

MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Tuesday, March 13, 2012 – 10:30 a.m.

The Board convened in the Chambers at the County Office Building, Wampsville, New York at 10:30 a.m. with all members present except for Supervisor Salka (54 votes) and Supervisor Becker (285 votes).

Please note that due to illness, Chairman Becker is not present today. Vice Chairman Dan Degear will preside over the meeting.

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

COMMUNICATIONS

1. Thank you from the Sherburne-Earlville after Prom Committee for a donation.
2. Copies of resolutions from Hamilton and Essex Counties – Calling on all Counties to Unite to Bring about Real and Meaningful Mandate Relief in NYS.
3. Copy of a resolution from Herkimer County regarding Workforce Investment Board appointment.
4. Thank you from Madison County 4-H Local Government Intern Program.

REPORTS

1. Madison County Occupancy Tax Receipts/Expenditures for Quarter 10/1/11 – 12/31/11.
2. National Grid Semi-Annual PCB Report period ending 12/31/11.
3. Madison County Mental Health Dept. Monthly Report for February 2012.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$1,171,097.94
Miscellaneous Accounts:	\$2,062,917.88

Vice Chairman Dan Degear called upon Madison-Cortland ARC Executive Director Raymond Lewandowski and presented to him a proclamation naming March as Developmental Disabilities Month. Mr. Lewandowski thanked the Board and introduced some residents from the ARC attending today's meeting.

RESOLUTIONS

By Supervisor Reinhardt:

RESOLUTION NO. 53-12

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

WHEREAS, the Cruelty Investigations Academy Level III held by Code 3 Associates will be held April 15 - 20, 2012 in Roanoke, Virginia; and

WHEREAS, the Sheriff, has requested that Katie Hayes, Deputy Sheriff, attend this conference; and

WHEREAS, her training costs, airfare, lodging and meals are funded by an Animal Anti-Cruelty Grant Program through the American Society for the Prevention of Cruelty to Animals (ASPCA); 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 Katie Hayes be and hereby is authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 54-12

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

WHEREAS, the National Health Services Corps – Annual Loan Repayors Orientation Conference will be held in Washington, D.C. from April 12 - 14, 2012; and

WHEREAS, Dr. James Yonai, Director of Community Mental Health Services, has requested that Susan Allington, Staff Social Worker and Jennifer Dechert, Psy D., Staff Psychologist attend this conference; and

WHEREAS, their expenses are fully funded by the National Health Services Corps; and

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

NOW, THEREFORE BE IT RESOLVED that Susan Allington and Jennifer Dechert be and hereby are authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 55-12

**RE-APPOINTING MEMBERS TO THE ETHICS ADVISORY
COUNCIL AND THE ETHICS BOARD**

WHEREAS, the term of Barbara Townsend, member of Ethics Advisory Council expired February 12, 2012; and

WHEREAS, the term of Carolyn Gerakopoulos, member of the Ethics Advisory Council expired February 12, 2012; and

WHEREAS, the term of Vern R. Groves, member of the Ethics Board expired February 12, 2012; and

WHEREAS, the term of John Salka, member of the Ethics Board expired February 12, 2012; and

WHEREAS, the Government Operations Committee recommends their re-appointment,

NOW, THEREFORE BE IT RESOLVED, that Barbara Townsend, of Canastota, be and hereby is re-appointed to an additional four year term on the Ethics Advisory Council expiring on March 13, 2016; and

BE IT FURTHER RESOLVED, that Carolyn Gerakopoulos, of Morrisville, be and hereby is re-appointed to an additional four year term on the Ethics Advisory Council expiring on March 13, 2016; and

BE IT FURTHER RESOLVED, that Vern R. Groves, of DeRuyter, be and hereby is re-appointed to an additional four year term on the Ethics Board expiring on March 13, 2016; and

BE IT FURTHER RESOLVED, that John Salka, of West Edmeston, be and hereby is re-appointed to an additional four year term on the Ethics Board expiring March 13, 2016.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 56-12

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 Abbot Labs in the amount of Fourteen Million Five Hundred Sixty Seven Thousand Five Hundred and 00/100 dollars (\$14,567,500), Madison County's distribution after expenses being Nine Thousand Three Hundred Thirty Five and 56/100 dollars (\$9,335.56); 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 – 1161 NAYS – 0 ABSENT- 339 (Salka, Becker)

RESOLUTION NO. 57-12

AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT (CSEA BLUE 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 – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 58-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT

