

**MADISON COUNTY BOARD OF SUPERVISORS**  
**Meeting – Tuesday, July 13, 2010**

The Board convened 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 Stepanski, seconded by Supervisor Degear, the minutes of the previous meeting were dispensed with and adopted as filed.

**COMMUNICATIONS**

1. Copy of a resolutions from Allegany and Tioga Counties – Comments on Proposed 6 NYCRR Part 247 – Regulations on Outdoor Wood Boilers.
2. Copy of a resolution from Seneca County – Opposing Delay in Collection of Tax on Sales of Cigarettes by Indian Tribes.
3. Copy of a resolutions from Orleans County – Supporting the Creation of Enhanced Sales Tax Transparency and Accountability System for Improved Local Government Fiscal Management and Opposing the use of the “R” Word for Individuals with Disabilities.
4. Copy of a resolution from Delaware County – In Opposition to Senate Bill S2247 and Assembly Bill A1867 – An Act to Amend NYS Labor Law Requiring Collective Bargaining, Overtime, Unemployment and Disability Benefits for Farm Employees.

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services, JTPA/WIA And Cazenovia Sewer District:	\$ 2,739,147.26
Miscellaneous Accounts:	\$ 107,221.30

**At this time Chairman Becker announced the scheduled public hearing on Madison County’s Proposed Community Development Block Grant Application for a Microenterprize Program. Supervisor Reinhardt made a motion to open the hearing seconded by Supervisor Henderson and carried. Planning Director, Scott Ingmire addressed the Board explaining the application process. The County is working with the IDA and is proposing to create a microenterprise program that benefits low to moderate individuals and expects to apply for \$200,000 for that purpose. There being no other speakers, Chairman Becker asked for a motion to close the hearing. Supervisor Henderson made that motion, seconded by Supervisor Rafte and carried.**

**RESOLUTIONS**

**By Supervisor Bargabos:**

**RESOLUTION NO. 201-10**

**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 certain County employees with upcoming retirements is in order,

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Maureen M. Dunn and Delbert J. Greenwood upon their retirement.

Maureen M. Dunn	Public Health	1974 - 2010	35 years
Delbert J. Greenwood	Highway	1986 – 2010	24 years

**ADOPTED: AYES – 1500 NAYS – 0**

Chairman Becker asked Maureen Dunn and Health Director Eric Faisst to step forward. Ms. Dunn was presented a gift on behalf of the Board and Madison County. Mr. Faisst stated that Ms. Dunn was a hard and dedicated worker, always the first one to arrive at work in the morning, always with a smile on her face and will be missed by all.

Chairman Becker then asked Delbert Greenwood and Highway Superintendent Joe Wisinski to step forward. Mr. Greenwood was presented a gift on behalf of the Board and Madison County. Mr. Wisinski thanked Mr. Greenwood for his many years of dedicated service, stating that he was an intricate part of the winter work crew for the County.

**RESOLUTION NO. 202-10**

**AUTHORIZING THE CHAIRMAN TO EXECUTE THE APPLICATION  
FOR AN EARLY RETIREE REINSURANCE PROGRAM**

**WHEREAS**, Madison County provides health benefits for eligible retirees, spouses, surviving spouses, and dependents; and

**WHEREAS**, there are approximately eighty (80) retirees, spouses, surviving spouses, and dependents who are under age 65 and participate in the County's health benefits program; and

**WHEREAS**, these participants are not yet eligible for coverage under Medicare; and

**WHEREAS**, the County incurs considerable expense relative to the payment of actual claims for these and other participants; and

**WHEREAS**, the Affordable Care Act provides \$5 billion in financial assistance to help employers maintain coverage for early retirees age 55 and older who are not yet eligible for Medicare, through the Early Retiree Reinsurance Program (ERRP); and

**WHEREAS**, the ERRP provides reimbursement to participating employment-based plans for a portion of the costs of health benefits for early retirees and early retirees’ spouses, surviving spouses, and dependents; and

**WHEREAS**, it has been estimated that employers may receive as much as \$2,000-\$3,000 per early retiree enrolled in the health benefits program; and

**WHEREAS**, the reimbursement may be used to reduce the County’s health benefit premiums or health benefits, and to reduce health benefit premium contributions, copayments, deductibles, coinsurance, or other out-of-pocket costs for plan participants.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board be and hereby is authorized to execute the application for an early retiree reinsurance program, a copy of which is on file with the Clerk of the Board of Supervisors

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 203-10**

**ESTABLISHING THE STANDARD WORK DAY AND REPORTING DAYS FOR CERTAIN COUNTY OFFICIALS**

**WHEREAS**, The Office of the State Comptroller New York State and Local Employees’ Retirement System requires that a Standard Work Day and Reporting Resolution be established for retirement credit reporting purposes for elected and appointed officials;

**NOW, THEREFORE, BE IT RESOLVED**, that Madison County hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk to the Board:

TITLE	NAME	STANDARD WORK DAY (Hrs/Day)	TERM BEGINS/ ENDS	PARTICIPATES IN EMPLOYER’S TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH (Based on Record of Activities)
<b>Elected Officials</b>					
Supervisor (Brookfield)	John Salka	6	1/1/10-12/31/11	N	4.28
Supervisor (Cazenovia)	Ralph Monforte	6	1/1/10-12/31/11	N	3.17
Supervisor (DeRuyter)	Daniel Degear	6	1/1/10-12/31/11	N	12.36
Supervisor (Fenner)	Russell Cary	6	1/1/10-12/31/11	N	8.93

Supervisor (Lebanon)	James Goldstein	6	1/1/10-12/31/11	N	6.53
Supervisor (Lincoln)	Darrin Ball	6	1/1/08-12/31/11	N	13.36
Supervisor (Madison)	Ronald Bono	6	1/1/10-12/31/13	N	3.45
Supervisor (Nelson)	Rodger Bradstreet	6	1/1/10-12/31/11	N	8.42
Supervisor/Vice-Chairman (Smithfield)	Richard Bargabos	6	1/1/10-12/31/11	N	15.58
Supervisor/Chairman (Sullivan)	John Becker	6	1/1/08-12/31/11	N	17.95
Supervisor (Oneida – Wards 1-2-3)	John Reinhardt	6	1/1/10-12/31/11	N	6.79
Supervisor (Oneida – Wards 4-5-6)	Lewis Carinci	6	1/1/10-12/31/11	N	20
<b>Appointed Officials</b>					
1 <sup>st</sup> Assistant County Attorney	Tina Wayland-Smith	6	1/1/10-12/31/11	N	17.26
County Attorney	John Campanie	6	1/1/10-12/31/11	N	7.66
County Clerk	Kenneth Kunkel, Jr.	6	1/1/10-12/31/13	N	20

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 204-10**

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

**WHEREAS**, the Madison County Department of Solid Waste administers the collection of tipping fees for disposal of waste at the County Landfill; and

**WHEREAS**, SPOR COMPANIES, INC. disposed of solid waste in 2009 and 2010; and

**WHEREAS**, SPOR COMPANIES, INC. is now in default and has been past due on their account in the amount of **\$3,127.12 + interest**;

**NOW, THEREFORE BE IT RESOLVED**, that the County Attorney or his designee is hereby authorized to commence suit against SPOR COMPANIES, INC. or any other responsible parties to collect the monies due and owing to the County of Madison pursuant to Local Law #3 of 2004 now on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 205-10**

**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 Amgen, Chiron, Ethex, Fujisawa, GSK, and Dey AWP in the amount of Three Million Three Hundred Twenty-Eight Thousand Ninety-Six and 90/100 dollars (\$3,328,096.90), Madison County's distribution after expenses being Six Thousand Seventy-Nine and 07/100 dollars (\$6,079.07); 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 Amgen, Chiron, Ethex, Fujisawa, GSK, and Dey AWP 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 – 1500 NAYS – 0**

