

**MADISON COUNTY BOARD OF SUPERVISORS  
Meeting – Tuesday, February 14, 2012**

The Board convened at 10:30 a.m. with all members present except for Supervisor Salka (54 votes).

Pledge of Allegiance.

On motion by Supervisor Monforte, seconded by Supervisor Suits, the minutes from the previous two meetings were dispensed with and adopted as filed.

**COMMUNICATIONS**

1. Thank you to the Board and office staff for allowing the Madison County Courts to utilize our meeting rooms for scheduled court cases.

**REPORTS**

1. Madison County Mental Health Department Monthly Report for January 2012.
2. Dept. of Ag. & Markets Bureau of Weights & Measures Annual Report for 2011.
3. ARISE Annual Report for 2011.

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$ 2,837,204.64
Miscellaneous Accounts:	\$ 886,074.67

**RESOLUTIONS**

**By Supervisor Degear:**

**RESOLUTION NO. 14-12**

**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 Jenkins upon his retirement.

Paul K. Jenkins	County Buildings	1979 - 2012
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**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 15-12**

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

**WHEREAS**, the Missing and Exploited Children Chief Executive Officer Seminar will be held March 4-5, 2012 in Alexandria, Virginia; and

**WHEREAS**, the Sheriff, has requested that John Ball, Madison County Undersheriff, attend this conference; and

**WHEREAS**, his training costs, airfare, lodging and some meals are funded by the National Center for Missing & Exploited Children; and

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

**NOW, THEREFORE BE IT RESOLVED** that John Ball be and hereby is authorized to attend said conference at a cost not to exceed \$115.00.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 16-12**

**ABOLISHING SIXTEEN POSITIONS  
IN THE PUBLIC HEALTH DEPARTMENT**

**WHEREAS**, the Madison County certified home health agency will be closing on March 14, 2012; and

**WHEREAS**, L. Woerner, Inc., d/b/a HCR will assume all certified home health agency and long term home health care program functions in Madison County; and

**WHEREAS**, the Public Health Director has evaluated the current staffing structure and as a result of this closing has determined that a number of positions are no longer necessary; and

**WHEREAS**, the Public Health Director recommends that twelve (12) Home Health Aide positions, (1) Office Assistant I position, two (2) Office Assistant II positions and one (1) Principal Account Clerk position be abolished on March 14, 2012; and

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

**NOW, THEREFORE BE IT RESOLVED** that twelve (12) Home Health Aide positions, (1) Office Assistant I position, two (2) Office Assistant II positions and one (1) Principal Account Clerk position be abolished on March 14, 2012; and

**BE IT FURTHER RESOLVED** that the incumbents in these positions be and hereby are laid off from their positions effective March 14, 2012, in accordance with New York State Civil Service Rule and the Agreement with the Civil Service Employees Association, Blue Collar Unit and the Civil Service Employees Association, White Collar Unit.

**ADOPTED: AYES – 1405 NAYS – 41 (Ball) ABSENT – 54 (Salka)**

**RESOLUTION NO. 17-12**

**AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT**

**WHEREAS**, Madison County is broadly impacted by New York State mandates through legislation, regulations and executive decisions; and

**WHEREAS**, Madison County is highly dependent on and impacted by budget actions at the State level; and

**WHEREAS**, the County is committed to assessing and addressing these impacts in a proactive way; and

**WHEREAS**, the County is not able to continuously monitor proposed legislation and measures affecting the County budget that may be considered by State officials or agencies; and

**WHEREAS**, Ryan Moses is engaged, full-time, in monitoring legislative and regulatory matters being contemplated by legislative and executive agencies; and

**WHEREAS**, representation provided by New York State Legislators is inadequate; and

**WHEREAS**, Ryan Moses possesses special consultant expertise in analyzing the full impact of and addressing these legislative, budgetary and regulatory matters and addressing them in their formative stage; and

**WHEREAS**, after review, the Government Operations Committee recommends that the County enter into an agreement with Ryan Moses providing for consulting services; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized to execute an agreement with Ryan Moses for the provision of consultant services subject to termination upon thirty (30) days written notice by either party, at a fee not to exceed \$2,500 per month, effective February 14, 2012 through December 31, 2012, in the form as is on file with the Clerk to the Board.

**ADOPTED: AYES – 1419 NAYS – 27 (Bargabos) ABSENT – 54 (Salka)**

**RESOLUTION NO. 18-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT**

**WHEREAS**, the Government Operations Committee has evaluated the public relations needs of the County; and

**WHEREAS**, J. Strategies, Inc. provides public relations services and has experience with public sector entities and extensive knowledge of the issues faced in Madison County; and

**WHEREAS**, the Government Operations Committee recommends entering into an agreement with J. Strategies, Inc. to provide public relations services;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board be and hereby is authorized to execute an agreement with J. Strategies, Inc., at a rate of \$2500 per month effective immediately – December 31, 2012, a copy of which is on file with the Clerk to the Board.

**ADOPTED: AYES – 1389 NAYS – 57 (Goldstein, Bargabos) ABSENT – 54 (Salka)**

**RESOLUTION NO. 19-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ZOHOCORPORATION**

**WHEREAS**, it is necessary to enter into an agreement for the annual software license renewal for the desktop management software used by the Information Technology Department to maintain, update and support computers used by Madison County; and

**WHEREAS**, the Government Operations Committee has reviewed and approves of this software license renewal; and

**WHEREAS**, the software license renewal is for one year, commencing on February 14, 2012, in the amount of five thousand, nine hundred and forty-five dollars (\$5,915.00),

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to enter into a software license renewal with **ZOHOCORPORATION**, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 20-12**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT (CSEA WHITE COLLAR UNIT)**

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

**WHEREAS**, pursuant to Section 202 of the Civil Service Law, employees in the White Collar Unit are represented by the Civil Service Employees Association, Inc.; and

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

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized and empowered to enter into the negotiated agreement with the CSEA White Collar Unit for the period January 1, 2011 through December 31, 2014.