WHEREAS, Madison County would like to redesign the existing County website to provide better functionality, ease of use and content management for departments; and

WHEREAS, the Information Technology Department solicited three quotes for redesign services and Michael J. Pinch submitted a comprehensive proposal that addressed the services needed and was the lowest cost; and

WHEREAS, the Government Operations Committee recommends entering into an agreement with Michael J. Pinch to provide said services; and

WHEREAS, the cost for professional fees and services shall be \$7,500.00,

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and hereby is authorized to execute the agreement with Michael J. Pinch effective March 13, 2012 – August 31, 2012, a copy of which is on file with the Clerk to the Board.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 59-12

DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY

WHEREAS, in accordance with the Madison County disposal of Obsolete and/or Surplus County Personal Property Policy and Procedures, County Personal Property is required to be declared obsolete and/or surplus by the Board of Supervisors; and

WHEREAS, the current list of County Personal Property waiting obsolete and/or surplus designation is attached.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors declares the list of said items as obsolete and/or surplus.

HIGHWAY DEPARTMENT SURPLUS ITEMS			
	ASSET ID#	DESCRIPTION	CONDITION
1		Two (2) chairs	fair
2		25' Oval Fiberglass Rod	fair
3	000056	Hewlett Packard Design Jet 1055cm	fair
4		IBM Wheel writer 30	good
5		Misc. Electronics, transcriber, attaché phone, cell phones	fair
6		Tripods (3)	fair
7	002008	Overhead Projector	good
8		16mm Projector and speaker	fair
9		Tripods (3) Adjustable Legs	fair
10		Survey Poles	fair
11		16' wooden survey rod	good
12		Misc. grader end bits and ripper teeth	good
13		Wear shoes for one-way plow	good
14		Misc. Leaf springs and air dryers	good
15		Onan motor parts and paver chains	poor
16		Cable drum for old crane	fair
17		Drive shafts, pulleys and misc. parts	unknown
18		Stove Pipe – 8" dia.	good
19		Steel Tank, 31" x 26" x 17"	fair
20		Hose reel, pump and fiber matting	unknown
21		Tire chains and 9/16" cable – used	fair
22		Homemade bumper and plow mount with Meyers ram	unknown
23		Air over Hydraulic jacks (3)	unknown
24		Spool of cable – 7/16"	fair
25		Spools of cable (4) – 3/4" and 5/8"	fair
26		Spools of cable (2) – 5/8" and 7/16"	fair
27		Walters Transmission	fair
28		Walters Brake Drums	fair
29		Walters Transmission	fair
30		Misc. Walters parts	unknown
31		Misc. Walters parts	unknown
32		Hoses – Misc. braided lines, pump lines hydraulic hoses	unknown
33		Traffic lights (8) single flashers	poor

34		Flex pipe – mixed lot of different lengths and sizes	good
35		Fluorescent light guards – 13" x 47 1/2" (approx. 200)	new
36		Light – industrial luminaire Series R51810	new
37		Hydraulic Cylinder barrel – Cat 7J1451	unknown
38		Hydraulic Cylinder – 33 1/2" long	unknown
39		Homemade alternator/generator tester and coil tester	unknown
40		Misc. overhead door parts and electric motor	unknown
41		International carburetors, electric motor	unknown
42		Welder – Lincoln wire feed	fair
43		(4) end terminals – box beam end assembly	poor
44		Cabinets – (4) 5 drawer, (1) 10 drawer and wooden box	fair
45		Counter (Kitchenette)	fair
46		OTC Automotive Computer	fair
47		Traffic light parts – misc. unused reflectors and lenses	fair
48		Ignition Parts lot – Distributer caps, plugs, rotors coils	good
49		Rubber hose – (12) 1/4 x 9/16 x 100 rolls	good
50		Hose and Belts lot – Miscellaneous flex hose and v-belts	good
51		Lights – (20) Peterson marker lights	good
52		Lights – Miscellaneous strobe light parts and pieces	fair
53		Starter parts lot – Miscellaneous brushes, bushings, armatures	good
54		Brake hardware part lot – Miscellaneous springs and parts	good
		Cummins Recon Injectors and Champion OC-9-3 Plugs	unknown
56		International winter front covers for S-series (4)	good
57		Transmission parts lot – parts for Spicer auxiliary trans.	good
58		Fuel filters (4) and Alcohol evaporation kits (4)	good
59		Miscellaneous parts lot – GM parts and other unused parts	unknown