**RESOLUTION NO. 206-10**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
(EMPIRE SAFETY TRAINING AND CONSULTING, INC.)**

**WHEREAS**, Empire Safety Training and Consulting, Inc. of Chittenango, New York has provided employee safety services and training for Madison County since 2001; and

**WHEREAS**, Empire Safety Training and Consulting, Inc. has agreed to provide training services at the rate of \$125.00 per hour under the grant the County received through the Hazard Abatement Board of the New York State Department of Labor; and

**WHEREAS**, the Government Operations Committee recommends the County retain the services of Empire Safety Training and Consulting, Inc. to provide this grant-funded training,

**NOW, THEREFORE BE IT RESOLVED** that the Chairman of the Board of Supervisors be and hereby is authorized to enter into an agreement with Empire Safety Training and Consulting, Inc. for the period August 1, 2010 through July 31, 2011 as is on file with the Clerk to the Board; and

**BE IT FURTHER RESOLVED** that the cost for these required safety services shall not exceed a total cost of \$12,297.

**ADOPTED: AYES – 1500 NAYS – 0**

**At 10:45 a.m. Chairman Becker announced the scheduled public hearing on proposed Local Law No. 1 for 2010 – Establishing Performance Incentive Payments for Certain County Officials Attained in 2009. Supervisor Rafte made a motion to open the hearing, seconded by Supervisor Bradstreet and carried. There no one wishing to speak, Chairman Becker asked for a motion to close the hearing. Supervisor Cary made that motion, seconded by Supervisor Rafte and carried.**

**RESOLUTION NO. 207-10**

**ESTABLISHING PERFORMANCE INCENTIVE PAYMENTS FOR MANAGERIAL/CONFIDENTIAL EMPLOYEES**

**WHEREAS**, the Madison County Board of Supervisors previously adopted a Pay for Performance program for management personnel; and

**WHEREAS**, goals were established in 2009 for Management/Confidential employees that would contribute to the betterment of Madison County; and

**WHEREAS**, the achievement of said goals has been reviewed and evaluated by the Chairman of the Board, Legislative Committee Chairpersons, the County Administrator and department heads; and

**WHEREAS**, the Madison County Management Salary Plan authorizes the lump sum payment of \$500, \$1,000, \$1,500, or \$2,000, which will not be added to base salary, to employees that have achieved a goal that is beneficial to the County; and

**WHEREAS**, said payments shall be “taxed up”, as defined in the Madison County Management Performance Appraisal Policy,

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Treasurer be and hereby is authorized to make the corresponding payments to managerial/confidential employees (as attached) in lump sum payments effective July 23, 2010.

<b>TITLE</b>	<b>PAYMENT</b>
Administrative Assistant to District Attorney	1,500
Building Maintenance Supervisor	1,500
Confidential Secretary to Commissioner of Social Services	1,500

Confidential Secretary to County Attorney	1,500
Confidential Secretary to District Attorney	1,500
Deputy Commissioner for Family Services	1,500
Deputy Commissioner for Financial Aid	1,500
Deputy County Clerk	1,500
Deputy County Clerk	1,500
Deputy Director of Administrative Services	1,500
Employment & Training Director II	1,500
Information Technology Director	1,500
Probation Director II	1,500
Public Relations Officer	1,500
Records Management Coordinator	1,500
Senior Election Clerk	1,500
Social Services Attorney II	1,500
Assistant Director of Administrative Services	1,000
Assistant Director of Administrative Services	1,000
Clerk to Board of Supervisors	1,000
Confidential Secretary to Board of Supervisors	1,000
Confidential Secretary to Sheriff	1,000
Deputy County Treasurer	1,000
Deputy Director of Health	1,000
Director of Administrative Services	1,000
Director of Environmental Health	1,000
Director of Labor Relations	1,000
Director of Solid Waste Management	1,000

Director of Veterans Service Agency	1,000
Director of Weights and Measures,	1,000
E911 Director	1,000
Grants Coordinator	1,000
Highway Operations Manager	1,000
Labor Relations Technician	1,000
Payroll Specialist	1,000
Payroll Specialist	1,000
Stop-DWI Coordinator	1,000
Supervisor of Central Services	1,000
Youth Bureau Director	1,000
Administrative Assistant to County Attorney	500
Assistant Director of Environmental Health	500
Assistant Director of Patient Services	500
Confidential Secretary to Clerk to Board	500
Deputy County Highway Superintendent	500
Deputy County Treasurer	500
Deputy Probation Director II	500
Director of Administrative Services	500
Director of Patient Services	500
Director of Temporary Assistance/Financial Aid	500
Municipal Personnel Technician II	500
Personnel Associate	500
Personnel Associate	500
Supervising Psychologist	500

**ADOPTED: AYES – 1192 NAYS – 308 (Salka, Degear, Goldstein, DiVeronica)**

**RESOLUTION NO. 208-10**

**ADOPTING LOCAL LAW NO. 1 FOR THE YEAR 2010**

**WHEREAS**, there has been duly introduced Local Law No. 1 for the year 2010 entitled “Establishing Performance Incentive Payments for Certain County Officials Attained in 2009”; and

**WHEREAS**, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on July 13, 2010;

**NOW, THEREFORE BE IT RESOLVED**, that Local Law No.1 for the year 2010 be and the same is hereby adopted.

**ADOPTED: AYES – 1192 NAYS – 0 308 (Salka, Degear, Goldstein, DiVeronica)**

**By Supervisors Bargabos & Reinhardt:**

**RESOLUTION NO. 209-10**

**AUTHORIZING THE COUNTY TO ACCEPT A GRANT FROM THE NEW YORK STATE DEPARTMENT OF LABOR’S HAZARD ABATEMENT BOARD AND MODIFYING THE 2010 COUNTY BUDGET**

**WHEREAS**, the Personnel Department applied for and was awarded a grant in the amount of \$12,297 from the New York State Department of Labor’s Hazard Abatement Board; and

**WHEREAS**, said grant will provide funding for employee safety training during the grant period, August 1, 2010 through July 31, 2011; and

**WHEREAS**, the Government Operations Committee has reviewed the award and recommends that the County accept this funding,

**NOW, THEREFORE BE IT RESOLVED** that the Board of Supervisors does hereby authorize the County to participate in the grant and accept the grant funding in the sum of \$12,297; and

**BE IT FURTHER RESOLVED** that the Chairman of the Board be and hereby is authorized to execute certain documents as required by the New York State Department of Labor to participate in the grant and receive reimbursements under the grant for the grant period of August 1, 2010 through July 31, 2011; and

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

**General Fund**  
**1430 Personnel & Civil Service**

From

To

Revenue

A3389.2510 St. Aid DOL HAB Grant 2010-11	-0-	\$12,297
Control Total		<u>\$12,297</u>

Expense

A1430.4208 HAB Grant Expense 2010-11	-0-	\$12,297
Control Total		<u>\$12,297</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Salka:**

**RESOLUTION NO. 210-10**

**PUBLIC HEALTH DEPARTMENT MODIFIED CHARGES  
AND FEE SCHEDULE**

**WHEREAS**, Madison County Public Health Department is duly certified to operate both the Home Health Care Agency and Long Term Home Health Care Program and a Diagnostic and Treatment Center to administer vaccines; and

**WHEREAS**, the charges for providing home care services to Madison County residents is recouped through billing for services, based on a cost analysis prepared by the contracted certified public accountant; and

**WHEREAS**, a sliding fee scale based on the Federal Poverty level is required by regulation to charge a lesser fee for Private Pay Clients based on income; and

**WHEREAS**, based on the 2009 Medicare Cost Report completed by McCarthy and Conlon, LLP the cost for Skilled Nursing visits has increased and it is necessary to increase the 2010 rates as follows:

	<u>2009</u>	<u>2010</u>
Skilled Nursing	\$175	\$200
Medical Social Worker	\$120	\$150
Home Health Aide	\$ 62/hour	\$ 80/hour

**WHEREAS**, both the Board of Health and The Public Health Services Committee agree to approve the attached fee scale for all services based on the latest Federal Poverty guidelines;

**NOW, THEREFORE BE IT RESOLVED** that the above increase for Skilled Nursing visits is approved effective July 1, 2010.

Family Size	**200%	250%	300%	350%	400%
1	\$21,660	\$27,075	\$32,490	\$37,905	\$43,320
2	\$29,140	\$36,425	\$43,710	\$50,995	\$58,280

	3	\$36,620	\$45,775	\$54,930	\$64,085	\$73,240
	4	\$44,100	\$55,125	\$66,150	\$77,175	\$88,200
	5	\$51,580	\$64,475	\$77,370	\$90,265	\$103,160
	6	\$59,060	\$73,825	\$88,590	\$103,355	\$118,120
	7	\$66,540	\$83,175	\$99,810	\$116,445	\$133,080
	8	\$74,020	\$92,525	\$111,030	\$129,535	\$148,040
Each add'l person		\$7,480	\$9,350	\$11,220	\$13,090	\$14,960

Nursing Visit	\$40	\$80	\$120	\$160	\$200
PT Visit	\$32	\$64	\$96	\$128	\$160
OT Visit	\$23	\$46	\$69	\$92	\$115
ST Visit	\$25	\$50	\$75	\$100	\$125
MSW	\$30	\$60	\$90	\$120	\$150
Nutrition Visit	\$20	\$40	\$60	\$80	\$100
HHA/Hour	\$16	\$32	\$48	\$64	\$80
PCA/Hour	\$6	\$12	\$18	\$24	\$30

Flat Fee/One Time Service(Based on level of care required)					
BP Check	\$8	\$16	\$24	\$32	\$40
Toenails	\$8	\$16	\$24	\$32	\$40
Blood Work	\$9	\$18	\$27	\$36	\$45
Injections	\$9	\$18	\$27	\$36	\$45
PRi &Screen	\$40	\$80	\$120	\$160	\$200

Revised 1/08/10  
new rates 7/1/10

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 211-10**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH AGENCIES AND THERAPIST FOR THE EARLY INTERVENTION PROGRAM**

**WHEREAS**, Madison County is responsible for administering the Early Intervention program that is beneficial to children with developmental delays; and

**WHEREAS**, services for these children are provided either through program or itinerant services; and

**WHEREAS**, the County reimburses for these services under a contractual agreement and in turn submits claims for reimbursement either through Insurance, Medicaid or NYS Department of Health; and

**WHEREAS**, the Public Health Services Committee feels it is expeditious to enter these agreements at the same rate as the previous contract;

	<u>2007</u> <u>visit rate/start date</u>	<u>2010</u> <u>visit rate</u>
Mary Cook PT	\$58	\$58
Chris Domes PT	\$58	\$58
Ann Bilharz, SEIT	\$45 (11/3/08)	\$45
Patricia Heffernan, SEIT	\$45	\$45
Alison Renwick, OT	\$45	\$45
Denise Rollins, OT	\$45	\$45
Timothy Winchell, PT	\$58(4/1/09)	\$58
Mary Domes, ST	\$45 (6/1/09)	\$45
Building Block Learning Center	NYS Rate	NYS Rate
CNY Ear, Nose & Throat Consultants	NYS Rate	NYS Rate
Central Association for the Blind and Visually Impaired	NYS Rate	NYS Rate
Children First	NYS Rate	NYS Rate
Children's Therapy Network	NYS Rate	NYS Rate
Communicare Services	NYS Rate	NYS Rate
Connections	NYS Rate (6/9/08)	NYS Rate
Enable/UCP Syracuse	NYS Rate	NYS Rate
Faxton St. Lukes Healthcare	NYS Rate	NYS Rate
Franziska Rackers Centers	NYS Rate	NYS Rate
Hear 2 Learn	NYS Rate	NYS Rate
High Peaks Rehabilitation	NYS Rate	NYS Rate
Interactive Therapy Group	NYS Rate	NYS Rate
Madison Cortland Chapter NYSARC	NYS Rate	NYS Rate
Special Programs Inc. Little Lukes	NYS Rate	NYS Rate
United Cerebral Palsy	NYS Rate	NYS Rate

**NOW, THEREFORE BE IT RESOLVED** that the Chairman of The Board of Supervisors be and is hereby authorized to enter into agreements for the period of July 1, 2010 through June 30, 2013, with the listed contractors, as is on file with the Clerk of the Board of Supervisors; and

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Supervisors is authorized to sign future agreements with programs or individual therapists through June 30, 2013 so long as the terms, conditions and rates are the same as for the contractors listed above and so long as the agreements have been approved by the Public Health Services Committee.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 212-10**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH AGENCIES AND THERAPIST FOR THE PRESCHOOL PROGRAM**

**WHEREAS**, Madison County is responsible for administering the Preschool programs beneficial to children with special needs; and

**WHEREAS**, services for these children are provided either through program or itinerant services; and

**WHEREAS**, the County reimburses for these services under a contractual agreement and in turn submits claims for reimbursement either through Medicaid or New York State Department of Education; and

**WHEREAS**, the Public Health Services Committee feel it is expeditious to enter these agreements at the same rate as the previous contract; and

<u>Related Services</u>	<u>2007/Start date visit rate</u>	<u>2010 visit rate</u>
Mary Cook,PT	\$58	\$58
Chris Domes, PT	\$58	\$58
Cheryl Livermore, OT	\$39.50	\$39.50
Susan Newman, OT	\$45	\$45
Alison Renwick,OT	\$45	\$45
Denise Rollins, OT	\$45	\$45
Antoinette Vanderlan, OT	\$45	\$45
Timothy Winchell, PT	\$58 (4/1/09)	\$58
Rachel Farrow Beers, ST	\$45 (10/1/08)	\$45
Mary Domes, ST	\$45 (1/1/10)	\$45
Susan Lipinoga, ST	\$45 (11/1/08)	\$45
Elizabeth McLean, ST	\$45 (2/1/10)	\$45
Sue Palleschi, ST	\$45 (2/18/09)	\$45
Cathleen Perry, ST	\$45 (1/1/08)	\$45
Hedy Shedd, ST	\$45	\$45
Hedy Shedd ST Supervisory	\$53.50/hour	\$53.50/hour
Laura Vogl, ST	\$45 (7/30/08)	\$45
Building Block Learning Center (Michelle O'Brien)	\$45	\$45
Building Blocks – Canadaigua		\$45
Central Association for the Blind and Visually Impaired	\$45	\$45
Children First	\$45	\$45
Children's Therapy Network	\$45	\$45
Communicare Services	\$45	\$45
Connections	\$45	\$45
DeRuyter School	\$45	\$45
Enable/UCP Syracuse	\$45	\$45

Faxton St. Lukes Healthcare/Gruppe Hearing & Speech Center	\$45	\$45
Hear 2 Learn	\$45	\$45
High Peaks Rehabilitation	\$45	\$45
Madison Cortland Chapter NYSARC	\$45	\$45
Madison Oneida BOCES	\$45	\$45
Oneida-Herkimer-Madison County BOCES	\$45	\$45
Special Programs Inc. Little Lukes	\$45	\$45
Spice Elmcrest	\$45	\$45
Stockbridge Valley Central School	\$45	\$45
United Cerebral Palsy	\$45	\$45