**ADOPTED: AYES – 1416 NAYS – 30 (Goldstein) ABSENT – 54 (Salka)**

**RESOLUTION NO. 21-12**

**DIRECTING THE COUNTY ATTORNEY’S OFFICE TO CONTACT THE NEW YORK STATE LEGISLATURE TO DRAFT LEGISLATION GRANTING RETROACTIVE TIER IV MEMBERSHIP IN THE NEW YORK STATE AND LOCAL EMPLOYEES’ RETIREMENT SYSTEM TO SARAH FISH**

**WHEREAS**, Sarah Fish is employed as a Staff Social Worker for the County of Madison, and has been so employed since December 28, 2009; and

**WHEREAS**, due to no fault of her own, her application for membership in the New York state and local employees’ retirement system was delayed until January 4, 2010; and

**WHEREAS**, this delay has caused Sarah Fish to be given Tier V status in that retirement system, rather than the Tier IV status she would have received had her application been filed when she commenced her employment; and

**WHEREAS**, the means by which to have Sarah Fish granted Tier IV status includes acts of the legislature exercising Home Rule authority; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the County Attorney’s Office be and is hereby authorized to contact the New York State legislature to draft legislation granting retroactive Tier IV membership in the New York state and local employees’ retirement system to Sarah Fish.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 22-12**

**AUTHORIZING AN ADDENDUM TO THE ADMINISTRATIVE SERVICES AGREEMENT WITH EBS-RMSCO, INC.**

**WHEREAS**, Madison County currently has a service agreement with EBS-RMSCO, Inc. for certain administrative services relative to the County’s employee and retiree healthcare plan; and

**WHEREAS**, adverse benefit determinations, related to self-insured benefits under the County’s healthcare plan, are subject to a Federal external review procedure required by the Public Health Service Act, as amended by the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act; and

**WHEREAS**, Madison County wishes to retain EBS-RMSCO, Inc. to facilitate such required external reviews; and

**WHEREAS**, EBS-RMSCO, Inc. has provided an Addendum to the Administrative Services Agreement to provide for these external review facilitation services; and

**WHEREAS**, the Addendum shall be effective July 1, 2011 until the Addendum is terminated, and the Addendum shall automatically terminate on the date the Administrative Services Agreement is terminated; and

**WHEREAS**, the Addendum to the Administrative Services Agreement has been reviewed and recommended for approval by the County's Health Plan Administrator, health benefits consultants, and the Government Operations Committee.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute the Addendum to the Administrative Services Agreement with EBS-RMSCO, Inc., as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 23-12**

**AUTHORIZING THE CHAIRMAN TO ACCEPT SETTLEMENT**

**WHEREAS**, Madison County entered into a retainer agreement with Kirby, McInerney & Squire in March of 2005, by Resolution 75; and

**WHEREAS**, Kirby McInerney & Squire were authorized to pursue claims on behalf of Madison County along with many other Counties throughout the State against pharmaceutical companies who had violated laws with regard to billing practices, and in turn had over charged Madison County on several drugs paid for by Medicaid; and

**WHEREAS**, Kirby McInerney & Squire has been negotiating settlements on behalf of Madison County and the many other Counties they represent; and

**WHEREAS**, they have recently reached a settlement with Merck in the amount of Fifteen Million Twenty-Eight Thousand Nine Hundred Sixty and 00/100 dollars (\$15,028,960.00), Madison County's distribution after expenses being One Thousand Seven Hundred Seventeen and 49/100 dollars (\$1,717.49); and

**WHEREAS**, the Government Operations Committee has reviewed and approved the settlements of these matters;

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Madison accept the settlements set forth above in full satisfaction of the claims against Merck and that the Chairman of the Board of Supervisors be and hereby is authorized to execute any necessary paperwork with regard to the acceptance of these amounts.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 24-12**

**AUTHORIZING THE CHAIRMAN TO ACCEPT SETTLEMENT**

**WHEREAS**, Madison County entered into a retainer agreement with Kirby, McInerney & Squire in March of 2005, by Resolution 75; and

**WHEREAS**, Kirby McInerney & Squire were authorized to pursue claims on behalf of Madison County along with many other Counties throughout the State against pharmaceutical companies who had violated laws with regard to billing practices, and in turn had over charged Madison County on several drugs paid for by Medicaid; and

**WHEREAS**, Kirby McInerney & Squire has been negotiating settlements on behalf of Madison County and the many other Counties they represent; and

**WHEREAS**, they have recently reached a settlement with Watson in the amount of Fourteen Million One Hundred Seventeen Thousand Four Hundred and 00/100 dollars (\$14,117,400.00), Madison County's distribution after expenses being Eleven Thousand Six Hundred Fourteen and 28/100 dollars (\$11,614.28); and

**WHEREAS**, the Government Operations Committee has reviewed and approved the settlements of these matters;

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Madison accept the settlements set forth above in full satisfaction of the claims against Watson and that the Chairman of the Board of Supervisors be and hereby is authorized to execute any necessary paperwork with regard to the acceptance of these amounts.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**By Supervisors Goldstein (Vice Chair) and Degear:**

**RESOLUTION NO. 25-12**

**AUTHORIZING THE CHAIRMAN TO ACCEPT SETTLEMENT**

**WHEREAS**, Hiscock & Barclay, LLP was authorized to defend claims against Madison County brought by Plaintiffs Paul Brown and Vincent Rogowski (together as "Plaintiffs") in a lawsuit currently pending in the United States District Court for the Northern District of New York entitled *Brown v. County of Madison*, Civil Action No. 5:09-cv-00125 (the "Action"); and

**WHEREAS**, Plaintiffs' claims in the Action allege violations of New York State and federal law relating to the Madison County Courthouse (the "Courthouse"); and

**WHEREAS**, Plaintiffs also have a complaint pending at the United States Department of Justice relating to the Courthouse; and

