A3820.2050 St Aid-Project Café | 0 | 7,000 |
| A3820.2004 St Aid-Teen Counseling Services-Marshall Farms | 0 | 4,000 |

| | | |
|---------------|------------------|------------------|
| Control Total | <u>\$ 70,000</u> | <u>\$ 70,000</u> |
|---------------|------------------|------------------|

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 496-10

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT
WITH THE PROFESSIONAL PRACTICE GROUP**

WHEREAS, the Madison County Sheriff’s Department and Mental Health Department have indicated a desire to provide psychiatric services to the inmates of the Madison County Correctional Facility, and;

WHEREAS, the Mental Health Department does not currently have the services of a New York State licensed psychiatrist who is Board Certified in Adult and Forensic Psychiatry to provide psychiatric services to the inmates of the Madison County Correctional Facility, and:

WHEREAS, the Professional Practice Group (PPG) has representatives who are New York State licensed psychiatrists who are Board Certified in Adult and Forensic Psychiatry and who individually and collectively possess the expertise, special skills and experiences to perform services in connection herewith, and;

WHEREAS, both the Sheriff’s Department and the Mental Health Department find the services of the PPG and its representatives to be necessary in order to successfully implement the intended forensic psychiatry services program, and;

WHEREAS, the PPG has indicated a willingness to participate and provide a Board Certified Adult and Forensic Psychiatrist at the rate of \$200 per hour for an average of six (6) hours per week (anticipated ranging from four hours to eight hours per week as needed) of psychiatric services - provided either on-site at the Correctional Facility or through tele-psychiatry - with a 10% administrative fee on all billable services and the total cost for 2011 not to exceed \$91,520;

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 the Professional Practice Group in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor Ball:

RESOLUTION NO. 497-10

RE-APPOINTING A SUPERVISOR TO THE JURY BOARD

WHEREAS, Section 652 of the Judiciary Law states that there shall be established for each County, except Albany, Westchester, Suffolk and Nassau, a County Jury Board consisting of the Justice of the Supreme Court, the Senior County Judge and any member of the Board of Supervisors who shall be designated for that purpose by the Board of Supervisors; and

WHEREAS, Alexander Stepanski, Supervisor from the town of Stockbridge has served on this Board and wishes to be re-appointed for a new term; and

NOW, THEREFORE BE IT RESOLVED, that Alex Stepanski, Supervisor from the town of Stockbridge be and he hereby is re-appointed to serve on the Jury Board for a one year term, commencing on January 1, 2011 and expiring on December 31, 2011.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor Cary:

RESOLUTION NO. 498-10

AUTHORIZING AGREEMENT FOR PROFESSIONAL SERVICES IN SUPPORT OF AGRICULTURAL ECONOMIC DEVELOPMENT

WHEREAS, one of the primary goals of the Madison County Agriculture and Farmland Protection Plan is the establishment of an Agricultural Economic Development Specialist to provide leadership and coordination for agricultural development and expansion; and

WHEREAS, implementation of the goals and objectives identified in the Plan are essential to realization of the benefits of the approved plan; and

WHEREAS, Cooperative Extension is able to provide professional services in support of the agricultural economic development specialist goal of the Madison County Agriculture and Farmland Protection Plan and Board; and

WHEREAS, Cooperative Extension has agreed to provide these services for an annual reimbursement rate of ninety-one thousand two hundred sixty-four dollars (\$91,264), the entire County funding to come from funds appropriated for the purpose in the 2011 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is authorized to sign a contract (a copy of which is on file with the Clerk of the Board) with Cooperative Extension to deliver the required services.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 499-10

AUTHORIZING AN AGREEMENT WITH THE MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, the Madison County Industrial Development Agency is a public benefit corporation organized under Article 18-a of the General Municipal Law to advance the job opportunities, health, general prosperity and economic growth of the people of the State of New York and the County of Madison; and

WHEREAS, pursuant to Section 224(14) of the County Law, the County is authorized to contract with the Contractor to publicize the advantage of Madison County; and

WHEREAS, it is in the best interest of the County that the many advantages of Madison County be promoted to those who may be interested in establishing, maintaining or expanding business and industry in Madison County in order to create new employment and maintain a healthy economy; and

WHEREAS, equally as important is the ability to retain within Madison County the business and industry already located here in order to maintain employment; and

WHEREAS, the County desires to enter into a contract with the Contractor whereby the Contractor will provide an energetic and continuing program of promoting industrial development and enhancing the economic climate of Madison County; and

WHEREAS, said contract is in the amount of \$164,616, commencing on January 1, 2011 and expiring on December 31, 2011;

WHEREAS, Madison County has an Economic Development Loan Fund, administration of which requires specialized technical expertise and experience; and

WHEREAS, Madison County has received Empire Zone designation from Empire State Development Corporation, administration of which requires specialized services in connection therewith;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of supervisors is hereby authorized to execute an agreement with the Madison County Industrial Development Agency for promoting industrial development and enhancing the economic climate of Madison County, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 500-10

OPPOSING THE STATE’S CLOSING OF THE DEC ROGERS ENVIRONMENTAL EDUCATION CENTER

WHEREAS, Madison County has recently become aware of the potential closing of the NYS DEC Rogers Environmental Education Center as a part of the newly announced State lay-offs; and

WHEREAS, Madison County finds that Rogers Conservation Center is and has been since 1968, a valuable educational resource to residents of Madison County as well as residents from all across New York State; and

WHEREAS, Madison County understands the need to trim the State’s budget, this environmental education center should be allowed to remain open in some capacity allowing students of all ages to learn about the environment, conservation, and our State’s natural resources;

NOW THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby requests the NYS DEC to continue operating the DEC Rogers Environmental Education Center.