Tuition/SEIT/Evaluations

Building Blocks – Canadaigua		NYS Rate
Central Association for the Blind and Visually Impaired	NYS Rate	NYS Rate
Connections	NYS Rate	NYS Rate
Delaware-Chenango BOCES	NYS Rate	NYS Rate
Enable/UCP Syracuse	NYS Rate	NYS Rate
Franziska Rackers Centers	NYS Rate	NYS Rate
Hear 2 Learn	NYS Rate (2/1/08)	NYS Rate
High Peaks Rehabilitation	NYS Rate	NYS Rate
Interactive Therapy Group	NYS Rate	NYS Rate
Jowonio School	NYS Rate	NYS Rate Madison Oneida
BOCES	NYS Rate	NYS Rate
Onondaga-Cortland-Madison BOCES	NYS Rate	NYS Rate
Oneida-Herkimer-Madison County BOCES	NYS Rate	NYS Rate
Special Programs Inc. Little Lukes	NYS Rate	NYS Rate
Spice Elmcrest	NYS Rate	NYS Rate
United Cerebral Palsy	NYS Rate	NYS Rate

**NOW, THEREFORE BE IT RESOLVED** that the Chairman of The Board of Supervisors be and is hereby authorized to enter into agreements for the period of July 1, 2010 through June 30, 2013, with the listed contractors, as is on file with the Clerk of the Board of Supervisors; and

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Supervisors is authorized to sign future agreements with programs or individual therapists through June 30, 2013 so long as the terms, conditions and rates are the same as for the contractors listed above and so long as the agreements have been approved by the Public Health Services Committee.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 213-10**

**RENEWING CONTRACTS FOR EARLY INTERVENTION & PRE-SCHOOL CHILDREN  
TRANSPORTATION**

**WHEREAS**, Madison County Department of Health is responsible to provide arrangements for transportation of children with handicapping conditions to education facilities under the Early Intervention Program and Special Education Program for ages 0-5; and

**WHEREAS**, transportation bids were accepted and awarded on August 8, 2006 for the transportation of handicapped children for the 2006-2007 school year; and

**WHEREAS**, Resolution #249 was approved with a 2.5% CPI increase on July 10, 2007 to extend transportation agreements with Paine Bus and Birnie Bus through June 30, 2008; and

**WHEREAS**, Resolution #217-08 was approved with a 3% CPI increase on June 10, 2008 to extend transportation agreements with Paine Bus and Birnie Bus through June 30, 2009; and

**WHEREAS**, Resolution 324-08 was approved to add a route to Little Lukes program in Baldwinsville on September 9, 2008; and

**WHEREAS**, Resolution 275-09 was approved to extend the agreement with no increase due to a fall in the CPI rates as of May 2009; and

**WHEREAS**, the County shall have one (1) additional and final separate and consecutive options to extend this contract for one additional period with the CPI or 3% increase, whichever is less; and

**WHEREAS**, the Bureau of Labor Statistics reports the CPI has increased 2.0% in the last 12 months ending May 2010; and

**WHEREAS**, it is recommended that it is in the best interest of the County to extend these contracts for transportation with a 2.0% increase based on the current CPI for the next school year from July 1, 2010 through June 30, 2011 as follows:

Program Name	2009	2010
BIRNIE BUS		
1- OCM BOCES	\$295.09	300.99
2- Jowonio	\$266.05	271.37
5- Madison-Oneida BOCES	\$259.40	264.59
6- Oneida County BOCES currently not using	\$244.24	249.12
7- DCMO BOCES	\$295.19	301.09
8- SPICE- Elmcrest	\$255.60	260.71
9- Madison Cortland ARC Oneida	\$319.36	325.76
10-Madison Cortland ARC Canastota	program closed	
11-Wheelchair Van	\$353.68	360.75
12-UCP – Clinton	\$237.55	242.30

14-Little Lukes	\$ 80.00	81.60/1way
14-Little Lukes	\$266.05	271.37
PAINE BUS		
3- Upstate Cerebral Palsy Rome	\$251.27	256.30
4- Upstate Cerebral Palsy Utica	\$284.00	289.68
13-New York School for the Deaf	\$259.19	264.37
15-Upstate Cerebral Palsy Chadwicks	\$245.00	249.90

**WHEREAS**, the Board of Health and Public Health Services Committee feels this is in the best interest of Madison County;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into extension agreements with Birnie Bus and Paine Bus effective July 1, 2010 through June 30, 2011, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 214-10**

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH MCBEE ASSOCIATES, INC. AND MODIFYING THE 2010 ADOPTED BUDGET**

**WHEREAS**, the Public Health Department operates a Certified Home Health Care Agency and Long Term Home Health Care Program within the Division of Patient Services; and

**WHEREAS**, the Home Health Medicare Perspective Payment System reimbursement methodology is complex, being based on the patient’s diagnosis, clinical and functional abilities; and

**WHEREAS**, efficient and effective OASIS completion and coding are critical for correct reimbursement, compliance, episode management and patient outcomes; and

**WHEREAS**, McBee Associates has the expertise to review OASIS and ICD-9 coding to ensure compliance and accuracy; and

**WHEREAS**, the Madison County Health Department and McBee Associates have established a working relationship; and

**WHEREAS**, McBee Associates has proposed an agreement to review charts for OASIS completion and coding for Start of Care notes selected by the department as they are completed and before submission to the State; and

**WHEREAS**, all adjustments identified will be approved by Madison County Health Department before claims are submitted; and

**WHEREAS**, McBee Associates charges a one time set up fee of \$2,000 and a flat rate of \$125.00 per chart review; and

**WHEREAS**, McBee clinical consultants have found on average of \$250.00 additional revenue per chart review; and

**WHEREAS**, McBee Associates will provide a diagnostic detailing any identified documentation problems, training needs, and episode management weaknesses found from their reviews; and

**WHEREAS**, the Public Health Services Committee recommends beta testing this review process with up to 50 charts and evaluating its success for further continuation; and

**WHEREAS**, the Public Health Services Committee has reviewed and approves this request;

**NOW, THEREFORE BE IT RESOLVED**, that the 2010 Adopted County Budget be modified as follows:

<u>General Fund</u>			
<u>Public Health Home Care</u>		<u>From</u>	<u>To</u>
<u>Expense</u>			
A4013.4200	Consultant	\$ <u>1,365</u>	\$ <u>9,615</u>
	Control Total		<u>\$ 8,250</u>
<u>Revenue</u>			
A1610.1320	Nursing Fees Medicare	<u>\$1,431,042</u>	<u>\$1,439,292</u>
	Control Total		<u>\$ 8,250</u>

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with McBee Associates, Inc. effective July 13, 2010, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 215-10**

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH FAZZI ASSOCIATES AND MODIFYING THE 2010 ADOPTED BUDGET**

**WHEREAS**, the Public Health Department operates a Certified Home Health Care Agency and Long Term Home Health Care Program within the Division of Patient Services; and

**WHEREAS**, the Centers for Medicare and Medicaid Services (CMS) requires Home Health Agencies to survey patients on a monthly basis through an approved third-party vendor starting October 1, 2010; and

**WHEREAS**, agencies are required to participate in a “dry run” test of the survey process for at least one month prior to October; and

**WHEREAS**, Fazzi Associates is an approved vendor and the survey process is interfaced with the Progres Home Health System that the department currently utilizes for the nursing electronic record and billing.; and

**WHEREAS**, agencies are expected to survey 25 patients per month; and

**WHEREAS**, failure to contract with a third party vendor for the Consumer Assessment of Healthcare Providers and Systems (CAHPS) will result in a loss of 2% of the Medicare and Medicaid revenue; and

**WHEREAS**, the cost for the CAHPS survey is \$875 per year plus \$3.00 per survey; and

**WHEREAS**, Fazzi Associates has proposed an agreement to provide the Health Department with the required CAHPS survey; and