**WHEREAS**, Hiscock & Barclay, LLP has participated in extensive settlement negotiations with Plaintiffs and their counsel on behalf of Madison County; and

**WHEREAS**, Madison County has reached a settlement in principle Plaintiffs regarding the Action and the matter currently pending with the Department of Justice; and

**WHEREAS**, pursuant to the terms of settlement agreed to by the parties, which are set forth in the Settlement Agreement and Release negotiated by Plaintiffs and the County,

Plaintiffs have agreed to dismiss, with prejudice, their claims pending in the Action and at the Department of Justice in consideration of various rights and obligations; and

**WHEREAS**, the Government Operations Committee has reviewed and approved the terms contained in the Settlement Agreement and Release; and

**WHEREAS**, the Building and Grounds Committee has reviewed and approved the terms contained in the Settlement Agreement and Release; and

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Madison accept the settlement set forth above pursuant to the terms of the Settlement Agreement and Release between the County and Plaintiffs in full satisfaction of the Plaintiffs' claims against it and that the Chairman of the Board of Supervisors be and hereby is authorized to execute any necessary paperwork with regard to the acceptance of these amounts; a copy of which is on file with the Clerk to the Board of Supervisors.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 26-12**

**AMENDING THE CORPORATE COMPLIANCE PLAN**

**WHEREAS**, the policy of Madison County has always been to conduct its business in compliance with all applicable and constitutional laws and regulations and adherence to the highest ethical standards; and

**WHEREAS**, Madison County adopted a Corporate Compliance Plan on December 29, 2009; and

**WHEREAS**, changes in regulations and recommendations by the Bonadio Group necessitated changes in our current plan; and

**WHEREAS**, the Social and Mental Health Services Committee and Public Health Services Committee have considered and evaluated changes to the County's Medicaid Corporate Compliance Plan;

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, the Board of Supervisors approve the amendment of the Medicaid Corporate Compliance Plan which is consistent with the County's policy of compliance with federal and state laws and its own ethical standards.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 27-12**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO AMEND THE ASSET PURCHASE AGREEMENT WITH L. WOERNER, INC., d/b/a HCR**

**WHEREAS**, Madison County Department of Health operates a certified home health agency and a long term home health care program; and

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

**WHEREAS**, the L. Woerner, Inc., d/b/a HCR and the County entered into an Asset Purchase Agreement dated as of February 10, 2011 (Resolution 31-11); and

**WHEREAS**, L. Woerner, Inc., d/b/a HCR is requesting certain changes in the terms of the Asset Purchase Agreement; and

**WHEREAS**, the Public Health Services Committee has reviewed and approved this amendment to Asset Purchase Agreement with L. Woerner, Inc., d/b/a HCR for the sale of these assets; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the Asset Purchase Agreement with L. Woerner, Inc., d/b/a HCR, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**By Supervisors Goldstein (Vice Chair) and Reinhardt:**

**RESOLUTION NO. 28-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR THE ADMINISTRATION OF EARLY INTERVENTION AND MODIFYING THE 2012 COUNTY BUDGET**

**WHEREAS**, Madison County Public Health Department, through the Preventive Health Programs, has administered the Early Intervention Program, which is a program to assist families of children ages 0-2 years with developmental delays by determining appropriate services for these children; and

**WHEREAS**, the New York State Department of Health has devoted much time to implement this program on the local level in an effort to assure continuity of care for all children who meet the criteria; and

**WHEREAS**, grant funds have once again been made available with funding being provided as follows:

Awarding Agency:	U.S. Dept. of Education/U.S. Dept. of Health & Human Sv
Pass-through Agency:	New York State Department of Health
Catalog #:	84.181A
Program Name:	Early Intervention Administration
Grant Extension:	October 1, 2011 – September 30, 2012
Contract #:	C-027488
Federal Funds:	100%
Grant Total:	\$46,458

**WHEREAS**, the Public Health Services Committee has reviewed this grant renewal and finds it to be appropriate;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement between Madison County and the New York State Department of Health, as is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the 2012 adopted County budget be modified as follows:

**Public Health Department**  
**A2961 Early Intervention**

<u>Expense</u>	<u>From</u>	<u>To</u>
A2961.4102 El Grant Expenses	\$ 0	\$ 1,866
Control Total		<u>\$ 1,866</u>
<u>Revenue</u>		
A4489.2025 Federal Aid El Grant	<u>44,592</u>	<u>46,458</u>
Control Total		<u>\$ 1,866</u>

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**By Supervisor Goldstein (Vice Chairman):**

**RESOLUTION NO. 29-12**

**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 senior citizen recipients can be serviced; and

**WHEREAS**, Madison County Office for the Aging has agreed to provide this service for the period of January 1, 2012, to December 31, 2012, 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**, the rate is the same as the 2011 contract rate and is less than half the rate paid for similar services provided by Medicaid-approved taxi 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 Madison County Office for the Aging, in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 30-12**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH COMMUNITY ACTION PROGRAM, INC**

**WHEREAS**, research has shown that mentoring is an effective strategy in the prevention of high-risk behaviors that lead to poor school performance, substance abuse, violence, and teen pregnancy; and

**WHEREAS**, it is always a struggle to find enough volunteer mentors to meet the needs of children who would benefit from a mentor; and

**WHEREAS**, Madison County is committed to providing preventive services to children; and

**WHEREAS**, Community Action Program, Inc., has the experience and recognized capacity to provide this service; and

**WHEREAS**, Community Action Program, Inc., is currently providing this service; and

**WHEREAS**, funding is available through the Flexible Fund for Family Services, which is reimbursed at the rate of 100 percent; and

**WHEREAS**, Community Action Program, Inc., has offered to provide the required services for the period April 1, 2012, to March 31, 2013, at a total cost not to exceed \$136,129, the same as the last contract period; 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 Community Action Program, Inc., in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT- 54 (Salka)**

**RESOLUTION NO. 31-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
(Traffic Safety Research Inc.)**

**WHEREAS**, the Madison County Department of Social Services (DSS) is facilitating training for DSS employees surrounding drug awareness; and

**WHEREAS**, the Department of Social Services and Social and Mental Health Services Committee recommend that the County retain Traffic Safety Research, Inc., to provide said training; and

**WHEREAS**, the cost of said training shall not exceed \$600 subject to appropriations in the adopted 2012 Department of Social Services budget;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board be and hereby is authorized to execute the agreement with Traffic Safety Research, Inc., effective immediately, a copy of which is on file with the Clerk to the Board.