BE IT FURTHER RESOLVED, that this resolution be forwarded to Governor David A. Paterson, Senator David J. Valesky, Assemblyman William D. Magee, and Acting DEC Commissioner Peter Iwanowicz.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 501-10

AMENDING A CONTRACT WITH STEARNS AND WHELER, INC. FOR ENVIRONMENTAL RESTORATION PROJECT

WHEREAS, Madison County has been awarded an increase in state assistance from the New York State Department of Environmental Conservation for the environmental remediation project for the former Jerry’s Service Station in the Village of Hamilton by Amendment 4 of Contract Number C302761, previously authorized by Board Resolution 193-10; and

WHEREAS, the County has an Agreement for Engineering Services related to the project with Stearns and Wheler, Inc.; and

WHEREAS, the additional state funding will allow for completion of the remaining engineering services to close out the environmental remediation project as is described in Schedule A, Amendment No 7 of the Agreement for Engineering Services with Stearns and Wheler, LLC, a copy of which is on file with the Clerk of the Board;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors authorize the Chairman of the Board to sign the Amendment No 7 to the contract with Stearns and Wheler, LLC.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 502-10

EXPRESSING THE WILLINGNESS AND INTENTION OF THE BOARD TO UNDERTAKE ADMINISTRATION AND RESPONSIBILITY FOR A USDA INTERMEDIARY RELENDING PROGRAM

WHEREAS, the Madison County Industrial Development Agency has received favorable consideration on an application to the United States Department of Agriculture to receive and administer a 30-year low-interest \$750,000 loan for an Intermediary Relending Program (IRP) to make loans to individual investors for the purposes of establishing a meat processing facility; and

WHEREAS, the Madison County IDA has indicated its desire to be relieved of the responsibility to administer and make financial commitment for this loan and IRP in favor of an entity with a history of managing revolving loan fund programs; and

WHEREAS, the need for production capacity from this facility has been identified as a priority for the County's Agricultural Economic Development program due to lack of similar capacity within the region; and

WHEREAS, availability of this capacity within the County will produce significant benefit to agricultural interests in Madison County and the region; and

WHEREAS, the New York Beef Farmers Cooperative (NYBFC) has been formed by leading farm interests within the County to invest in the development of this facility; and

WHEREAS, availability of proceeds from the low-interest IRP loan coupled with individual commitment and financial investment will greatly facilitate design, construction and development of this facility by the NYBFC; and

WHEREAS, the USDA program requires a commitment by the loan recipient to provide matching funds in the amount of \$112,500; and

WHEREAS, agriculture is a major economic force within the County and support of agriculture has been and continues to be a County priority; and

WHEREAS, Madison County has demonstrated experience and capacity to administer business development loans through its Economic Development Loan and Microenterprise Loan programs; and

WHEREAS, before making any loans under this IRP, due diligence and continued Board oversight will minimize risk to the County, and

WHEREAS, before making any loans from the IRP proceeds conditions satisfactory to the Board and its designated loan Committee, and necessary to minimize risk to the county will be developed and imposed on borrowers;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby declares its intention to accept responsibility for and undertake administration of the IRP previously earmarked for the Madison County Industrial Development Agency under the terms and conditions to be proposed by the USDA; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors requests that the USDA prepare the necessary documents for Board action necessary to effectuate transfer of these IRP responsibilities from the Madison County IDA to the County of Madison.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor Degear:

RESOLUTION NO. 503-10

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the County Route 105 (Eaton Road) over Electric Light Stream (BIN 3308830), Bridge Replace, Town of Eaton, Madison County, P.I.N. 2754.23 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of **80%** Federal funds and 20% non-federal funds; and

WHEREAS, the **County of Madison** desires to advance the Project by making a commitment of 100% of the non-federal share of the **total project cost**; and

WHEREAS, the sum of **\$208,200** is hereby appropriated in the County Road Fund, Account D5110.450030, and made available to cover the cost of participation in the above phase of the Project; and

WHEREAS, the remaining balance for the Project will be appropriated and made available in the 2012 County Road Fund budget; and

WHEREAS, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Madison County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Department thereof; and

WHEREAS, the Board of Supervisors hereby approves the above-subject project and hereby authorizes the County of Madison to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and

NOW, THEREFORE BE IT RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement request for Federal Aid and/or applicable Marchiselli Aid on behalf of the County of Madison with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 504-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE TOWN OF EATON

WHEREAS, the County is desirous of entering into an agreement in writing setting forth its understanding with the Town of Eaton for the Town's provision of winter maintenance of certain County highways, and the Town of Eaton likewise desires to confirm its agreement with the County for the County's maintenance of certain Town highways; and

WHEREAS, Highway Law Section 135-a expressly authorizes counties to enter into agreements with municipalities for the type of maintenance arrangement herein set forth; and

WHEREAS, the services the County and the Town provided for herein are for the mutual benefit of the parties and do not involve monetary compensation; and

WHEREAS, this agreement and the services shall be for the year October 1, 2010 to September 30, 2011; and

WHEREAS, Section 2 of said Agreement shall renew automatically for successive one year terms unless terminated by either party by providing notice in writing at least ninety days prior to the end of the annual term;

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 Town of Eaton, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 505-10

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 May 11, 2005; 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 hereby authorized to enter into an Agreement on behalf of the County of Madison with the Madison County Snowmobile Association in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 506-10

AUTHORIZING A SERVICE AGREEMENT WITH MOTOROLA INC. FOR THE YEAR 2011

WHEREAS, the Service Agreement with Motorola expires on December 31, 2010; and

WHEREAS, Motorola Inc. has submitted a Service Agreement for the year January 1, 2011 through December 31, 2011 at a yearly renewal of \$11,766.96; and

WHEREAS, the Service Agreement reflects an increase of \$84.60 from the current Agreement due to the addition of one radio to be serviced; and

WHEREAS, this expenditure is appropriated in the Road Machinery Fund DM5130.4848;

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 Motorola Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT- 27 (Bargabos)

RESOLUTION NO. 507-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT CREATING THE CENTRAL NEW YORK INTERMUNICIPAL STORMWATER COALITION

WHEREAS, the Public Works Committee has authorized the Madison County Highway Department on December 14, 2010 to participate in the Central New York Intermunicipal Stormwater Coalition; and

WHEREAS, the MS4 owners and operators who have adopted this Agreement support the creation of an Intermunicipal Stormwater Organization entitled the Central New York Stormwater Coalition comprised of signatories to this Agreement including designated MS4 communities in CNY as well as the Central New York Regional Planning & Development Board; and

WHEREAS, each Coalition Member (voting member) shall designate a permanent representative and, if desired, one alternate to serve on the Coalition; and

WHEREAS, the Public Works Committee has designated F. Joseph Wisinski, Madison County Highway Superintendent as the permanent representative and Bradford Newman, Deputy County Highway Superintendent as the alternate; and

WHEREAS, the term of this Agreement shall run consecutively with the NYS DEC Environmental Protection Fund Grant to CNYRPDB, Contract No. C303113. This Agreement shall commence on January 1, 2011 and terminate on December 31, 2013 unless extended, renewed, or superseded by adoption of a new Agreement. Any