**WHEREAS**, the Public Health Services Committee has reviewed and approves this request;

**NOW, THEREFORE BE IT RESOLVED**, that the 2010 Adopted County Budget be modified as follows:

<u>General Fund</u>		
<u>Public Health Home Care</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A4013. 4110 Training and Staff Development	\$ 8,635	\$ 7,885
A4013.4200 Consultant	<u>9,615</u>	<u>10,365</u>
Total	<u>\$ 18,250</u>	<u>\$ 18,250</u>
Control Total		<u><u>\$ 750</u></u>

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with Fazzi Associates effective July 13, 2010, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 216-10**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MADISON COUNTY OFFICE FOR THE AGING**

**WHEREAS**, the cost to heat homes in the county has risen to the point that many low-income families are unable to afford those costs; and

**WHEREAS**, the Madison County Department of Social Services (DSS) administers the HEAP program, a federally subsidized energy program that targets benefits to low-income, at-risk populations; and

**WHEREAS**, the Department of Social Services requires a service agreement with a qualified provider to comply with the Social Services Law of the State of New York and the rules and regulations of Title 18 NYCRR, specifically that the County of Madison shall provide for a comprehensive program of assistance and care to supply the basic needs of those eligible individuals living within the county who qualify for needed assistance and care: and

**WHEREAS**, the Department of Social Services has requested provision of HEAP outreach and certification services to low-income residents of Madison County, especially households with elderly and handicapped individuals consistent with the New York State Plan and regulations; and

**WHEREAS**, The Madison County Office for the Aging (MCOFA) has a documented record of performing intake services at the main office located in Canastota and in the homes of senior citizens; and

**WHEREAS**, Madison County Office for the Aging has agreed to administer the HEAP intake services for the period October 1, 2009, to September 30, 2010, at a cost of \$9.50 per application and a total cost not to exceed \$1,000; 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**, 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 and Madison County Office for the Aging in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 217-10**

**RE-APPOINTING A MEMBER OF THE COMMUNITY SERVICES BOARD**

**WHEREAS**, the Madison County Board of Supervisors must approve the appointment of the members of the Community Services Board which oversees the Madison County Mental Health Department; and

**WHEREAS**, the term of one member of the Mental Health and Community Services Board expires as of 8/31/10; and

**WHEREAS**, this member has served the community well and desires to continue to serve as a member of this Board, and the membership of the Community Services Board has recommended that she be re-appointed by the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED**, that **Joan Smith, 5106 Nelson Road, Cazenovia, NY**, be re-appointed to another four year term of membership on the Community Services Board with a term of membership from September 1, 2010 - August 31, 2014.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 218-10**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO RENEW AN AGREEMENT WITH THE MADISON-ONEIDA BOCES FOR THE MENTAL HEALTH DEPARTMENT TO PROVIDE EVALUATION SERVICES**

**WHEREAS**, the Madison-Oneida BOCES has identified a need for evaluation services for certain of its students who are exhibiting signs of mental problems; and

**WHEREAS**, the Madison County Mental Health Department, through its Mental Health Clinic has the resources to provide the services through a contractual basis with the Madison-Oneida BOCES which will pay the Mental Health Department one hundred and five dollars per hour (\$105.00 per hour) for Classroom Evaluations; and

**WHEREAS**, this request for the Mental Health Department to provide services to the Madison-Oneida BOCES has been approved by the Social and Mental Health Services Committee;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be and is hereby authorized to renew an agreement, a copy of which is on file with the Clerk of the Board of Supervisors, with the Madison-Oneida BOCES whereby the Madison County Mental Health Department will provide evaluation services as specified in the contract beginning July 1, 2010 through June 30, 2011, at the rate of \$105.00 per hour and the total amount not to exceed \$8,400.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 219-10**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH TOSKI, SCHAEFER & CO, P.C. FOR PROFESSIONAL AUDITING SERVICES**

**WHEREAS**, a Consolidated Fiscal Report (CFR) is required to be completed by service providers receiving funding from the following New York State agencies: Office of Alcoholism and Substance Abuse Services (OASAS), Office of Mental Health (OMH), and Office of Mental Retardation and Developmental Disabilities (OMRDD); and

**WHEREAS**, the County Local Governmental Unit (LGU) must submit a Compliance Review which is intended to ensure that the CFR has been subjected to certain agreed upon procedures specified by the Department of Mental Hygiene (DMH ); and

**WHEREAS**, the County is required to engage an independent auditor for the purpose of performing the agreed-upon procedures relative to the financial assurance requirements of DMH; and

**WHEREAS**, Toski, Schaefer & Co, P.C., the auditing firm that audits the County's financial records (ref. Resolution #31-08, dated 2/12/2008), has provided a proposal for the aforementioned auditing services for fiscal years ending December 31, 2010, 2011 and 2012 at a fee not to exceed \$4,900; \$4,950 and \$5,000 respectively; and

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

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Cary:**

**RESOLUTION NO. 220-10**

**AUTHORIZING AN ECONOMIC DEVELOPMENT LOAN**

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

**WHEREAS**, Thermold Corporation is expanding its manufacturing facility in Canastota NY, and has requested a loan in the amount of \$100,000 to purchase additional injection molding production machinery for this expansion; and

**WHEREAS**, the project will create no fewer than 15 full time jobs over the next year;

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors approve a loan to Thermold Corporation, Inc. in the amount of \$100,000; and

**BE IT FURTHER RESOLVED**, that the Madison County Board of Supervisors authorize the Treasurer of Madison County to sign the document necessary to close the loan on behalf of Madison County.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 221-10**

**AUTHORIZING AN ECONOMIC DEVELOPMENT LOAN**

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

**WHEREAS**, Manth Brownell, Inc. is expanding its CNC manufacturing capability in Kirkville, NY and has requested a loan in the amount of \$100,000 to purchase additional CNC production machinery for this expansion; and

**WHEREAS**, the project will create no fewer than 12 full time jobs over the next 2 years;

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors approve a loan to Manth Brownell, Inc. in the amount of \$100,000; and

**BE IT FURTHER RESOLVED**, that the Madison County Board of Supervisors authorize the Treasurer of Madison County to sign the document necessary to close the loan on behalf of Madison County.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 222-10**

**AUTHORIZING CHAIRMAN TO AMEND A CONTRACT WITH BELLAGRAPHICS DESIGN**

**WHEREAS**, Madison County has an existing contract with Bellagraphics Design for the development and maintenance of a DOT and ADA compliant website for the Madison Transit System; and

**WHEREAS**, Madison County has recently completed a Coordinated Transportation Plan and is in the process of improving public transportation within the County; and

**WHEREAS**, Bellagraphics Design has the skills and experience necessary to undertake a social marketing campaign as part of our effort to improve our public transportation system; and

**WHEREAS**, NYS DOT has provided additional Federal 5311 funds for 2009 and 2010 to pay for this social marketing effort, which will cost \$49,497;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors is authorized to sign a contract modification with Bellagraphics Design, a copy of which is on file with the Clerk of this Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 223-10**

**AUTHORIZING SUBMISSION OF AN APPLICATION FOR A  
COMMUNITY DEVELOPMENT BLOCK GRANT**

**WHEREAS**, Madison County may submit an application for funding for community development activities to New York State under the Office for Community Renewal; and

**WHEREAS**, Madison County proposes to apply for funds for a Microenterprise program to benefit low-moderate income persons; and

**WHEREAS**, Madison County has followed a citizen participation plan in developing the proposed application; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors is authorized to sign and submit the application for funding from New York State on behalf of Madison County.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 224-10**

**AMENDING A CONTRACT WITH THE MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**WHEREAS**, Madison County has budgeted \$20,000 for the development of a Comprehensive Economic Development Website in 2010; and

**WHEREAS**, Madison County presently contracts with the Madison County Industrial Development Agency; and

**WHEREAS**, the Industrial Development Agency has the skills and resources necessary to facilitate the development of said website;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors is authorized to sign a contract modification with the Madison County Industrial Development Agency, a copy of which is on file with the Clerk of this Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 225-10**