ITEM	DEPARTMENT	MILEAGE	CONDITION
2003 Chevy Impala	Sheriff	161,044	Poor, bad battery, driver's window will not go up, engine has oil leaks
2003 Chevy Impala	Social Services	119,168	Poor, front end has problem wearing tires, leaks oil
2001 Chevy Impala	Highway	166,760	Poor, engine has skip on 2&5 cylinder rusty
1998 Chevy Lumina	Mental Health	86,345	Fair

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 60-12

DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY

WHEREAS, in accordance with the Madison County disposal of Obsolete and/or Surplus County Personal Property Policy and Procedures, County Personal Property is required to be declared obsolete and/or surplus by the Board of Supervisors; and

WHEREAS, the current list of County Personal Property waiting obsolete and/or surplus designation is attached.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors declares the list of said items as obsolete and/or surplus.

SURPLUS FURNITURE

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>CONDITION</u>
144	File Card Cabinet	Good
145	File Card Cabinet	Good
146	Side Chair	Good
147	Side Chair	Good
148	Side Chair	Good
149	14 Drawer Cabinet	
150	14 Drawer Cabinet	
151	14 Drawer Cabinet	
152	14 Drawer Cabinet	
153	3 Shelf Cabinet w/door	
154	3 Shelf Cabinet w/door	
155	Desk w/return	Fair
156	File Cabinet – Tan	
157	Wood Desk	Fair
158	Storage Cabinet - 2 door	Good
159	File Cabinet-5 drawer-black	Fair/Good
160	File Cabinet-4drawer-black	Fair/Good
161	Lg. Wooden Desk-5 drawer	Fair/Good
162	Wood Desk w/return	Fair/Good
163	Metal Printer Table	Fair/Good
164	Desk, metal w/wood grain top	Fair/Good
165	Small wood desk	Fair/Good
166	Lg. 3 drawer metal desk	Fair/Good
167	Wood Printer Table	Fair/Good
168	Bookcase, 3 shelf, metal	Good
169	Green Chair	Good
170	Green Chair	Good
171	Green Chair	Good
172	Green Chair	Good
173	Stackable plastic chair-yellow	Good
174	Stackable plastic chair-black	Good
175	Desk Chair	Fair/Good
176	Desk Chair	Fair/Good
177	Desk Chair	Fair/Good
178	Plastic Chair – black	Fair/Good
179	Desk Chair, fabric	Fair/Good
180	Desk Chair, fabric	Fair/Good

181	Desk Chair	Fair/Good
182	File Cabinet,5 drawer, lateral, no key	Good
183	File Cabinet,5 drawer, lateral, no key	Good
184	Minolta Imagemax Machine w/stand & cover (microfilm reader/printer)	Unknown
185	Chair, Green, no arms	Excellent
186	Trifold Room Divider	Good
187	White Board (stained)	Fair
188	Computer Stand (broken keyboard tray)	Fair
189	Hanging File Frames, Legal Size	Good
190A	Task Chair	Fair/Good
190B	Task Chair	Fair/Good
191	Framed Flower Wall Picture	Fair/Good
192	30 Drawer metal cabinet,dk.gray, (holds up to legal size paper)	Fair/Good
193	Coffee Table	Fair/Good
194	Wooden Desk	Fair
195 A-D	Side Chairs, cloth w/wooden arms	Good
196	Metal Typewriter Stand	Good
197	File Cabinet, 2 dr. black, on wheels	Fair/Good
198	File Cabinet,6 dr. (divided drawers)	Fair/Good
199	File Cabinet,2 dr., lock needs repair	Fair/Good
200	File Cabinet, 5 dr. gray, top drawer doesn't close	Fair
201	Plastic Chairs - set of 7	Fair/Good
202	Table	Fair/Good
203	Desk w/2 drawers	Fair/Good
204	Desk, 5 drawer, w/center drawer	Fair/Good
205	Table, black	Fair/Good
206	Desk, 3 drawer, door on one side	Fair/Good
207	Desk, 5 drawer, executive style	Fair/Good
208	Desk, 2 drawers on right side	Fair/Good
209	Desk, 2 drawers on right side (drawers stick)	Fair/Good
210	Typewriter stand	Good
211	Table	Good
212	White Cabinet (pressboard)	Fair/Good
213	Desk, gray, metal	Fair/Good
214	Side chair/arms (blue/gray)	Fair/Good
215	Storage Cabinet, 2 door w/key	Fair/Good
216	Table, gray metal	Good
217	Table, gray metal	Good
218	Table, tan top	Good