**ADOTPED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 32-12**

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

**WHEREAS**, the Mental Health Department submits Medicare electronic claims and is required to utilize an NGS-approved network service vendor; and

**WHEREAS**, it is necessary to enter into an agreement with IVANS INC., an NGS-approved network service vendor, who provides Medicare Access network connectivity 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 enter into an agreement on behalf of the County of Madison with IVANS, INC., in the form as is on file and with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**By Supervisors Goldstein and Reinhardt:**

**RESOLUTION NO. 33-12**

**AUTHROIZING THE CHAIRMAN TO EXECUTE A CONTRACT MODIFICATION AND MODIFYING THE 2011 ADOPTED COUNTY BUDGET**

**WHEREAS**, the Office of Alcoholism and Substance Abuse has approved one-time funding for Liberty Resources Alcohol Community Residence Program (Maxwell House); and

**WHEREAS**, these additional funds result in 100% State Aid for 2011 to Liberty Resources Behavioral Healthcare, Inc.;

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

**General Fund**

<u>4316 Mental Health - Liberty Resources</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A3490.3083 St. Aid Liberty Resources	<u>\$286,894</u>	<u>\$313,394</u>
Control Total		<u>\$ 26,500</u>
 <u>Expense</u>		
A4316.4276 Liberty Resources Halfway House	<u>\$286,894</u>	<u>\$313,394</u>
Control Total		<u>\$ 26,500</u>

**BE IT FURTHER RESOLVED**, that the Chairman of the Board be hereby authorized to execute a modification agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2011 through December 31, 2011 with Liberty Resources Behavioral Healthcare, Inc.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**By Supervisor Ball:**

**RESOLUTION NO. 34-12**

**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, 2012 and expiring on December 31, 2012.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT- 54 (Salka)**

**RESOLUTION NO. 35-12**

**APPOINTING MADISON COUNTY FIRE ADVISORY BOARD MEMBERS AND DEPUTY COORDINATORS FOR 2012**

**WHEREAS**, the duly appointed officers and members of the Madison County Fire Advisory Board met at annual session on Thursday, January 26, 2012 and

**WHEREAS**, the following individuals were selected to represent the interests of each of the County's various townships , and

**WHEREAS**, the following individuals have agreed to serve without compensation as an advisory body to the Board of Supervisors and the County Fire Coordinator in matters relating to fire service activities;

**NOW, THEREFORE, BE IT RESOLVED**, that the following individuals be appointed to the Madison County Fire Advisory Board for 2012:

**Fire Advisory Board 2012**

James McFadden.....	Brookfield	Richard Stagnitti.....	Lenox
Terry Austin.....	Cazenovia	Robert Sturdevant Jr....	Lincoln
John Durfee.....	Cazenovia	Steven Johnson.....	Madison
Edwin Coons.....	DeRuyter	Patrick Massett.....	Nelson
Richard Stoddard Sr.....	Eaton	Gregg Myers .....	Oneida
Michael Bischoff .....	Eaton	Chester Reeves.....	Smithfield
Ralph Tallett.....	Fenner	Roland Shea.....	Stockbridge
Dale Burgess.....	Georgetown	Joseph Watkins.....	Sullivan
Jason Murray.....	Hamilton	Paul Haynes.....	Sullivan
Robert Tracy.....	Lebanon	Robert Freunscht.....	Sullivan
Alex Brown.....	Lenox		

**BE IT FURTHER RESOLVED**, that the following individuals be appointed to the staff of Deputy Fire Coordinators for 2012

Lyle Mason.....County Car 3  
James McFadden..... County Car 4  
Robert Freunscht..... County Car 5  
Robert Sturdevant Jr... County Car 6  
David Vredenburg..... County Car 8  
Jeffrey Cardinali.....County Car 9

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 36-12**

**MEMORIALIZING SUPPORT FOR PARTICIPATION IN A STUDY REGARDING SHARED PUBLIC SAFETY COMMUNICATION CENTER SERVICES WITH VARIOUS COUNTIES, AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO INTERMUNICIPAL AGREEMENTS**

**WHEREAS**, the Counties of Onondaga, Oswego, Madison, Cayuga desire to consider the implications of sharing Public Safety Communication Center services, as well as the possible consolidation of those services; and

**WHEREAS**, sharing of such services will likely result in a streamlining of municipal resources and will promote municipal economy in all four counties; and

**WHEREAS**, it is likely that additional counties in the region will want to be join in the grant application and participate in the feasibility study; and

**WHEREAS**, to this end, the County of Onondaga together with the Counties of Oswego, Madison and Cayuga, and any additional counties in the region that might come forth, seek to apply for a joint grant from the New York State Shared Municipal Services Incentive Grant Program to assist with funding a feasibility study to assess the possible sharing or consolidation of the Public Safety Communication Center services; now, therefore be it

**RESOLVED**, that the County Onondaga is hereby authorized to submit an application through the Shared Municipal Services Incentive Grant Program for purposes of conducting a feasibility study to be known as the “Central New York Interoperable Communications Consortium (CNYICC) Shared Public Safety Communications Center Services Study” considering the implications of sharing or consolidating Public Safety Communication Center services between the Counties of Onondaga, Oswego, Madison, Cayuga, and any other counties in the region that may wish to participate, and, be it further