**RECOMMEND AND ENCOURAGE THE PASSAGE OF S.7951 (11374-A) WHICH WILL PROVIDE NECESSARY DIRECTION AND ADEQUATE FUNDING FOR THE SUCCESSFUL IMPLEMENTATION OF THE IGNITION INTERLOCK PROGRAM**

**WHEREAS**, in November 2009 “Leandra’s Law” was passed and signed into NYS Law requiring (in part) the installation and use of an Ignition Interlock Device as part of all DWI sentences in New York State as of August 15, 2010; and

**WHEREAS**, that Legislation provided no direction or resources whereby the Ignition Interlock section of this legislation could be implemented, becoming a major unfunded mandate and burden to Madison County; and

**WHEREAS**, S.7951 proposes that certain DWI fees and surcharges be returned to each county of their origin for the express purpose of funding the administration of the Ignition Interlock Mandate and designates STOP DWI as the mechanism/conduit through which these monies will flow and be used to accomplish the NYS Ignition Interlock Program; and

**WHEREAS**, the Governor's Traffic Safety Committee may be able to supply a small transitional Grant to fund the initial administration of the program until this new Law can become effective; but there is no guarantee that this sort of provisional funding will be able to continue; and

**WHEREAS**, the Madison County Ignition Interlock Plan (submitted 6/14/2010) names the District Attorney's Office and the Probation Department as the Monitors for the Ignition Interlock Program; and

**WHEREAS**, these Offices and Madison County will be required to support these programs from minimal existing funding unless a permanent solution as stated in this proposed Law;

**NOW, THEREFORE BE IT RESOLVED**, that Madison County supports and recommends S.7951 (11374-A.); and

**BE IT FURTHER RESOLVED**, that the Madison County Board of Supervisors joins with the New York State Association of Counties and other appropriate statewide organizations to recommend and request the passage of this Law. And, that NYSAC, the Council of County Administrators, and the County's State Senator and County's Assemblyman be sent copies of this Resolution along with this Board of Supervisors' encouragement that the Law be passed in the most expeditious manner possible; and

**BE IT FURTHER RESOLVED**, that the appropriate County Officials are empowered and encouraged to enter into discussions with NYSAC and other appropriate statewide organizations to implement the sense of this Resolution and to make decisions and adjustments as may be needed.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Ball and Reinhardt:**

**RESOLUTION NO. 226-10**

**AUTHORIZING THE LEASE FOR SPACE ON A TOWER TO BE USED IN THE UPGRADE OF THE MADISON COUNTY PUBLIC SAFETY COMMUNICATION SYSTEM**

**WHEREAS**, Madison County has the opportunity to lease tower space as summarized, and

**Lease Agreements**

Site ID	Site Type	Municipality	Transaction	Tax Parcel No.	Price
Site #7	Existing Tower	Town of Georgetown	Lease from	193-1-18	\$2,200 / month
			American Tower		

**WHEREAS**, this Lease agreement has been reviewed by legal counsel and approved by the Criminal Justice, Public Safety and Telecommunications Committee, and

**WHEREAS**, this indentified site will greatly enhance communications for the emergency first responders of the county in the upgrade to the Public Safety Communication System;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of this Board be and is hereby authorized on behalf of the County to execute this Lease Agreement for a term of five years renewable thereafter in five year increments and as contained within this resolution as outlined in the above table, pursuant to all the terms and conditions incorporated in the lease agreement; and

**BE IT FURTHER RESOLVED**, that the County Treasurer be and hereby is authorized to issue payments in accordance with the terms and conditions of the said lease.

**ADOPTED: AYES – 1391 NAYS – 109 (Suits)**

**By Supervisor Degear:**

**RESOLUTION NO. 227-10**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO A SERVICE AGREEMENT WITH TRU-GREEN**

**WHEREAS**, bids for Weed Control for various County locations were received and opened; and

**WHEREAS**, the County Buildings and Grounds Committee have reviewed the bids and recommend that the bid be awarded to **TRU-GREEN of Syracuse, NY**; and

**WHEREAS**, the weed control agreement is for a period of two years with an option to renew each year, in the amount of \$1,908.00 per year;

**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 service agreement with **TRU-GREEN of Syracuse, NY**, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 228-10**

**AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES FOR STRUCTURAL ANALYSIS OF BUILDING FRAMES FOR COVER-ALL BUILDING**

**WHEREAS**, the Public Works Committee met on July 13, 2010 and authorized the Madison County Highway Department to proceed with a structural analysis of the new salt and sand storage pre-engineered building frame recently purchased from Eastern Cover-All Inc; and

**WHEREAS**, the analysis is to identify the existence of any overstressed members of the truss frames and/or frame components. The Highway Superintendent and Public Works Committee wishes to conduct this assessment since Eastern Cover-All Inc. has documented concerns with the Titan Series 3 model purchased in 2009; and

**WHEREAS**, Eastern Cover-All Inc. has entered the legal process in Canada called "CCAA" (Companies Creditors Arrangement Act) which is a court supervised restructure and only operating in a very limited fashion and unable to provide the proper support; and

**WHEREAS**, the firm of Barton & Loguidice P.C. will team with Servinsky Engineering as presented in the Engineering Services Proposal in the amount of \$8,800.00; and

**WHEREAS**, the cost for this service has been appropriated in the Road Machinery Fund 2010 Budget, line item DM5130.2902;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors hereby authorizes the County Highway Superintendent to enter into this Agreement with Barton & Loguidice P.C. as outlined in the Agreement on file with the Clerk to the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 229-10**

**AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES WITH  
C&S COMPANIES**

**WHEREAS**, the Public Works Committee met on July 13, 2010 and authorized the Madison County Highway Department to proceed with Engineering Services in connection with a Red Flag on Hamilton Road over Pleasant Brook (BIN 3308550) in the Town of Hamilton; and

**WHEREAS**, the firm C&S Companies has provided a lump sum fee for Engineering Services at One thousand nine hundred dollars and no cents (\$1,900.00); and

**WHEREAS**, the cost for Engineering Services has been appropriated in the County Road Fund 2010 Budget line item D5020.4229;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an Engineering Agreement to provide said services as outlined in the Agreement to be on file with the Clerk to the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 230-10**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH OCUTO BLACKTOP AND PAVING COMPANY, INC.**

**WHEREAS**, Madison County advertised and received competitive bids for bid Reference Number 10.15 for paving to resurface a portion of the parking lot at the County Office Complex; and

**WHEREAS**, all bids were canvassed and reviewed by the Maintenance Department and the County Buildings and Grounds Committee and upon review found Ocuto Blacktop and Paving Company, Inc. to be the low, responsible bidder and have made their recommendation for the bid to be awarded to the low bidder;

**NOW, THEREFORE, BE IT RESOLVED**, that the county accepts the following bid:

Bid Reference Number:	10.15
Awarded to:	Ocuto Blacktop and Paving Company, Inc. 846 Lawrence Street Rome, NY 13440
Amount of Bid:	\$93,054.75

**BE IT FURTHER RESOLVED**, that the Chairman of the Board is hereby authorized to execute an agreement with Ocuto Blacktop and Paving Company, Inc. for the paving project of County Office Complex parking lot.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 231-10**

**ADOPTING A COUNTY VEHICLE FLEET POLICY AND PROCEDURES**

**WHEREAS**, centralized management will improve the purchasing, administration, maintenance and replacement of County fleet vehicles in lieu of the current decentralized management; and

**WHEREAS**, the Highway Superintendent has agreed to serve as the County Vehicle Fleet Manager and to recommend purchase of vehicles and special equipment to County Department Heads and the County Administrator, oversee maintenance of the fleet, determine depreciation and replacement schedules, and assess fleet and vehicle efficiency; and

**WHEREAS**, the Highway Superintendent has worked closely with the County Administrator's Office to develop a general policy for passenger and general purpose vehicles fleet management including purchase, administration, maintenance and replacement of County Vehicles;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors hereby adopts the County Vehicle Fleet Policy and Procedures effective immediately; and

**BE IT FURTHER RESOLVED**, that the Public Works Committee be and hereby is authorized to amend this procedure in the future within existing budget appropriations.