219	Desk, small, 2 drawers on right	Fair/Good	
220	Table, chrome legs, gray top	Good	
221	Desk, small	Fair/Good	
222	Desk,metal,gray,2 drawer w/center drawer	Fair/Good	
223	Desk,metal,gray,2 drawer w/center drawer	Fair/Good	
224	Desk, tan, w/left return	Fair/Good	
225	Desk, 2 drawer	Fair/Good	
226	Desk, 2 drawer, gray	Fair/Good	
227	Desk, 2 drawer, dark gray	Fair/Good	
228	Desk, 2 drawer, dark gray	Fair/Good	
229	Gray table	Fair/Good	
230	Printer Stand	Fair/Good	
231	Printer Stand	Fair/Good	
232	Printer Stand	Fair/Good	
233	Printer Stand	Fair/Good	
234	Printer Stand	Fair/Good	
235	Printer Stand	Fair/Good	
236	Printer Stand	Fair/Good	
237	Printer Stand	Fair/Good	
238	Printer Stand	Fair/Good	
239	File Cabinet,3 drawer, lateral, tan w/key	Fair/Good	
240	Typewriter stand	Fair/Good	
241	Typewriter stand	Fair/Good	
242	Typewriter stand	Fair/Good	
243	Typewriter stand	Fair/Good	
244	Typewriter stand	Fair/Good	
245	Typewriter stand	Fair/Good	
246	Typewriter stand	Fair/Good	
247	Typewriter stand	Fair/Good	
248	Microwave	Unknown	
249	Side chair, blue	Fair/Good	
250	Side chair, blue	Fair/Good	
251	Coat Rack	Good	
252	File Cabinet, black w/wheels	Fair/Good	
253	Desk, gray, metal	Fair/Good	reclaimed by dept.
254	Desk, gray, metal	Fair/Good	reclaimed by dept.
255	Desk, gray, metal	Fair/Good	reclaimed by dept.
256	Desk, gray, metal	Fair/Good	reclaimed by dept.
257	Desk, gray, metal	Fair/Good	reclaimed by dept.
258	Desk, gray, metal	Fair/Good	reclaimed by dept.
259	Bookcase, 3 shelf, gray	Good	

260	Bookcase, 3 shelf, green	Fair/Good	
261	Credenza, black, small	Fair/Good	
262	Bookcase, 2 shelf, brown	Fair/Good	
263	Bookcase, 2 shelf, brown	Fair/Good	
264	Bookcase, 3 shelf, black, metal	Good	
265	Bookcase, 3 shelf, gray, metal	Good	
266	Bookcase, 3 shelf, gray, metal	Good	
267	Bookcase, 3 shelf, black, metal	Good	
268	Bookcase, 3 shelf, black, metal	Good	
269	Bookcase, 3 shelf, green, metal	Good	reclaimed by dept.
270	Bookcase, 3 shelf, gray, metal	Good	
271	Bookcase, 4 shelf, gray, metal	Good	
272	Bookcase, 4 shelf, brown, metal	Good	
273	Desk, oversized top	Good	
274	Desk, black w/wood grain top	Good	
275	Storage Cabinet, 5 shelf, double door	Good	
276	Storage Cabinet, Black, double door	Good	
277	Storage Cabinet, Black	Good	
278	Storage Cabinet, Gray	Good	reclaimed by dept.
279	Typing Table	Fair/Good	reclaimed by dept.
280	Typing Table	Fair/Good	
281	Typing Table	Fair/Good	
282	Typing Table	Fair/Good	
283	Typing Table	Fair/Good	
284	Typing Table	Fair/Good	
285	Typing Table	Fair/Good	
286	Typing Table	Fair/Good	reclaimed by dept.
287	Desk, double pedestal, tan	Fair/Good	
288	Credenza, tan	Fair/Good	
289	Desk, wood, w/organizer	Fair/Good	
290	Desk, wood, w/organizer	Fair/Good	reclaimed by dept.
291	Table, small	Fair/Good	reclaimed by dept.
292	Table, small	Fair/Good	reclaimed by dept.
293	Secretarial chair, maroon	Fair/Good	
294	Secretarial chair, maroon	Fair/Good	
295	Secretarial chair, maroon	Fair/Good	
296	Secretarial chair, maroon	Fair/Good	
297	Secretarial chair, maroon	Fair/Good	
298	Panasonic Typewriter	Unknown	
299	Sharp Typewriter	Unknown	
300	Bulletin Boards, assorted sizes	Fair/Good	

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

At 10: 45 a.m. Vice Chairman Degear announced and asked for a motion to open the scheduled public hearing on Local Law No. 1 for 2012 – 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. Supervisor Monforte made the motion to open the hearing, seconded by Supervisor Suits and carried.