**RESOLVED**, that the County of Onondaga shall act as Lead Applicant and the Counties of Oswego, Madison, Cayuga, any other counties in the region that may wish to participate shall act as co-applicants, with the respective department heads or commissioners of each County’s public safety communication center acting as Co-Applicant Contact Person and with the Onondaga County Commissioner of the Department of Emergency Communications, William Bleyle, or his designee, acting as the Lead Applicant Contact Person and that such Lead Applicant Contact Person shall submit an application to the Local Government Efficiency grant program for the 2011-2012 program year ; and, be it further

**RESOLVED**, that the project for which the grant application shall be submitted is for the Counties of Onondaga, Oswego, Madison, Cayuga, and any other counties in the region that may wish to participate to conduct a feasibility study to determine whether there are financial and operational efficiencies to be achieved in the event that the participating counties either share or consolidate Public Safety Communication Center services; and, be it further

**RESOLVED**, the local government efficiency grant can fund up to \$25,000 for each county involved in the planning study. Applicant counties are required to provide matching funds equal to 10% (\$25,000) toward the study of the total project costs; and, be it further

**RESOLVED**, that the County of Madison hereby is authorized to enter into agreements with the Counties of Oswego, Onondaga, Cayuga, and any additional county in the region that may wish to participate in the study to further define the rights and obligations of the counties in connection with the feasibility study and to provide that the local share or match for the grant funds shall be made by equal contribution from each county.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 37-12**

**AUTHORIZING THE CHAIRMAN TO RENEW SERVICE CONTRACTS FOR MAINTENANCE OF THE E-911 CENTER PHONE SYSTEM / RADIO CONSOLES / RADIO SYSTEM / COUNTY FIRE DEPTS. ALERT SYSTEMS WITH MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC.**

**WHEREAS**, Madison County and Motorola Communications and Electronics, Inc. are parties to service agreements, which cover the E-911 Phone System, Radio Consoles, and the Jail Radio System; and

**WHEREAS**, these agreements are general service agreements for the upkeep and maintenance of these vital Public Safety Networks for the period of 01/01/12 to 12/31/12; and

**WHEREAS**, these agreements represent no increase in charges from the previous year; and

**WHEREAS**, these agreements are broken down as follows:

E-911 Phone System	\$44,756.52
Radio Consoles	\$4,717.00
Jail Radio System	\$4,928.04

**WHEREAS**, these agreements are for a total amount of \$54,401.56 has been reviewed and approved by the Criminal justice, Public Safety & Telecommunications Committee Members and Chairman; and

**NOW, THEREFORE BE IT RESOLVED**, that the County accept these Service Agreements submitted by:

**MOTOROLA COMMUNICATIONS & ELECTRONICS, INC.**  
1307 East Algonquin Road  
SCHAUMBURG, IL 60196  
Total Amount: \$54,401.56/TWELVE (12) months  
01/01/12 to 12/31/12

**BE IT FURTHER RESOLVED**, That the Chairman of the Board of Supervisors be and is hereby authorized to execute the renewal of the Maintenance Agreements with the Contractor named herein, on the terms as are on file with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**By Supervisors Ball and Reinhardt:**

**RESOLUTION NO. 38-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABILITY AND EMERGENCY COMMUNICATIONS AND MODIFY THE 2012 BUDGET**

**WHEREAS**, the Madison County has been awarded a Federal Grant through US Homeland Security passing through the New York State Division of Homeland Security and Emergency Services, Office of Interoperability and Communications (OIEC); and

**WHEREAS**, the Federal Grant is identified as follows:

<b>Awarding Agency:</b>	<b>US Homeland Security</b>
<b>Pass through Agency:</b>	<b>NYS Office of Homeland Security</b>
<b>Program Name:</b>	<b>FY2010Statewide Interoperable Communications Grant (SICG)</b>
<b>CFDA No.:</b>	<b>97.055</b>
<b>Award Year:</b>	<b>2011 - 2013</b>
<b>State Funds Percentage:</b>	<b>100%</b>
<b>Total Grant Amount:</b>	<b>\$1,997,812</b>

**WHEREAS**, the purpose of this grant is to enhance communication of all County fire, law enforcement and EMS agency first responders through the upgrade of the Public Safety Communication; and

**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 US Division of Homeland Security by passing through the NYS Division of Homeland Security and Emergency Services, Office of Interoperability and Communications in the form as is on file with the Clerk of the Board, and

**BE IT FURTHER RESOLVED**, that the 2012 Adopted County Budget be modified as follows:

**Capital Projects Fund**

**3028-Public Safety Communications Upgrade**

Expense

H3028.2905	Fire, Law Enforcement & EMS Radio Equipment-Grant	<u>\$1,997,812</u>
	Control Total	<u>\$1,997,812</u>

Revenue

H4397.1020	Fed Aid FY2010 Statewide Interoperable Comm Grant	<u>\$1,997,812</u>
	Control Total	<u>\$1,997,812</u>

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 39-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (ASPCA) AND MODIFYING THE 2012 ADOPTED COUNTY BUDGET**

**WHEREAS**, the Office of the Madison County Sheriff's Department has been awarded a grant from the American Society for the Prevention of Cruelty to Animals (ASPCA), and

**WHEREAS**, the grant is for training for Animal Cruelty Investigations, and

**WHEREAS**, the grant is identified as follows:

Awarding Agency:	The American Society for the Prevention of Cruelty to Animals
Project Name:	Animal Cruelty Investigations Training for Deputy Sheriff
Grant Term:	1/25/2012-7/25/2012
Federal Funds %:	0%
Total Amount:	\$2,900; and

**WHEREAS**, the Criminal Justice, Public Safety and Telecommunications Committee and the Finance, Ways and Means Committee support the Office of the Sheriff in this endeavor;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the original agreement with the ASPCA, as is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the 2012 Adopted County Budget be modified as follows:

**Sheriff's Department**  
**A3110 Sheriff Department**

<u>Revenue</u>		<u>From</u>	<u>To</u>
A2770.2020	Animal Cruelty Investigations Training Grant	<u>\$0</u>	<u>\$2,900</u>
	Control Total		<u>\$2,900</u>