### **Madison County Vehicle Fleet Policy and Procedures**

- I. **Purpose** – To establish the general policy of Madison County for passenger and general purpose vehicles fleet management including purchase, administration, maintenance and replacement of County Vehicles. This policy is in addition to the established “Use of County Passenger Vehicles” and “Accidents Involving County-Owned Vehicles” policies.
- II. **Adopted** – July 13, 2010
- III. **Administration of Pool** – The County pool of vehicles will be administered by County Highway Superintendent who also serves as County Vehicle Fleet Manager. The Fleet Manager will recommend purchase of vehicles and special equipment to County Department Heads and the County Administrator, oversee maintenance of the fleet, determine depreciation and replacement schedules, and assess fleet and vehicle efficiency.
- IV. **Department Responsibilities** – Monitor employee use of vehicles, adhere to maintenance schedules provided by the Fleet Manager, assign vehicles within their Department, and ensure payment of all vehicle costs as required per this policy. Identify unmet or future needs of the Department’s vehicle fleet to the Fleet Manager.
- V. **Vehicle Purchase Procedures and Approval**

#### Routine/Planned Replacement

- a. General Fleet Vehicle Replacement – Vehicle replacement schedules will be determined by the Fleet Manager. Factors for replacement will include age, condition, use, and mileage. The Fleet Manager will forward a list of recommended replacements to the applicable Department Head and the County Administrator, annually, on or before July 1<sup>st</sup>.
- b. Department Request for Replacement of Existing Vehicles – Vehicle replacement requests due to unmet or future needs must be submitted in writing for Fleet Manager review by July 15<sup>th</sup>. Vehicle requests must include the vehicle identification number and written justification for replacement. A cost estimate including available funding or reimbursements must be included.

New Vehicle Requests – Requests for vehicles to be added to the existing fleet must be submitted in writing for Fleet Manager review by July 1st. A detailed needs assessment specifying the proposed use of the vehicle as well as the estimated number of miles per year must be included. A cost estimate including available funding or reimbursements must also be included.

Special Equipment - Any special equipment needs identified for a vehicle to be purchased must be detailed in the written vehicle request. A cost estimate including available funding or reimbursements must be included.

Final Approval – All fleet vehicle and special equipment recommendations made by the Fleet Manager will ultimately be approved or disapproved by the County Administrator and notification of such will be sent in writing to the applicable Department Head(s) no later than August 15<sup>th</sup>. Approved vehicles will be included in the upcoming year’s County budget within the Department’s Budget lines.

Purchase of Approved Vehicles – Once the budget has been adopted approved vehicles can be purchased by submitting a requisition in accordance with the current County Purchasing Policy.

## VI. **Preventive Maintenance (PM)**

Scheduling - PM shall be scheduled and performed at set intervals for all County Fleet Vehicles. Scheduling of PM appointments will be done by the Fleet Manager based on utilization of fleet management software. This software tracks all PM work needed for individual County vehicles based on mileage data collected when County employees enter odometer readings into the fuel system. The Fleet Manager will send a notice via e-mail to the appropriate Department when PM service is due and a time frame that the vehicle should be available for pick up to perform the repairs. If the vehicle cannot be taken out of service during that time frame, the Department must reschedule the appointment with the Head Auto Mechanic (Wampsville). Vehicles requiring PM work more than 2 weeks overdue may be restricted in accessing the fuel system.

Fuel System Mileage Entry – Because mileage is a key criterion in PM scheduling, odometer entries at the County fuel stations in Wampsville and Morrisville must be entered carefully and accurately by employees.

Vehicle Cleaning - Keeping vehicles clean is a critically important PM service especially in the harsh winter months with vehicle exposure to corrosive salt.

### a. Department Responsibility

- i. Exterior wash – The vehicle’s exterior must be washed once a month from October through the end of March. In the months of April through September vehicles are to be washed on an as needed basis. Vehicles can be washed at Precision Car Wash located at 217 Genesee Street, Oneida, NY 13421. Each car will be assigned a unique number provided in the glove compartment that will need to be entered into the terminal of the car wash. Employees are to choose the \$8 Deluxe wash for the required washes or the \$7 Express wash for the as needed washes. Departments will be billed by the Highway Department on a monthly basis. The Highway Department will budget the estimated annual cost to be included in the Central Garage Expense line assigned in each department.
- ii. Exterior wax – Any vehicles purchased after 1/1/2006 must be waxed on an annual basis by October 1. A wax can be scheduled by contacting Corrections Captain in the Sheriff’s Department. Marked Sheriff Department vehicles are exempted from this waxing requirement due to striping and will be washed with “wax as you wash” type soap.

iii. Interior clean – Vehicles will be vacuumed during regular PM service intervals. Vehicles carpet shall be shampooed on an as needed basis and must be requested via Highway Department County Vehicle Work Order as outlined in section VII. In addition, departments are free to clean the interior of vehicles on a as need basis. For any vehicle interior exposed to blood or bodily fluids please refer to the County Policy and Procedure “Exposure Control Plan.”

b. Employee Responsibility – Employees are responsible for keeping vehicles free of litter.

VII. **Corrective Maintenance (CM)** - If a vehicle needs corrective maintenance, the Department must complete a Highway Department County Vehicle Work Order and e-mail it to [laurie.winters@co.madison.ny.us](mailto:laurie.winters@co.madison.ny.us) and [shawn.degroat@co.madison.ny.us](mailto:shawn.degroat@co.madison.ny.us). The on-line form can be requested via e-mail or by calling x2221. Service can not be done without a completed work order.

Scheduling – Once a work order is received, CM will be scheduled by the Head Automotive Mechanic (Wampsville) when parts and labor are available. The Fleet Manager will give an estimate of repair time needed to the Department after initial inspection is done and the availability of parts and labor is assessed.

Mechanical Failure on Road (during regular business hours) - If a vehicle suffers a mechanical failure the Highway Administration Office must be notified immediately by calling 315-366-2221. The Highway Department will arrange to have the vehicle towed to the Wampsville Garage. A work order will need to be completed by the Department the next business day and e-mailed as noted above.

Mechanical Failure on Road (off hours) - If a vehicle suffers mechanical failure after hours the vehicle will need to be towed by a third party tower to the Wampsville Garage. A current list of available towing companies (including out of town towers) will be kept in the glove compartment of each fleet vehicle. A work order will need to be completed by the Department the next business day and e-mailed as noted above.

VIII. **Immobilized Vehicles** – If a vehicle is immobilized during work hours due to being stuck in the snow, ditch or other and can not otherwise be driven, the Highway Administration Office must be notified immediately by calling 315-366-2221. The Highway Department will arrange to have the vehicle towed out. If off work hours, the vehicle will need to be towed out by a third party tower. A current list of available towing companies (including out of town towers) will be kept in the glove compartment of each fleet vehicle.

IX. **Vehicle Snow Removal** – It is the responsibility of employees to clean off incidental snow/ice from the vehicle. In extreme weather conditions, snow/ice will be removed from the vehicles by the DSS mobile work crew.

X. **General Use County Vehicle Pool**

Location of Pool Vehicles - The Highway Department will store and maintain the pool vehicles at the Wampsville shop.