Member may withdraw from this Agreement upon 60 days written notice to the Chairperson of the Coalition.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with the Central New York Regional Planning & Development Stormwater Coalition in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 508-10

SUPPORTING PARTICIPATION IN THE CENTRAL NY REGIONAL PLANNING & DEVELOPMENT BOARD’S YEAR-3 STORMWATER AND EDUCATION COMPLIANCE ASSISTANCE PROGRAM

WHEREAS, the Public Works Committee has authorized the Madison County Highway Department on December 14, 2010 to continue with the SPDES Stormwater Phase II MS4 Compliance Implementation Program; and

WHEREAS, the Central NY Regional Planning & Development Board (CNY RPDB), has provided program planning and implementation assistance pertaining to the requirements of the NYS Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002; and

WHEREAS, the CNY RPDB has proposed to conduct a regional public education, outreach and training compliance program to “reduce municipal staff burdens, ensure message consistency, provide widespread priority audience targeting, and provide the most efficient use of limited municipal funds by distributing total program costs over a number of entities”; and

WHEREAS, the fee for this 12 month program is approximately \$3,500, based on previous participation, with a maximum of \$5,000 with participation by a minimum of 20 municipalities; and

WHEREAS, Madison County agrees to fund, in the 2011 County Road Fund Budget, its portion of the cost of the project according to the fee schedule, and that 75% of the funds will be made available to the CNY RPDB no later than February 15, 2011 to initiate the project and that 25% of the funds will be made available to the CNY RPDB no later than June 1, 2011 to complete the project;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with the Central New York Regional Planning & Development Board in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisors DiVeronica and Cary:

RESOLUTION NO. 509-10

AUTHORIZING THE EXTENSION OF AN AGREEMENT WITH BARTON & LOGUIDICE, P.C.

WHEREAS, the County of Madison entered into agreement with Barton & Loguidice, P.C. in 2010 to provide professional engineering services and expertise to develop plans and specifications for water and wastewater infrastructure at the Madison County Agricultural and Renewable Energy (ARE) Park located at the Madison County Landfill site; and

WHEREAS, it is necessary to extend the agreement with Barton & Loguidice, P.C. for an additional year, which extension has been recommended by the Solid Waste and Recycling Committee and the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee;

NOW, THEREFORE BE IT RESOVLED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an extension of the agreement with Barton & Loguidice, P.C., for the year 2011; a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisors DiVeronica and Cary:

RESOLUTION NO. 510-10

Project Action: Johnson Brothers Lumber Company Wood Kiln

**ESTABLISHING MADISON COUNTY AS
LEAD AGENCY AND DETERMINING THAT THE PROPOSED CONSTRUCTION AND
OPERATION OF THE JOHNSON BROTHERS LUMBER KILN FACILITY ON A
PORTION OF THE COUNTY LANDFILL SITE IS AN UNLISTED ACTION AND WILL
NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

WHEREAS, the Johnson Brothers Lumber Company is proposing to construct and operate a wood kiln facility on approximately two acres of land currently owned by Madison County on Buyea Road in the Town of Lincoln, Madison County, New York (the "Project"); and

WHEREAS, the County intends to cause a parcel of land suitable for the Project to be transferred to a not for profit corporation referred to as the Capital Resources Corporation ("CRC"), established by the County for the purpose of fostering economic

development within the County. CRC, through economic development agreements shall transfer to JBL title to said parcel of land for the purpose of establishing the Project and returning said lands to taxable status; and

WHEREAS, on April 15, 2010, Madison County caused a letter and Part 1 of the Environmental Assessment Form to be sent to other potentially “involved agencies” (as this quoted term is defined in the State Environmental Quality Review Act [SEQRA] Regulations found at 6 NYCRR Part 617), indicating Madison County’s (“County”) desire to serve as “lead agency” (as this quoted term is defined in the SEQRA Regulations) for a SEQRA coordinated review of the Project; and

WHEREAS, the SEQRA requires that certain procedures be followed and that certain determinations be made regarding such an activity; and

WHEREAS, each of the involved agencies has agreed to or raised no objections to Madison County serving as lead agency of the Project; and

WHEREAS, pursuant to the SEQRA Regulations, Madison County has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the EAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the EAF, together with other available supporting information, to identify the relevant areas of environmental concern:

NOW, THEREFORE, BE IT RESOLVED, pursuant to and in accordance with the coordinated review requirements of SEQRA, Madison County hereby establishes itself as lead agency for the Project; and

BE IT FURTHER RESOLVED, that based upon an examination of the EAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the County’s knowledge of the area surrounding the Project, the County makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and

BE IT FURTHER RESOLVED, that as a consequence of such findings and declaration and in compliance with the requirements of SEQRA, Madison County, as lead agency, hereby directs the Director of the Madison County Department of Solid Waste, Sanitation and Recycling to prepare a Negative Declaration in accordance with 6 NYCRR § 617.12 and to file a copy of the Negative Declaration for the Project in accordance with the SEQRA Regulations; this Resolution shall take effect immediately.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor Reinhardt:

RESOLUTION NO. 511-10

RESCINDING RESOLUTIONS AND MODIFYING THE 2010 BUDGET

WHEREAS, Modification No. 1 of Resolution 418-10 (Authorizing the Modification of the 2010 Adopted County Budget) and Resolution 421-10 (Modifying the 2010 County Budget) contained errors and must be rescinded;

BE IT RESOLVED, that Modification No. 1 of Resolution 418-10 and Resolution 421-10 are hereby rescinded; and

BE IT FURTHER RESOLVED, that the 2010 Budget be amended, as follows.