<u>Expense</u>		<u>From</u>	<u>To</u>
A3110.41019	Animal Cruelty Investigations Training Grant	<u>\$0</u>	<u>\$2,900</u>
	Control Totals		<u>\$2,900</u>

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 40-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH  
THE AMERICAN SOCIETY FOR THE PREVENTION OF  
CRUELTY TO ANIMALS (ASPCA) AND MODIFYING THE 2012 ADOPTED COUNTY  
BUDGET**

**WHEREAS**, the Office of the Madison County Sheriff's Department has been awarded a grant from the American Society for the Prevention of Cruelty to Animals (ASPCA), and

**WHEREAS**, the grant is for the purchase of Cruelty Animal Investigation Equipment, and

**WHEREAS**, the grant is identified as follows:

Awarding Agency: The American Society for the Prevention of Cruelty to Animals  
Project Name: Cruelty Animal Investigations  
Grant Term: 1/25/2012-7/25/2012  
Federal Funds %: 0%  
Total Amount: \$1,500; and

**WHEREAS**, the Criminal Justice, Public Safety and Telecommunications Committee and the Finance, Ways and Means Committee support the Office of the Sheriff in this endeavor;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the original agreement with the ASPCA, as is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the 2012 Adopted County Budget be modified as follows:

**Sheriff's Department**  
**A3110 Sheriff Department**

<u>Revenue</u>		<u>From</u>	<u>To</u>
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A2770.2025	Cruelty Investigations Equipment Grant	\$0	<u>\$1,500</u>
	Control Total		<u>\$1,500</u>

<u>Expense</u>			
A3110.41020	ASPCA Cruelty Investigations Equipment	\$0	<u>\$1,500</u>
	Control Totals		<u>\$1,500</u>

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT -**

**By Supervisor Monforte:**

**RESOLUTION NO. 41-12**

**ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 1  
FOR THE YEAR 2012 AND CALLING FOR A PUBLIC HEARING**

**WHEREAS**, Supervisor Ralph Monforte has duly introduced proposed Local Law No. 1 for the year 2012, entitled "A REAL PROPERTY TAX EXEMPTION FOR NON-RESIDENTIAL REAL PROPERTY CONVERTED TO A MIXED USE PROPERTY PURSUANT TO SECTION 485-a OF THE NEW YORK STATE REAL PROPERTY TAX LAW"; and

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

**NOW, THEREFORE BE IT RESOLVED**, that a public hearing be held on the proposed Local Law in the Chambers of the Board of Supervisors at the Madison County Office Building on March 13, 2012 at 10:45 a.m.; and

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

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**Mr. Kipp Hicks, Director of Madison County IDA was called upon to gave a brief description of this local law.**

**PROPOSED LOCAL LAW NO.1 OF 2012**

**A LOCAL LAW ESTABLISHING A REAL PROPERTY TAX EXEMPTION FOR  
NON-RESIDENTIAL REAL PROPERTY CONVERTED TO A MIXED USE PROPERTY  
PURSUANT TO SECTION 485-a OF THE NEW YORK STATE REAL PROPERTY TAX LAW**

**BE IT ENACTED**, by the Madison County Board of Supervisors as follows:

Section 1. The purpose of this Local Law is to provide for the real property tax exemption authorized by Section 485-a of the Real Property Tax Law of the State of New York. This Local Law shall be read in conjunction with the provision of Section 584-a of the Real Property Tax Law to effectuate the authorized real property tax exemption.

Section 2. Definitions.

- (a) "Municipality" shall mean a city, town or village located in the County of Madison, New York.
- (b) "Commercial construction work" shall mean the modernization, rehabilitation, expansion or other improvement of the portion of mixed-used property to be used for commercial purposes.
- (c) "Commercial purpose or use" shall mean the buying or selling or otherwise providing of goods or services, including hotel services, or other lawful business or commercial activities permitted in mixed-use property.
- (d) "Mixed-use property" means property on which will exist, after completion of residential construction work or a combination of residential construction work and commercial construction work, a building or structure used for both residential and commercial purposes.
- (e) "Residential construction work" shall mean the creation, modernization, rehabilitation, expansion or other improvement of dwelling units, other than dwelling units in a hotel, in the portion of mixed use property to be used for residential purposes.

Section 3. The County hereby provides that non-residential real property converted to mixed-use property, located in a city, town or village in the County of Madison that has adopted a local law providing for the residential-commercial urban exemption pursuant to Section 485-1 of the New York State Real Property Tax Law, shall be exempt from county taxation and county special ad valorem levies in the same manner and to the same extent as provided for in said city, town or village local law.

Section 4.

- (a) For a period of twelve years from the approval of an application, the increase in assessed value of such property attributable to such conversion shall be exempt as provided herein. Such exemption shall be computed with respect to the "exemption base". The exemption base shall be determined for each year in which there is an increase in assessed value so attributable from that of the previous year's assessed value.

Year of Exemption	Percentage of Exemption
1 through 8	100% of exemption base
9	80% of exemption base
10	60% of exemption base
11	40% of exemption base
12	20% of exemption base

- (b) No such exemption shall be granted unless (i) such conversion was commenced subsequent to the date on which the municipality's local law took effect; and (ii) the cost of such conversion exceeds the amount specified in the local law of the municipality.
- (c) For the purposes of this section, the term conversion shall not include ordinary maintenance and repairs.
- (d) No such exemption shall be granted concurrent with or subsequent to any other real property tax exemption granted to the same improvements to real property, except, where during the period of such previous exemption, payments in lieu of taxes or other

payments were made in an amount that would have been equal to or greater than the amount of real property taxes that would have been paid on such improvements had such property been granted an exemption pursuant to this Local Law. In such case, an exemption shall be granted for a number of years equal to the twelve year exemption granted pursuant to this local law less the number of years the property would have been previously exempt from real property taxes.

Section 5. Severability. If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. This local law shall take effect upon filing pursuant to the provisions of the New York state Municipal Home Rule Law.