Vice Chairman Degear asked for speakers and no one wished to speak. After asking twice, Vice Chairman Degear then asked for a motion to close the hearing. Supervisor Monforte made that motion, seconded by Supervisor Cary and carried. The Board then continued with regular business.

By Supervisor Goldstein (Vice Chairman):

RESOLUTION NO. 61-12

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

WHEREAS, L. Woerner, Inc., d/b/a HCR provides home care nursing services of benefit to Madison County and its residents; and

WHEREAS, the Board of Supervisors has passed resolution 13-12 authorizing a license agreement with L. Woerner, Inc., d/b/a HCR for the use of floor space in the County's Department of Health's office; and

WHEREAS, L. Woerner, Inc., d/b/a HCR is requesting that the license agreement be amended to include the address of the licensed space in the agreement; and

WHEREAS, the Public Health Services Committee feel it most expeditious to amend the License Agreement with L. Woerner, Inc., d/b/a HCR; and

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

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 62-12

AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO A STAFFING AGREEMENT WITH L. WOERNER, INC., d/b/a HCR

WHEREAS, L. Woerner, Inc., d/b/a HCR assume the full operations of a certified home health agency and a long term home health care program in Madison County on March 14, 2012; and

WHEREAS, the L. Woerner, Inc., d/b/a HCR desires to retain the County to perform certain services for L. Woerner, Inc., d/b/a HCR in connection with L. Woerner, Inc., d/b/a HCR operation of the certified home health agency and a long term home health care program to facilitate the transfer of current county patients to L. Woerner, Inc., d/b/a HCR and ensure continuity of care and the County desires to perform such services, upon the terms and conditions set forth in the Agreement;

WHEREAS, the Public Health Services Committee feel it most expeditious to enter into a Staffing Agreement with L. Woerner, Inc., d/b/a HCR for the performance of these services;

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

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 63-12

PROCLAIMING APRIL 2 – 8, 2012 NATIONAL PUBLIC HEALTH WEEK

WHEREAS, the Madison County Department of Health was established in 1988 to provide a wide variety of services to preserve, protect and promote the health of all county residents; and

WHEREAS, the Department's mission is to promote and protect the health of our community through assessment, education, and by ensuring necessary services, and;

WHEREAS, the Department's public health efforts help to control and prevent disease, protect against environmental hazards, prevent injuries, promote and encourage healthy behaviors, respond to disasters and assist communities in recovery, and ensure the quality and accessibility of health services; and

WHEREAS, the Department currently provides health services directly and through community partnerships to more than 73,442 county residents; and

WHEREAS, we commend the Department's employees for their outstanding dedication to maintaining and improving the health of Madison County residents;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors, does hereby declare the week of April 2-8, 2012 as:

NATIONAL PUBLIC HEALTH WEEK

in Madison County and urge all residents to observe this special event.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 64-12

PUBLIC HEALTH DEPARTMENT CHARGES

APPROVED 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, 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; and

WHEREAS, both The Board of Health and The Public Health Services Committee agree to extend the 2011 rates for All Disciplines for home visits through the closure of the Certified Home Care Agency and extend all 2011 immunization rates with the exception of the Rabies due to an increase in the vaccine.

Immunizations have been increased as follows:	Old	New
Rabies	\$200	\$220

NOW, THEREFORE BE IT RESOLVED that the above charges are approved effective March 13, 2012.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

Family Size	**200%	250%	300%	350%	400%
1	\$22,340	\$27,925	\$33,510	\$39,095	\$44,680
2	\$30,260	\$37,825	\$45,390	\$52,955	\$60,520
3	\$38,180	\$47,725	\$57,270	\$66,815	\$76,360
4	\$46,100	\$57,625	\$69,150	\$80,675	\$92,200
5	\$54,020	\$67,525	\$81,030	\$94,535	\$108,040
6	\$61,940	\$77,425	\$92,910	\$108,395	\$123,880
7	\$69,860	\$87,325	\$104,790	\$122,255	\$139,720
8	\$77,780	\$97,225	\$116,670	\$136,115	\$155,560
Each add'l person	\$7,920	\$9,900	\$11,880	\$13,860	\$15,840

Nursing Visit	\$42	\$84	\$126	\$168	\$210
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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	\$42	\$84	\$126	\$168	\$210

Note:** These percentages represent the Federal Poverty Level. If the monthly income, based on family size, falls between minimum and 1st column, fee scale amount is the minimum column or 200% of the federal poverty level. Use this same criteria across the columns. If the income is less than the minimum amount, special consideration must be made by addressing the issue with management.