1420 County Attorney

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|--------------------------------------------|-------------------------|-------------------------|
| A1420.40101 Computer Equipment | \$ 4,500 | \$ 3,605 |
| A1420.402 Miscellaneous Expense | 16,000 | 17,895 |
| A1420.4111 Tuition/Education Reimbursement | 1,000 | 0 |
| Control Total | <u>\$ 21,500</u> | <u>\$ 21,500</u> |

3315 – Special Traffic Programs - STOP DWI

| <u>Revenue</u> | <u>From</u> | <u>To</u> |
|---------------------------|--------------------|------------------|
| A2615.1010 Stop DWI Fines | \$167,611 | \$182,611 |
| Control Total | | \$ 15,000 |

| <u>Expense</u> | | |
|---------------------------------------------|--------------------------|--------------------------|
| A3315.41017 STOP DWI Patrol Expense | 1,000 | 3,000 |
| A3315.41018 STOP DWI Patrol Payroll | 32,250 | 34,841 |
| A3315.41021 STOP DWI Overtime Patrols | 3,000 | 6,000 |
| A3315.41022 District Attorney – Prosecution | 48,578 | 52,481 |
| A3315.41023 Probation - STOP DWI | 28,573 | 30,868 |
| A3315.41024 Substance Abuse Counseling | 15,075 | 16,286 |
| Total | <u>\$ 126,476</u> | <u>\$ 143,476</u> |
| Control Total | | \$15,000 |

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 512-10

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**1165-District Attorney****Expense**

| | <u>From</u> | <u>To</u> |
|---------------------------------------|------------------|------------------|
| A1165.4061 Confidential Investigation | \$ 918 | \$ 18 |
| A1165.41 Travel Expense (Mileage) | 1,800 | 2,350 |
| A1165.473 County Court Transcriptions | 500 | 900 A1165.474 |
| Grand Jury Transcriptions | 8,000 | 9,400 |
| A1165.406 Extradition Expense | 3,450 | 2,500 |
| A1165.407 Witness Fees & Mileage | <u>2,552</u> | <u>2,052</u> |
| Control Total | <u>\$ 17,220</u> | <u>\$ 17,220</u> |

Modification No. 2**General Fund****1170 Public Defender Service****Expense**

| | <u>From</u> | <u>To</u> |
|-------------------------------------------------|------------------|------------------|
| A1170.4218 Assigned Counsel Criminal Court-Fees | 155,000 | 133,000 |
| A1170.4219 Assigned Counsel Family Court Fees | <u>290,000</u> | <u>312,000</u> |
| Control Total | <u>\$445,000</u> | <u>\$445,000</u> |

Modification No. 3**General Fund****1325 County Treasurer****Expense**

| | <u>From</u> | <u>To</u> |
|---------------------------------------------|------------------|------------------|
| A1325.4206 Computer Software & Maintenance | \$ 38,331 | \$ 38,481 |
| A1325.4203 Auditing Expense (Deferred Comp) | <u>4,250</u> | <u>4,100</u> |
| Control Total | <u>\$ 42,581</u> | <u>\$ 42,581</u> |

1362 Tax Advertising & Expense**Expense**

| | <u>From</u> | <u>To</u> |
|---------------------------------------|-----------------|-----------------|
| A1362.4136 Legal Expense—Utica Street | \$ 2,500 | \$ 3,500 |
| A1362.4941 Special Security Expense | <u>3,200</u> | <u>2,200</u> |
| Control Total | <u>\$ 5,700</u> | <u>\$ 5,700</u> |

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

| | | |
|---------------------------------------|------------------|------------------|
| CS1722.44001 Excess Insurance Premium | \$470,000 | \$468,005 |
| CS1930.44008 DSS Flood Renovations | <u>-0-</u> | <u>1,995</u> |
| Control Total | <u>\$470,000</u> | <u>\$470,000</u> |

Modification No. 4**General Fund****1355 Assessment****Expense**

| | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| A1355.402 Miscellaneous Expense | \$ 500 | \$ 438 |

| | | |
|----------------------------------------|-----------------|-----------------|
| A1355.411 Training & Staff Development | 500 | 562 |
| A1355.4207 Computer Maintenance | 300 | 200 |
| A1355.488 Map Copier Expense | <u>900</u> | <u>1,000</u> |
| Control Total | <u>\$ 2,200</u> | <u>\$ 2,200</u> |

Modification No. 5

General Fund

1620-County Buildings

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|----------------------------------------------------|------------------|------------------|
| A1620.478 Misc Maintenance Contracts | \$ 30,000 | \$ 30,400 |
| A1620.4161 Telephone Maintenance | 30,000 | 40,000 |
| A1620.44 Gas & Electric Expense | 270,000 | 260,000 |
| A1620.488 Office Equipment Maintenance & Repair | <u>9,978</u> | <u>9,578</u> |
| Control Total | <u>\$339,978</u> | <u>\$339,978</u> |

Modification No. 6

General Fund

1680 Information Technology

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|-----------------------------------------|------------------|------------------|
| A1680.4030 Internet Service | \$ 11,214 | \$ 9,214 |
| A1680.4045 Software License | 46,018 | 41,018 |
| A1680.4110 Training & Staff Development | 5,498 | 3,498 |
| A1680.2926 AC | <u>13,500</u> | <u>22,500</u> |
| Control Total | <u>\$ 76,230</u> | <u>\$ 76,230</u> |

Modification No. 7

General Fund

3315-Special Traffic Programs-STOP DWI

| <u>Revenue</u> | <u>From</u> | <u>To</u> |
|------------------------------|-------------|---------------|
| A2705.1040 Gifts & Donations | \$ 15,361 | \$ 16,311 |
| Control Total | | <u>\$ 950</u> |

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|----------------------------------------------|-------------|---------------|
| A3315.41 Travel Expense (Mileage) | \$ 580 | \$ 1,330 |
| A3315.4911 Office Supply & Expense (Outside) | <u>700</u> | <u>900</u> |
| Total | \$ 1,280 | \$ 2,230 |
| Control Total | | <u>\$ 950</u> |

Modification No. 8

General Fund

6010 Social Services Administration

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|----------------------------------|-------------|-----------|
| A6010.401 Snow Removal | \$ 6,000 | \$ 7,000 |
| A6010.402 Miscellaneous Expense | \$ 15,000 | \$ 19,100 |
| A6010.404 Chairs | \$ 2,640 | \$ 1,640 |
| A6010.408 Collection Agency Fees | \$ 1,500 | \$ 500 |
| A6010.41074 Children Services | \$ 20,000 | \$ 19,000 |

| | | | |
|------------|---------------------|------------------|------------------|
| A6010.440 | Water Usage | \$ 1,200 | \$ 1,600 |
| A6010.461 | Paternity Testing | \$ 8,100 | \$ 7,100 |
| A6010.4800 | Janitorial Supplies | \$ 11,300 | \$ 12,300 |
| A6010.4911 | Office Supplies | <u>\$ 35,000</u> | <u>\$ 32,500</u> |
| | Control Total | <u>\$100,740</u> | <u>\$100,740</u> |