**RESOLUTION NO. 42-12**

**APPOINTING A MEMBER TO  
THE MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**BE IT RESOLVED**, that John A. Romagnoli II of 2527 US Rte 20, Cazenovia, NY 13035, be hereby appointed to the Madison County Industrial Development Agency, filling a vacant position, commencing on February 14, 2012, and to serve at the pleasure of the Board of Supervisors.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 43-12**

**APPOINTING A MEMBER TO  
THE MADISON COUNTY CAPITAL RESOURCE CORPORATION**

**BE IT RESOLVED**, that John A. Romagnoli II of 2527 US Rte 20, Cazenovia, NY 13035, be hereby appointed to the Madison County Capital Resource Corporation, filling a vacant position, commencing on February, 2012 and to serve at the pleasure of the Board of Supervisors.

Supervisor Goldstein made a motion to amend line three of this resolution, seconded by Supervisor Henderson and carried; commence on February 14, 2012.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 44-12**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR A NEW YORK STATE  
ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
THE NY BEEF FARMERS COOPERATIVE**

**WHEREAS**, Madison County has received a \$250,239 grant from the New York State Economic Development Community Development Block Grant (CDBG) program; and

**WHEREAS**, the grant award is identified as follows:

Awarding Agency:	Office of Community Renewal
Pass-Through Agency:	New York State Housing Trust Fund Corporation/ Office of Community Renewal
Program Name	New York State Community Development Block Grant Economic Development Award
Award Year:	2011
NYS CDBG Project #:	686ED6689-11
Total Grant Amount:	\$250,239

**WHEREAS**, The Madison County Planning Department in partnership with the Agricultural Economic Development Program will use the grant to assist with the Startup of the NY Beef Farmers Cooperative;

**WHEREAS**, funds will primarily be used for employment training, equipment, and machinery;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisor is authorized to sign the contract with New York State on behalf of Madison County for receipt of those funds; and

**BE IT FURTHER RESOLVED**, that the Treasurer of Madison County is authorized to undertake the necessary activities for receipt and disbursement of the grant.

#### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 45-12**

#### **AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR A NEW YORK STATE ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FOR A MADISON COUNTY MICROENTERPRISE PROGRAM**

**WHEREAS**, Madison County has received a \$200,000 grant from the New York State Economic Development Community Development Block Grant (CDBG) program; and

**WHEREAS**, the grant award is identified as follows:

Awarding Agency:	Office of Community Renewal
Pass-Through Agency:	New York State Housing Trust Fund Corporation/ Office of Community Renewal
Program Name:	New York State Economic Development Community Development Block Grant
Award Year:	2011
NYS CDBG Project #:	686ME5357-11

Total Grant Amount: \$200,000

**WHEREAS**, The Madison County Planning Department in partnership with the Madison County Industrial Development Agency will use the grant to continue the Madison County Microenterprise Program to benefit low-moderate income persons;

**WHEREAS**, this grant is designed to help new businesses with start-up capital or existing micro-businesses with funds to grow and expand;

**WHEREAS**, the Microenterprise Program's accountability rests with job creation requirements;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors is authorized to sign the contract with New York State on behalf of Madison County for receipt of those funds; and

**BE IT FURTHER RESOLVED**, that the Treasurer of Madison County is authorized to undertake the necessary activities for receipt and disbursement of the grant.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**By Supervisor Bono:**

**RESOLUTION NO. 46-12**

**SUPPORTING PARTICIPATION IN THE  
CENTRAL NY REGIONAL PLANNING & DEVELOPMENT BOARD'S  
YEAR- 4 STORMWATER AND EDUCATION COMPLIANCE ASSISTANCE  
PROGRAM**

**WHEREAS**, the Public Works Committee authorized the Madison County Highway Department on January 17, 2012 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 2012 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 28, 2012 to initiate the project and that

25% of the funds will be made available to the CNY RPDB no later than September 30, 2012 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 – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 47-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO  
AN AGREEMENT WITH NATIONAL ELEVATOR INSPECTION SERVICES, INC.**

**WHEREAS**, Madison County is now required by the Property Maintenance Code of New York State, Section 606.1.1 and the ASME Section 8.11.1.1, to have a third party inspect and witness testing of elevators located in the County Office Building, Veterans Memorial Building, Social Services Building and the Public Health Building; and

**WHEREAS**, the County Buildings and Grounds Committee have reviewed and approve of this service contract; and

**WHEREAS**, the maintenance agreement is for one year, commencing March 1, 2012, in the amount of \$1,360.00 annually;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors Chairman be and hereby is authorized to enter into a maintenance agreement with National Elevator Inspection Services, Inc., a copy of which is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1161 NAYS – 285 (Becker) ABSENT – 54 (Salka)**

**RESOLUTION NO. 48-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CUMMINS  
NORTHEAST, INC.**

**WHEREAS**, a maintenance agreement for the bi-annual inspections to service the generator systems located in the County Office Building, Public Safety Building, Social Services Building, Public Health Building and Highway Department to keep them in reliable and efficient working condition; and

**WHEREAS**, the County Buildings and Grounds Committee have reviewed and approve of this maintenance agreement; and

**WHEREAS**, the maintenance agreement is for one year, commencing April 1, 2012, in the amount of \$717.70 for the Public Safety Building; \$570.73 for the Public Health Building; \$563.42 for the Department of Social Services Building; \$796.58 for the Highway Department; and \$644.39 for the County Office Building; totaling \$3,292.82 annually;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors Chairman be and hereby is authorized to enter into a maintenance agreement with Cummins Northeast, Inc., a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 49-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CHEM-AQUA, INC.**

**WHEREAS**, the County has an agreement with Chem-Aqua, Inc., of Irving, Texas, for the water treatment and equipment for the cooling towers located at the County Office Complex; and