Anyone having savings or liquid assets in excess of \$10,000 will be charged full fee for services.

Revised 1/26/12
Resolution 3/13/12

RESOLUTION NO. 65-12

AUTHORIZING AMENDING AN AGREEMENT

WHEREAS, the Madison County Health Department uses Progres Health Systems Home Care Management System for clinical documentation and financial billing; and

WHEREAS, in connection therewith the County entered in a Client/Server Software License Agreement and a Software Support Agreement each dated May 3, 1999 (collectively, "Agreement"); and

WHEREAS, due to change in staffing, the number of software licenses can be reduced effective 10/1/11; and

WHEREAS, the monthly savings of decreasing these licenses is \$558; and

WHEREAS, the Board of Health and Public Health Services Committee recommends approval of such amendment, and;

NOW, THEREFORE BE IT RESOLVED, the execution of amendment to the Agreement in the form as is on file with the Clerk of the Board, and the Chairman of the Board of

Supervisors be and is hereby authorized to execute Amendment 18, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisors Goldstein (Vice Chair) and Reinhardt:

RESOLUTION NO. 66-12

AUTHORIZING MODIFICATION OF THE 2012 ADOPTED COUNTY BUDGET

WHEREAS, Madison County Public Health Department operates a Child Safety Seat Program; and

WHEREAS, the State of New York Governor’s Traffic Safety Committee has funding available and has issued an approval letter as notice to initiate project activity and no contract is required:

Awarding Agency:	National Traffic Safety Admin US DOT
Pass-through Agency:	State of NY Governor Traffic Safety Committee
Catalog #:	20.602
Program Name:	Child Passenger Safety Program
Grant Project#:	CS-2700202
Federal Funds:	100%
Contract Period:	October 1, 2011-September 30, 2012
Total Grant Award:	\$6,500

WHEREAS, the Board of Health and the Public Health Services Committee have both reviewed the success of the program and feel it expeditious to continue to be involved in this endeavor;

NOW, THEREFORE BE IT RESOLVED, that the 2012 Adopted County Budget be modified as follows:

General Fund

Public Health Department
4012 Public Health Prevent

<u>Expense</u>	<u>From</u>	<u>To</u>
A4012.41065 Child Safety Seat Program	\$1,400	\$ 7,900
Control Total		<u>\$ 6,500</u>

<u>Revenue</u>	<u>From</u>	<u>To</u>
A4401.1070 Fed Aid Child Safety Seat Grant	\$1,400	\$ 7,900
Control Total		<u>\$ 6,500</u>

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 67-12

AMENDING AGREEMENT AND MODIFYING THE 2012 ADOPTED COUNTY BUDGET

WHEREAS, the Office of People with Developmental Disabilities (OPWDD) has issued an increase in funding and these additional funds result in 100% State Aid in 2012 for Heritage Farm, Inc.; and

WHEREAS, the Social and Mental Health Committee has approved modifying the contract with Heritage Farm, Inc. at no cost to the County; and

WHEREAS, it is necessary to modify the 2012 budget to account for the funds which have already been received by the County;

NOW, THEREFORE, BE IT RESOLVED that the 2012 Adopted County Budget be modified as follows:

GENERAL FUND

4320 – Mental Health – Heritage Farms

<u>Revenue</u>	FROM	TO
A3490.5005 St. Aid MR Reg	\$18,185	\$ 18,367
Control Total		<u>\$ 182</u>
<u>Expense</u>		
A4320.42703 Heritage Farm Contract	\$33,618	\$ 33,800
Control Total		<u>\$ 182</u>

and

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute a modification agreement, copy of which is on file with the Clerk of this Board, for the period January 1, 2012 through December 31, 2012 with Heritage Farm, Inc.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 68-12

AMENDING AGREEMENT AND MODIFYING THE 2012 ADOPTED COUNTY BUDGET

WHEREAS, the Office of Mental Health has issued an increase in Integrated Supported Employment Funding and these additional funds result in 100% State Aid in 2012 for Madison-Cortland ARC; and

WHEREAS, the Social and Mental Health Committee has approved modifying the Contract with Madison-Cortland ARC at no cost to the County; and

WHEREAS, it is necessary to modify the 2012 budget to account for the funds which have already been received by the County;