Modification No. 9

General Fund

6420 Promotion of Tourism

Expense

| | <u>From</u> | <u>To</u> |
|------------------------------------|------------------|------------------|
| A6420.42715 Tourism Admin Contract | \$199,800 | \$202,657 |
| A6420.4038 Treasurer Admin O/Tax | <u>22,200</u> | <u>22,518</u> |
| Total | <u>\$222,000</u> | <u>\$225,175</u> |

Control Total \$ 3,175

Revenue

| | | |
|---------------------|------------------|------------------|
| A1113 Occupancy Tax | <u>\$222,000</u> | <u>\$225,175</u> |
|---------------------|------------------|------------------|

Control Total \$ 3,175

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 513-10

AUTHORIZING THE MODIFICATION OF THE 2010 COUNTY BUDGET

BE IT RESOLVED that the 2010 County Budget be modified as follows:

Modification #1:

General Fund

Central Postage

Expense

| | <u>From</u> | <u>To</u> |
|----------------------------------------|-------------|-----------|
| A1040.490 Clerk of Board | \$ 4,350 | \$ 3,249 |
| A1165.490 District Attorney | 4,585 | 4,959 |
| A1325.490 County Treasurer | 14,750 | 15,161 |
| A1410.490 County Clerk | 5,345 | 5,573 |
| A1420.490 County Attorney | 740 | 766 |
| A1430.490 Personnel & Civil Service | 2,510 | 1,929 |
| A1450.490 Board of Elections | 8,730 | 6,724 |
| A3020.490 Communications Center | 210 | 412 |
| A3110.490 Sheriff Department | 10,865 | 10,765 |
| A4010.490 Public Health Administration | 21,255 | 20,569 |
| A4308.490 Mental Health Clinic Adult | 535 | 857 |
| A4309.490 Mental Health ADAPT | 245 | 464 |
| A4310.490 Mental Health Administration | 3,045 | 3,204 |

| | | |
|------------------------------------------|-------------|-------------|
| A6010.490 Social Services Administration | 31,000 | 33,343 |
| A7510.490 Historian | 300 | 265 |
| A8020.490 Planning | 2,645 | 2,870 |
| | <hr/> | <hr/> |
| Control Totals | \$ 111,110 | \$ 111,110 |
| | <hr/> <hr/> | <hr/> <hr/> |

Modification #2:

General Fund

Central Print & Supply

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|------------------------------------------|-------------|-------------|
| A1410.491 County Clerk | \$ 5,650 | \$ 5,714 |
| A1420.491 County Attorney | 1,555 | 2,233 |
| A1450.491 Board of Elections | 13,373 | 11,578 |
| A1480.491 Public Information | 225 | 355 |
| A1620.491 County Buildings | 600 | 628 |
| A3410.491 Fire Control | 455 | 843 |
| A4309.491 Mental Health ADAPT | 3,025 | 3,167 |
| A6010.491 Social Services Administration | 28,200 | 28,565 |
| | <hr/> | <hr/> |
| Control Totals | \$ 53,083 | \$ 53,083 |
| | <hr/> <hr/> | <hr/> <hr/> |

Modification #3:

General Fund

Central Telephone

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|------------------------------------------|-------------|-------------|
| A1040.492 Clerk of Board | \$ 1,105 | \$ 1,372 |
| A1420.492 County Attorney | 975 | 982 |
| A3020.492 Communications Center | 4,355 | 4,047 |
| A4308.492 Mental Health Clinic Adult | 2,995 | 3,255 |
| A4309.492 Mental Health ADAPT | 1,930 | 1,990 |
| A4310.492 Menal Health Administration | 1,950 | 2,300 |
| A6010.492 Social Services Administration | 32,350 | 31,714 |
| | <hr/> | <hr/> |
| Control Totals | \$ 45,660 | \$ 45,660 |
| | <hr/> <hr/> | <hr/> <hr/> |

Modification #4:

General Fund

Central Garage

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|-----------------------------|-------------|-----------|
| A1010.493 Legislative Board | \$ 1,880 | \$ 1,459 |
| A1165.493 District Attorney | 1,000 | 590 |

| | | |
|---------------------------------------------|---------|---------|
| A1450.493 Board of Elections | 1,000 | 1,007 |
| A1620.493 County Buildings | 1,500 | 1,753 |
| A1640.4713 CG Mechanic Contract | 66,854 | 70,854 |
| A1640.4815 CG Tires & Batteries | 24,391 | 18,891 |
| A1640.4820 CG Repair Parts | 45,000 | 55,000 |
| A1640.4821 CG Gasoline | 130,000 | 155,000 |
| A1640.4835 CG Tools & Repairs to Tools | 1,400 | 600 |
| A1640.4845 CG Outside Maintenance & Repairs | 7,500 | 5,000 |
| A3110.493 Sheriff Department | 156,600 | 172,789 |
| A3140.493 Probation | 4,340 | 4,214 |
| A3410.493 Fire Control | 1,695 | 1,809 |
| A4010.493 Public Health Administration | 54,125 | 50,761 |
| A4306.493 Mental Health Clinic Children | 100 | - |
| A4308.493 Mental Health Clinic Adult | 1,100 | 1,464 |
| A6010.493 Social Service Administration | 46,275 | 55,969 |
| A6610.493 Consumer Affairs | 2,400 | 1,684 |
| A7510.493 Historian | 275 | - |
| A8020.493 Planning | 2,855 | 928 |

1990 Contingent Fund

Expense

| | | |
|----------------------------|--------------|--------------|
| A1990.4444 Contingent Fund | 457,593 | 427,393 |
| Totals | \$ 1,007,883 | \$ 1,027,165 |
| Control Total | | \$ 19,282 |

1640 Central Garage

Revenue

| | | |
|-------------------------------------------|------------|------------|
| A2801.9010 Shared Services Central Garage | \$ 275,145 | \$ 294,427 |
| Control Total | | \$ 19,282 |

Modification #5:

General Fund

Central Security

| | | |
|-----------------------------|-------------|-----------|
| <u>Expense</u> | <u>From</u> | <u>To</u> |
| A1010.494 Legislative Board | \$ 5,589 | \$ 5,848 |
| A1040.494 Clerk of Board | 1,930 | 2,057 |
| A1325.494 County Treasurer | 8,983 | 9,416 |
| A1355.494 Assessment | 3,593 | 3,798 |

| | | |
|----------------------------------------|--------|--------|
| A1410.494 County Clerk | 19,761 | 20,803 |
| A1420.494 County Attorney | 1,331 | 1,434 |
| A1430.494 Personnel & Civil Service | 2,395 | 2,436 |
| A1450.494 Board of Elections | 3,593 | 3,790 |
| A1670.494 Central Print & Supply | 2,662 | 2,817 |
| A1680.494 Information Technology | 3,660 | 3,900 |
| A4010.494 Public Health Administration | 10,114 | 10,612 |
| A6510.494 Veteran's Agency | 1,198 | 1,229 |
| A8020.494 Planning | 1,730 | 1,811 |

| | | |
|--------|------------------|------------------|
| Totals | <u>\$ 66,539</u> | <u>\$ 69,951</u> |
|--------|------------------|------------------|

| | | |
|---------------|--|------------------------|
| Control Total | | <u><u>\$ 3,412</u></u> |
|---------------|--|------------------------|

3110 Sheriff Department

Revenue

| | | |
|----------------------------------------|------------------|------------------|
| A2801.4550 County Office Bldg Security | <u>\$ 66,539</u> | <u>\$ 69,951</u> |
|----------------------------------------|------------------|------------------|

| | | |
|---------------|--|------------------------|
| Control Total | | <u><u>\$ 3,412</u></u> |
|---------------|--|------------------------|

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 514-10

AUTHORIZING THE MODIFICATION OF THE 2010 COUNTY BUDGET

BE IT RESOLVED that the 2010 County Budget be modified as follows:

Modification #1:

Health Insurance

General Fund

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|-----------------------------------------|-------------|------------|
| A1325.811 County Treasurer | \$ 108,596 | \$ 111,389 |
| A1420.811 County Attorney | 36,238 | 36,959 |
| A1620.811 County Buildings | 87,379 | 88,799 |
| A1670.811 Central Printing & Supply | 11,358 | 11,712 |
| A3110.811 Sheriff Department | 308,054 | 308,965 |
| A3150.811 Sheriff-Correctional Facility | 572,006 | 569,802 |
| A4013.811 Public Health Home Care | 294,010 | 291,052 |
| A4306.811 Mental Health Clinic Children | 53,556 | 55,067 |
| A4308.811 Mental Health Clinic Adult | 106,007 | 101,967 |

| | | |
|------------------------------------------|---------------------|---------------------|
| A4309.811 Mental Health ADAPT | 61,324 | 61,592 |
| A6010.811 Social Services Administration | 892,778 | 895,337 |
| A8020.811 Planning | 59,035 | 57,700 |
| | <hr/> | <hr/> |
| Control Totals | <u>\$ 2,590,341</u> | <u>\$ 2,590,341</u> |

Modification #2:

Unemployment Insurance

Risk Retention Fund

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|----------------------------------------------|------------------|------------------|
| CS9050.8500 Unemployment Benefits | \$ 49,675 | \$ 77,142 |
| CS9050.8501 Unemployment Benefits Allocation | - | (52,142) |
| CS9050.9410 Transfer to General Fund | - | 51,787 |
| CS9050.9420 Transfer to WIA | - | 213 |
| CS9050.9450 Transfer to Landfill Fund | - | 142 |
| | <hr/> | <hr/> |
| Totals | <u>\$ 49,675</u> | <u>\$ 77,142</u> |
| Control Total | | <u>\$ 27,467</u> |

Revenue

| | | |
|--------------------------------------------|-----------|------------------|
| CS500.40 Appropriation of Reserves | \$ 30,850 | \$ 33,317 |
| CS5031.4010 Contribution from General Fund | 24,675 | 52,142 |
| | <hr/> | <hr/> |
| Control Total | | <u>\$ 27,467</u> |

General Fund

Expense

| | | |
|-------------------------------------------|--------|----------|
| A1450.8150 Board of Elections | \$ - | \$ 8,294 |
| A1620.8150 County Buildings | - | 6,300 |
| A1680.8150 Information Technology | - | 4,455 |
| A3020.8150 Communications Center | - | 1,394 |
| A3140.8150 Probation | - | 2,334 |
| A3150.8150 Sheriff-Correctional Facility | - | 4,455 |
| A4013.8150 Public Health Home Care | - | 9,408 |
| A4090.8150 Public Health Environmental | - | 1,460 |
| A6010.8150 Social Services Administration | - | 13,687 |
| A9902.95 Transfer to Unemployment | 24,675 | 49,675 |

1990 Contingent Fund

| | | |
|----------------------------|------------|------------|
| <u>Expense</u> | | |
| A1990.4444 Contingent Fund | 427,393 | 402,393 |
| | _____ | _____ |
| Totals | \$ 452,068 | \$ 503,855 |
| | _____ | _____ |
| Control Total | | \$ 51,787 |
| | | ===== |

| | | |
|-------------------------------------|-------|-----------|
| <u>Revenue</u> | | |
| A5031.50 Transfer from Unemployment | \$ - | 51,787 |
| | _____ | _____ |
| Control Total | | \$ 51,787 |
| | | ===== |

Community Development Fund

| | | |
|--------------------------------------|-------|--------|
| <u>Expense</u> | | |
| CD6393.8950 WIA Unemployment Expense | \$ - | \$ 213 |
| | _____ | _____ |
| Control Total | | \$ 213 |
| | | ===== |

| | | |
|----------------------------------------|-------|--------|
| <u>Revenue</u> | | |
| CD5031.1020 Transfer from Unemployment | \$ - | \$ 213 |
| | _____ | _____ |
| Control Total | | \$ 213 |
| | | ===== |

Enterprise Environmental Landfill Fund

| | | |
|------------------------------------------|-------|--------|
| <u>Expense</u> | | |
| EE8164.850 Landfill Unemployment Expense | \$ - | \$ 142 |
| | _____ | _____ |
| Control Total | | \$ 142 |
| | | ===== |

| | | |
|----------------------------------------|-------|--------|
| <u>Revenue</u> | | |
| EE5031.1020 Transfer from Unemployment | \$ - | \$ 142 |
| | _____ | _____ |
| Control Total | | \$ 142 |
| | | ===== |