**WHEREAS**, the County Buildings and Grounds Committee have reviewed and approve of this maintenance agreement; and

**WHEREAS**, the maintenance agreement is for four years, commencing April 1, 2012, in the amount of \$4,467.60 annually;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors Chairman be and hereby is authorized to enter into a maintenance agreement with Chem-Aqua, Inc., a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT- 54 (Salka)**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 50-12**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACTS WITH NOT-FOR-PROFIT ORGANIZATIONS FOR 2012**

**WHEREAS**, Section 224 of the County Law authorizes the Board of Supervisors to contract with not-for-profit organizations, associations and agencies for the purposes enumerated in said section; and

**WHEREAS**, the Board of Supervisors in adopting the budget for the year 2012, pursuant to the provisions of Article 7 of the County Law has allocated to the following organizations the amount set forth opposite the name of said organization:

<b>A6772</b>	<b>Program for the Aging</b>	<b>202,945.00</b>
<b>A6988</b>	<b>Community Action Program</b>	<b>45,063.00</b>
<b>A6989</b>	<b>Food Bank of CNY</b>	<b>10,000.00</b>
<b>A7410</b>	<b>Mid-York &amp; Local Libraries</b>	<b>93,230.00</b>
<b>A7410</b>	<b>Mid-York Telecommunications (Feb. payment only)</b>	<b>21,324.00</b>
<b>A7510</b>	<b>Madison County Historical Society</b>	<b>25,750.00</b>
<b>A7550</b>	<b>Madison County Fair</b>	<b>25,000.00</b>
<b>A7989</b>	<b>Madison County Children’s Camp</b>	<b>10,000.00</b>
<b>A8025</b>	<b>CNY Regional Planning &amp; Develop. Board</b>	<b>22,310.00</b>

<b>A8710</b>	<b>Affiliated Conservation Clubs</b>	<b>3,500.00</b>
<b>A8745</b>	<b>Soil &amp; Water Conservation</b>	<b>154,500.00</b>
<b>A8750</b>	<b>Cooperative Extension</b>	<b>293,390.00</b>

**NOW, THEREFORE BE IT RESOLVED**, that 50% of the monies hereinfore referred to be paid to each organization in February 2012 and the other 50% of the monies be paid in July 2012, after the previous years' report is filed; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be and he hereby is empowered to enter into separate contracts with the organizations listed above.

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**RESOLUTION NO. 51-12**

**AUTHORIZING THE MODIFICATION OF THE 2012 ADOPTED COUNTY BUDGET**

**RESOLVED**, that the 2012 Adopted County Budget be modified as follows:

**Modification No. 1**

**General Fund**

**1165 District Attorney**

**Expense**

	<u>From</u>	<u>To</u>
A1165.409 Trial Expense	\$ -0-	\$10,000

**1990 Contingent Fund**

**Expense**

A1990.4444 Contingent Fund	<u>844,798</u>	<u>834,798</u>
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Control Totals	<u>\$844,798</u>	<u>\$844,798</u>
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**Modification No. 2**

**General Fund**

**1010 Legislative Board**

**Expense**

	<u>From</u>	<u>To</u>
A1010.4237 Legislative Affairs Consultants	\$ -0-	\$ 52,500

**1990 Contingent Fund**

**Expense**

A1990.4444 Contingent Fund	<u>834,798</u>	<u>782,298</u>
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Control Totals	<u>\$834,798</u>	<u>\$834,798</u>
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**Modification No. 3**

**General Fund**

**4010 Public Health Administration**

**Expense**

	<u>From</u>	<u>To</u>
A4010.4026 Shades of Green Expense	\$ 0	\$2,400

**Revenue**

A2770.4510 Registration Fees –Shades of Green \$ 0 \$2,400

**ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)-**

**RESOLUTION NO. 52-12**

**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 – 1446 NAYS – 0 ABSENT – 54 (Salka)**

**PUBLIC COMMENT PERIOD**

**Speakers:**

**Mr. Rick Kinsella and Mr. Rob Kinsella both of Oneida spoke regarding Park Strategies and on the subject of Professional Services Contracts for Madison County.**

**PROCLAMATION**

**IN RECOGNITION OF THE WORK OF THE  
MADISON COUNTY LAW ENFORCEMENT AGENCIES  
AND IN OBSERVANCE OF FEBRUARY 8, 2012 AS**

**MADISON COUNTY LAW ENFORCEMENT RECOGNITION DAY**

**WHEREAS**, Madison County has a number of excellent Law Enforcement Agencies;  
and

**WHEREAS**, this Board of Supervisors remains concerned about the continual problem of Drunk/Impaired Driving Incidents in Madison County and about the dangers, injuries, and deaths that result from impaired driving within Madison County; and

**WHEREAS**, the New York State Vehicle and Traffic Laws set forth certain Laws and Penalties for Driving While Intoxicated and/or for Driving While Ability is Impaired; and

**WHEREAS**, the Madison County Board of Supervisors through Madison County's STOP-DWI Program works with all the County's Law Enforcement Agencies, to enforce the State's Drunk/Impaired Driving Laws and to educate the citizens of Madison County about the problem of Driving Drunk/Impaired; and

**WHEREAS**, Madison County STOP-DWI is sponsoring a Law Enforcement Recognition Day on February 8, 2012 including a Recognition Luncheon to acknowledge the efforts of the County's Law Enforcement Agencies in enforcing the DWI Laws of the State, and to recognize the top DWI Arrest Producers from within our Law Enforcement Agencies;

**NOW, THEREFORE, I, JOHN M. BECKER**, Chairman of the Madison County Board of Supervisors, recognizing and applauding the work of the Madison County Law Enforcement Agencies, hereby designates February 8, 2012 as:

**MADISON COUNTY LAW ENFORCEMENT RECOGNITION DAY**

in Madison County and urge all residents to join in recognizing and applauding the work of the County's Law Enforcement Agencies and to personally continue the fight against impaired driving: by Planning Ahead; by Appointing a Designated Driver; and, especially, by Refusing To Let Friends Drive Drunk.

**On motion by Supervisor Degear, seconded by Supervisor Reinhardt, the Board adjourned.**