NOW, THEREFORE BE IT RESOLVED, that the 2012 Adopted County Budget be modified as follows:

GENERAL FUND

4330 – Mental Health – ARC Programs

Revenue

	From	To
A3490.9006 St. Aid OMH Int Sup Empl	\$29.452	\$42,008
Control Total		<u>\$12,556</u>

Expense

A4330.42709 Reinvest Supported Empl	\$29.452	\$42,008
Control Total		<u>\$12,556</u>

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Goldstein (Vice Chairman):

RESOLUTION NO. 69-12

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH ZIXCORP SYSTEMS, INC.**

WHEREAS, the Madison County Mental Health Department has a critical need to acquire a desktop email encryption service to protect sensitive data and meet HIPAA compliance to protect client privacy in email communications; and

WHEREAS, after this careful review, Zixcorp Systems, Inc., (Zixcorp) was selected as the vendor that had the software product that most closely fit with the needs of the Mental Health Department and perform the functions identified above; and

WHEREAS, the cost per license is \$140 a year and the service agreement for the year 2012 is for two licenses at a total not to exceed \$280.00;

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

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 338 (Salka, Becker)

RESOLUTION NO. 70-12

**AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH
CORNELL COOPERATIVE EXTENSION OF ONEIDA COUNTY**

WHEREAS, Madison County Department of Social Services provides child care assistance to low-income families; and

WHEREAS, Madison County Department of Social Services receives monies through the New York State Child Care Development Block Grant to assist TANF recipients and low-income families with child care services; and

WHEREAS, the assistance contained in this program is 100 percent funded by these federal monies; and

WHEREAS, Madison County Department of Social Services, with the assistance of Cornell Cooperative Extension of Oneida County, is responsible for referrals for child care, recruitment of providers, and assisting providers in securing mandated licensing training and safety equipment; and

WHEREAS, Cornell Cooperative Extension of Oneida County has a demonstrated ability to provide these services onsite at the Department of Social Services, which allows for more TANF-eligible parents to secure employment; and

WHEREAS, Madison County Department of Social Services lacks the expertise and personnel to perform the functions of referrals, recruitment, and training; and

WHEREAS, Cornell Cooperative Extension of Oneida County as the child care resource and referral agent for Madison, Oneida, and Herkimer Counties, has the experience and resources to provide referrals, recruitment, and training and has offered to provide these services for the period October 1, 2011, to September 30, 2012, at a cost not to exceed \$33,218, the same amount as the 2010-2011 contract period; and

WHEREAS, upon the request of Cornell Cooperative Extension of Oneida County, the "Hold Harmless" clause diverges from the standard Madison County contract language to meet the needs of Cornell Cooperative Extension; and

WHEREAS, the liability insurance aggregate has increased from \$1,000,000 to \$2,000,000; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to amend an agreement on behalf of the County of Madison with Cornell Cooperative Extension of Oneida County, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – (Salka, Becker)

RESOLUTION NO. 71-12

**URGING THE GOVERNOR AND STATE LEGISLATURE TO END
THE UNFUNDED HUMAN SERVICES MANDATES**

WHEREAS, the 2009-10 final State Budget eliminated approximately \$312,000 for the County Local Administrative Fund (LAF) as a discrete funding allocation and folded that into the Flexible Fund for Family Services (FFFS); and

WHEREAS, the 2009-10 final State Budget funded the FFFS at \$2.2 million, giving the appearance of a "flexible fund" for Madison County; however, the Budget also increased the Child Welfare Component Threshold required in the FFFS by \$164,000, which predetermined how a portion of the LAF/FFFS funding must be spent, thus rendering the FFFS far less "flexible"; and

WHEREAS, moving the LAF dollars to Federal TANF funding eliminated any match for State-mandated administrative expenses for Safety Net or Food Stamp administration; and

WHEREAS, while Federal FFFS dollars are increased by the amount of the State dollar LAF elimination, many of the current reimbursements from the State LAF in Madison County cannot be shifted to the Federal FFFS, as these costs are ineligible for Federal FFFS reimbursement; and

WHEREAS, costs for the expenses that cannot be refinanced with FFFS dollars result in increased local share on a dollar-for-dollar basis, which means that Safety Net Administrative costs and Safety Net Employment Administrative costs are now 100 percent (vs. historic 50 percent) county cost, and Food Stamp Program Administration is now 50 percent (vs. historic 12.5 percent) county cost; and