Modification #3:
Disability Insurance
Risk Retention Fund

| | | |
|-------------------------------------------|-------------|------------|
| <u>Expense</u> | <u>From</u> | <u>To</u> |
| CS9055.8401 Disability Expense Allocation | \$ - | \$ (9,282) |
| CS9055.9410 Transfer to General Fund | - | 9,282 |
| | _____ | _____ |

| | | | | |
|-------------------------------------------|----|---|----|-------|
| Control Totals | \$ | - | \$ | - |
| <u>General Fund</u> | | | | |
| <u>Expense</u> | | | | |
| A1325.8155 County Treasurer | \$ | - | \$ | 2,040 |
| A3140.8155 Probation | | - | | 1,564 |
| A3150.8155 Sheriff-Correctional Facility | | - | | 884 |
| A4010.8155 Public Health Administration | | - | | 850 |
| A4012.8155 Public Health Preventive | | - | | 1,768 |
| A4013.8155 Public Health Home Care | | - | | 1,700 |
| A4306.8155 Mental Health Clinic Children | | - | | 102 |
| A6010.8155 Social Services Administration | | - | | 374 |
| Totals | \$ | - | \$ | 9,282 |
| Control Total | | | \$ | 9,282 |
| <u>Revenue</u> | | | | |
| A5031.60 Transfer from Disability | \$ | - | \$ | 9,282 |
| Control Total | | | \$ | 9,282 |

Modification #4:

Workers Compensation Insurance

General Fund

| <u>Expense</u> | <u>From</u> | <u>To</u> |
|----------------------------------------|-------------|-----------|
| A1010.8140 Legislative Board | \$ 905 | \$ 1,115 |
| A1040.8140 Clerk of Board | 332 | 345 |
| A1165.8140 District Attorney | 1,137 | 1,127 |
| A1167.8140 DA-Aid to Prosecutioni | 11 | - |
| A1170.8140 Public Defender Service | 7 | 9 |
| A1185.8140 Medical Examiner & Coroners | 70 | 100 |
| A1325.8140 County Treasurer | 1,441 | 1,502 |
| A1355.8140 Assessment | 411 | 460 |
| A1410.8140 County Clerk | 1,489 | 1,561 |
| A1420.8140 County Attorney | 545 | 559 |
| A1430.8140 Personnel & Civil Services | 701 | 763 |
| A1450.8140 Board of Elections | 508 | 512 |
| A1480.8140 Public Information | 102 | 109 |
| A1620.8140 County Buildings | 11,310 | 12,273 |
| A1670.8140 Central Printing & Supply | 738 | 1,289 |

| | | |
|---------------------------------------------|------------|------------|
| A1680.8140 Information Technology | 1,288 | 1,334 |
| A2960.8140 Preschool Special Education | 1,114 | 801 |
| A2961.8140 Early Intervention Program | 291 | 458 |
| A3020.8140 Communications Center | 1,971 | 2,140 |
| A3110.8140 Sheriff Department | 18,125 | 17,253 |
| A3140.8140 Probation | 5,448 | 5,475 |
| A3150.8140 Sheriff-Correctional Facility | 19,860 | 20,681 |
| A3410.8140 Fire Control | 670 | 882 |
| A3989.8140 Navigation & Snowmobile Patrol | 100 | 112 |
| A4010.8140 Public Health Administration | 1,077 | 1,191 |
| A4012.8140 Public Health Preventive | 4,345 | 3,587 |
| A4013.8140 Public Health Home Care | 14,743 | 19,854 |
| A4017.8140 Public Health Eat Well Play Hard | 62 | 66 |
| A4090.8140 Public Health Environmental | 4,000 | 5,276 |
| A4306.8140 Mental Health Clinic Children | 4,716 | 5,206 |
| A4308.8140 Mental Health Clinic Adult | 4,381 | 5,991 |
| A4309.8140 Mental Health ADAPT | 2,318 | 3,128 |
| A4310.8140 Mental Health Administration | 1,119 | 1,197 |
| A6010.8140 Social Services Administration | 44,658 | 33,508 |
| A6510.8140 Veteran's Agency | 236 | 314 |
| A6610.8140 Consumer Affairs | 844 | 913 |
| A7145.8140 Youth Programs Administration | 171 | 288 |
| A7510.8140 Historian | 81 | 28 |
| A8020.8140 Planning | 842 | 760 |
| | | |
| Control Totals | \$ 152,167 | \$ 152,167 |

ADOPTED: AYES – 1473 NAYS – 0 ABSENT

RESOLUTION NO. 515-10

**DIRECTING THE COUNTY ATTORNEY’S OFFICE TO
DRAFT LEGISLATION FOR REAUTHORIZATION OF MADISON COUNTY’S LOCAL
1 PERCENT SALES AND COMPENSATING USE TAX**

WHEREAS, in 2004 New York State authorized Madison County to raise its local sales tax from 3 percent to 4 percent; and

WHEREAS, that New York State has by legislation extended that authorization to expire on November 30, 2011; and

WHEREAS, Madison County has determined that in the current fiscal environment and considering the decline in State assistance it is necessary to continue the local sales tax at 4 percent in order that Madison County and its jurisdictions are

able to maintain their current level of services without unduly impacting property taxes; and

WHEREAS, the Finance Ways and Means Committee recommends that Board of Supervisors continue to allow the City of Oneida to pre-empt one-half of 1 percent of the proposed tax on sales within the City of Oneida; and

WHEREAS, the Board of Supervisors recognize that it is the New York State Department of Taxation that will write the legislation necessary to allow Madison County to continue the 1 percent sales tax;

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors directs the County Attorney's office to work with the New York State Department of Taxation and Finance to draft legislation to reauthorize the 1 percent sales tax; 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:

1. The 1 percent sales tax be re-authorized and set to expire on November 30, 2013;
2. The City of Oneida be allowed to pre-empt one half of the proposed reauthorized 1 percent tax on sales within the City;
3. The County be authorized to distribute by assessment the entire 1 percent sales tax collected outside the City.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor DiVeronica:

RESOLUTION NO. 516-10

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. AUTOMATIC UTILITIES | 12. CRAIG P. MOWERS |
| 2. BISHOPP'S DISPOSAL | 13. NICHOLS VENDING INC. |
| 3. BROWN & SONS | 14. ONEIDA SAVINGS BANK |
| 4. CAZ CATAGE LLC | 15. PHILLIPS TRUCKING/BARBANO |
| 5. HOLDEN'S HAULERS LLC | 16. ROBINSON ROLL OFF |
| 6. HUMPF SANITATION LLC | 17. SAW CONSTRUCTION |
| 7. LBD ENTERPRISE | 18. STACE BACKHOE & TRUCKING INC. |
| 8. MADISON COUNTY SEWER DISTRICT | 19. TKM TRANSPORT INC. |
| 9. MARCON COMPANIES | 20. WASTE MANAGEMENT OF NY LLC |
| 10. MARK CRANE | |
| 11. MARSHALL REALITY | |

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor Reinhardt:

RESOLUTION NO. 517-10

APPOINTING AN ADMINISTRATIVE ASSISTANT TO THE CHAIRMAN OF THE BOARD OF SUPERVISORS AND ESTABLISHING THE 2011 SALARY

WHEREAS, the County Administrator will retire effective December 31, 2010; and

WHEREAS, the Board of Supervisors desires to appoint an Administrative Assistant to the Chairman of the Board of Supervisors on an interim basis until a permanent appointment to the title of County Administrator is made; and

WHEREAS, the Government Operations Committee recommends that Mark Scimone, Research and Legislative Affairs Coordinator be appointed to this position on

an interim basis and return to his former title upon the permanent appointment of a County Administrator; and

NOW, THEREFORE BE IT RESOLVED that Mark A. Scimone be and hereby is appointed Administrative Assistant to the Chairman of the Board of Supervisors at the 2011 annual salary of \$85,122 effective January 1, 2011 until a permanent appointment is made to the title of County Administrator.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

By Supervisor Salka:

RESOLUTION NO. 518-10

**EXPRESSING THE INTENTION OF THE BOARD TO TRANSFER
HOME CARE TO HOME CARE OF ROCHESTER, INC.**

WHEREAS, by Resolution Number 174-10 the Board of Supervisors directed an investigation to seek improvement of home care delivery in the County and to recommend a course of action for future management and administration of the County's certified home health agency and the long term home health care program; and

WHEREAS, the genesis of this investigation was a March 2010 survey of the these functions by the New York State Department of Health which found significant deficiencies in delivery of these programs under county management and administration; and

WHEREAS, additionally the changes in the administration of Medicaid and Medicaid funding and other regulatory changes have made delivery of these services continually more expensive and resulted in a chronically increasing program costs born on the backs of County taxpayers; and

WHEREAS, analysis of reimbursement for home care services by a third party contractor has revealed little opportunity to overcome reimbursement shortfalls in home care delivery; and

WHEREAS, a current financial analysis of home care as delivered by the County estimates a loss of nearly \$300,000 for 2010; and

WHEREAS, a New York State Department of Health resurvey of these County managed functions in December 2010 found repeated deficiencies in delivery and administration of home care which were deemed by the State investigator to have "the potential for agency wide unmet patient needs and possible negative patient outcomes"; and

WHEREAS, Resolution 170-10 further directed solicitation of proposals by outside agencies to take over the County's home care functions in order to improve the delivery of home care while considering the impact to employees of the County currently involved in the delivery and administration of home care.; and

WHEREAS, a Request for Proposals has generated five proposals responsive to the request and demonstrating the ability to deliver home care in a safe, effective and efficient manner; and

WHEREAS, the proposal submitted by Home Care of Rochester, Inc. is determined superior to others based on a thorough analysis and evaluation by a management team assembled by the County Administrator and the Chairman of the Public Health Services Committee; and

WHEREAS, evaluation of the proposal submitted by Home Care of Rochester has revealed that it has an exemplary record of delivering high quality effective home care services, has taken over other county home care functions and agencies with seamless transition while hiring employees from the county agencies; and

WHEREAS, before the home care services delivered by Madison County can be assumed by another agency, the transfer of these functions must be presented to and approved by the New York State Department of Health in a process that may last for as long as twelve months or more; and

WHEREAS, the proposal submitted by Home Care of Rochester contained a proposal to provide for the administration and management of home care service through a management contract between the County and Home Care of Rochester until such time as a permanent transfer of authority could be given by the State Department of Health; and

WHEREAS, there is overwhelming evidence that delivery of home care within Madison County will be improved under the management and administration of this function by Home Care of Rochester;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby declares its intention to accept the proposal of Home Care of Rochester to assume the home care functions in Madison County subject to further negotiation of the terms of this transfer and approval of the result of these negotiations by the Madison County Board of Supervisors and the New York State Department of Health.

ADOPTED: AYES – 1243 NAYS 230 (DiVeronica, Ball) ABSENT – 27 (Bargabos)

RESOLUTION NO. 519-10

APPOINTING AN INTERIM BUDGET OFFICER AND CREATING A DEPUTY BUDGET OFFICER POSITION AND APPOINTING AN INTERIM DEPUTY BUDGET OFFICER

WHEREAS, by Resolution No. 417-08, the County Administrator was appointed as Budget Officer; and

WHEREAS, the County Administrator is retiring effective January 1, 2011; and

WHEREAS, the Board of Supervisors desires to appoint an interim Budget Officer while they recruit to refill the vacant County Administrator position; and

WHEREAS, the Board of Supervisors wishes to create a Deputy Budget Officer position to provide assistance to the Budget Officer; and

WHEREAS, the Board of Supervisors desires to appoint Mark A. Scimone as interim Deputy Budget Officer while they recruit to refill the vacant County Administrator position; and

WHEREAS, the Finance, Ways and Means and Government Operations Committees recommend that Cindy J. Edick, County Treasurer be appointed as interim Budget Officer and Mark A. Scimone, Administrative Assistant to the Chairman of the Board of Supervisors be appointed interim Deputy Budget Officer,

NOW, THEREFORE, BE IT RESOLVED that Cindy J. Edick be and hereby is appointed interim Budget Officer and shall receive the 2011 stipend of \$5,000, paid on a biweekly basis effective January 1, 2011, until a permanent appointment is made in the position of County Administrator,

BE IT FURTHER RESOLVED that Mark A. Scimone be and hereby is appointed interim Deputy Budget Officer effective January 1, 2011, at no additional compensation until a permanent appointment is made in the position of County Administrator.

ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

RESOLUTION NO. 520-10

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 – 1473 NAYS – 0 ABSENT – 27 (Bargabos)

PUBLIC COMMENT PERIOD

No Speakers.

On motion by Supervisor Bono, seconded by Supervisor Suits, the Board adjourned.