Pool Vehicle Scheduling - A daily schedule for usage of County pool vehicles will be maintained by the Fleet Manager. Vehicles may be scheduled for use in advance by calling the Highway Administration Office at x2221. Vehicles will generally be reserved on a first come first serve basis. Vehicles can be picked up during normal business hours of 8:00am to 4:00pm. If you need a pool vehicle for a departure prior to 8:00am you can pick up the keys at the Highway Administration Office the business day before your trip.

Return of Pool Vehicles - The pool vehicles must be refueled to full capacity after use, keys returned to the Highway Administration Office, and a fuel and mileage ticket must be completed for auditing purposes. Fuel and mileage tickets will be provided in the vehicles. If you are returning a vehicle off hours, park the vehicle where you picked it up and lock its doors. The vehicle keys must be returned in the drop box located near the side entrance of the Highway Garage.

Billing for Use of Pool Vehicles - The Fleet Manager will bill Departments monthly at a rate established by the Fleet Manager based on pool vehicle operation and maintenance costs. The rate shall be set as a \$/mile rate, adjusted annually. Departments will be notified of the rate for the upcoming year prior to the Department budget submission deadline. Departments should budget anticipated costs based on projected needs in the mileage line of their budget.

XI. **Reallocation of Fleet Vehicles**

General - The Fleet Manager will monitor vehicle use and mileages, utilizing the fleet management software. If there appears to be a more useful assignment for a particular vehicle, the Department currently assigned the vehicles will be notified and asked to verify the current needs of that particular vehicle. The Fleet Manager will annually recommend to the County Administrator when reallocation to another Department is appropriate. If a reallocation is approved by the County Administrator the Fleet Manager will work with the affected Departments to reallocate the vehicle.

Reallocation of Vehicles Purchased with State and/or Federal Funds - New York State and Federal programs have assignment restrictions on vehicle use and disposal of vehicles purchased with State and Federal funding. No vehicle purchased with such reimbursements can be reallocated to another Department without consultation of the affected Department Head(s) and County Administrator to determine if the vehicle can be reallocated in accordance with State and Federal reimbursement policy and procedure.

XII. **Removal of Fleet Vehicles** - The Fleet Manager will monitor vehicle use and mileages, utilizing the fleet management software. If a vehicle has an annual use of 5000 miles or less, such vehicle will be evaluated for possible removal from the fleet or reallocation to another Department. The Fleet Manager will annually recommend to the County Administrator when removal of a fleet vehicle is appropriate. If removal of the fleet vehicle is approved by the County Administrator, the vehicle will be disposed of in accordance with the County Disposal Policy.

XIII. **Definitions**

Preventive Maintenance (PM) - The care and servicing by personnel for the purpose of maintaining equipment and facilities in satisfactory operating condition by providing for systematic inspection,

[detection](#), and correction of incipient failures either before they occur or before they develop into major defects.

Corrective Maintenance (CM) - The [maintenance](#) which is required when an item has failed or worn out, to bring it back to working order.

XIV. **Other** – The Fleet Manager with concurrence of the County Administrator may publish additional instructions/procedures to implement provisions of this policy.

**On motion by Supervisor Monforte, seconded by Supervisor Degear, this resolution was TABLED until August 10, 2010.**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 232-10**

**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

**1620-County Buildings**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A1620.2703 Paving Parking Lots	\$ 29,694	\$ 85,000
A1620.2706 Reset Curbing/Replace Sidewalk	19,613	12,000
A1620.4999 Building Improvements Reserve	<u>65,000</u>	<u>17,307</u>
<b>Control Total</b>	<b><u>\$ 114,307</u></b>	<b><u>\$ 114,307</u></b>

**Modification No. 2**

General Fund

**1680 Information Technology**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A1680.2110 Computer Equipment	\$ 28,500	\$ 19,400
A1680.4050 Site Wide Antivirus	7,200	2,800
A1680.2926 Air Conditioning Unit	<u>0</u>	<u>13,500</u>
<b>Control Total</b>	<b><u>\$ 35,700</u></b>	<b><u>\$ 35,700</u></b>

**Modification No. 3**

General Fund

**3110 Sheriff Department**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A3110.41017Supplies – Youth Recognition	\$ 2,606	\$ 2,806

**Revenue**

A2705.1020 Donations -Youth Recognition Awards \$ 55 \$ 255

**Control Total** \$ 200

**Modification No. 4**

**General Fund**

**5682 Madison Transit-Birnie Operations**

**Revenue**

A4589.2010 Fed. Aid Operating Assistance 2009 From To  
\$ -0- \$ 40,700

A4589.2020 Fed. Aid Operating Assistance 2010 77,800 112,000

**Control Total** \$ 74,900

**Expense**

A5682.41075 Transportation Marketing Expense \$ -0- \$ 74,900

**Control Total** \$ 74,900

**Modification No. 5**

**General Fund**

**6010 – Social Services Administration**

**Expense**

A6010.41072 Safety Net Case Management From To  
\$ -0- \$ 10,949

**Control Total** \$ 10,949

**Revenue**

A3610.1010 St. Aid Social Services \$1,771,638 \$1,782,587

**Control Total** \$ 10,949

**Modification No. 6**

**General Fund**

**6070 – Services for Recipients**

**Expense**

A6070.41090 Prevent Detention Placement From To  
\$ 77,000 \$ 73,306

A6070.41091 Wraparound NS 10,000 13,694

**Control Total** \$ 87,000 \$ 87,000

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 233-10**

## **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 – 1500 NAYS – 0**

### **PROCLAMATION**

#### **PROBATION, PAROLE AND COMMUNITY SUPERVISION WEEK**

**Whereas**, community corrections is an essential part of the Criminal Justice System; and

**Whereas**, community corrections professionals, as sworn New York State Peace Officers, uphold the law while recognizing the right of the public to be safe-guarded from criminal activity; and

**Whereas**, community corrections professionals prepare over 375 court ordered investigations annually with risk assessments to measure future recidivism, recommending appropriate sentences to the Madison County courts for both adult and juvenile offenders; and

**Whereas**, community corrections professionals are responsible for supervising adult and juvenile offenders in the community; and

**Whereas**, community corrections professionals collaborate in partnership with other law enforcement agencies, community agencies and groups, and

**Whereas**, community corrections professionals promote prevention, intervention, advocacy, and reduction of recidivism; and

**Whereas**, community corrections professionals provide services, support, and restitution for victims; and

**Whereas**, community corrections professionals in Madison County, New York supervise approximately 400 offenders, half of whom are convicted felons, with the main mission of protecting the community from future victimization; and

**Now**, Therefore, Be it Resolved that I, John M. Becker, Madison County Chairman proclaim July 18 to 24, 2010 as:

#### **Probation, Parole, and Community Supervision Week**

and encourage all citizens to honor these community corrections professionals and to recognize their achievements.

At this time Supervisor Carinci asked for the floor and informed the Board of a situation with a constituent of his from Oneida.

Supervisor Kuiper asked for a moment of silence in honor of the passing of former Supervisor and Chairman of the Board, Robert Paul and former Hamilton Supervisor Robert Palmeter.

Supervisor Salka thanked everyone for their support in making this year's Madison County Fair a success.

Supervisor Cary gave a brief update on the Wind-farm and that concrete will be poured tomorrow.

### **PUBLIC COMMENT PERIOD**

#### **Speakers:**

1. Patricia Pfluke from Oneida, NY spoke regarding her son and the problems he has had with seeking professional help through the county.
2. Margaret LeBlanc from Canastota, NY addressed the Board on Hydro-Fracking in our area and to be cautious on this subject.
3. Becca Jablonski – Ag. Specialist from Cooperative Extension reminded everyone about Buy Local Week in Madison County.
4. Maria Cotten from the Town of Sullivan asked the Supervisors to consider collecting back taxes offering quarterly payments.

There being no further business, Supervisor Rafte made a motion to adjourn, seconded by Supervisor Becker and carried.