WHEREAS, the State of New York requires counties to conduct eligibility determinations for Food Stamps and Safety Net Assistance; and

WHEREAS, the removal of State General funds from the LAF effectively removed any State aid for the administrative costs of determining eligibility for both the Food Stamps Program and Safety Net Assistance Program; and

WHEREAS, Food Stamp enrollment has increased across Madison County by 11.4 percent over the past two years, necessitating an increase in the administrative costs associated with the Food Stamps Program; and

WHEREAS, the 2011-12 final State Budget dramatically lowered the State's fiscal and administrative roles in the Safety Net Program; and

WHEREAS, the 2011-2012 final State Budget shifted the cost of the Safety Net Program to 71 percent county/29 percent State, severing the historic 50 percent State/50 percent county partnership; and

WHEREAS, with the onset of the current economic downturn, Safety Net Assistance enrollment has increased across Madison County in record numbers; and

WHEREAS, providing Safety Net services and support is one of nine major State mandates that consumes 90 percent of the county property tax levy statewide; and

WHEREAS, Governor Cuomo and the State Legislature have enacted a 2 percent property tax cap absent meaningful mandate relief, which has further exacerbated local budget pressures as additional costs are shifted from the State to counties; and

WHEREAS, the elimination of the State share of the LAF plus the shift to counties of 71 percent of the cost of the Safety Net program effectively dissolved the State's financial commitment to the administrative partnership in its own public assistance programs; and

WHEREAS, the steady pullback in State funding support for a variety of human services programs, including child welfare, adoption subsidies, Food Stamp administration, Family Assistance, Safety Net and juvenile justice creates an environment in which the State is directly

moving away from its constitutional requirement to care for the needy, forcing this State constitutional responsibility on county government and local property taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors calls on the State to end the expansion of unfunded social services mandates on counties and New York City and to also adequately fund the administrative costs of these varied programs; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 72-12

**CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO
MAINTAIN THE CURRENT SUCCESS OF THE MADISON COUNTY CHILD
SUPPORT ENFORCEMENT UNIT**

WHEREAS, the New York State child support program in Madison County provides custodial parents with assistance in obtaining financial support and medical insurance coverage for their children by locating parents, establishing paternity, establishing support orders, and collecting and distributing child support payments; and

WHEREAS, the Madison County, in partnership with New York State, has developed a nationally recognized child support program, which in 2011 collected \$6.7 million for children across Madison County; and

WHEREAS, child support plays an important role in protecting the economic security of thousands of children across Madison County through a strong commitment to financial and medical enforcement of child support orders; and

WHEREAS, the 2012-2013 Executive Budget proposal discontinues State reimbursement for the administration of child support enforcement activities; and

WHEREAS, instead of honoring the successful partnership between the State, Counties and New York City by continuing State reimbursement of the fifty percent of the non-federal share for administrative expenses, the 2012-2013 Executive Budget proposal allows Counties and New York City to collect and retain the State portion of recoveries collected through child support enforcement activities;

NOW THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors calls on the Governor and State Legislature to continue the current partnership between the State of New York, Counties and New York City in offering child support enforcement services to families in need; and

BE IT FURTHER RESOLVED, the Madison County Board of Supervisors shall forward copies of this Resolution to the Governor, the New York State Legislature and all others deemed necessary and proper.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 73-12

URGING NEW YORK STATE TO RENEW ITS COMMITMENT TO THE WELLBEING OF CHILDREN WITHOUT FORCING THE FISCAL RESPONSIBILITY ONTO COUNTY GOVERNMENT AND THE LOCAL PROPERTY TAXPAYERS

WHEREAS, the safety and welfare of New York and Madison County children should remain the highest priority; and

WHEREAS, the current Foster Care Block Grant and the 62/38 percent Preventive/Protective funding stream sunsets in April of 2012; and

WHEREAS, State-mandated child welfare services for preventive and protective care will cost county taxpayers nearly \$3.4 million in 2012; and

WHEREAS, providing child welfare protective and preventive services and support is one of nine major State mandates that consumes 90 percent of the county property tax levy statewide; and

WHEREAS, State funding for these child welfare and related foster care programs has decreased by tens of thousands of dollars over the past three years, despite the increase in child welfare protective services cases; and

WHEREAS, child welfare preventive/protective funding has historically allowed counties to develop innovative community-based programs to reduce foster care placements; and

WHEREAS, New York State must maintain at least 62 percent State share for 2012-13 and support regulatory flexibility for community preventive services by providing reimbursement for early intervention in order to avert family crises before placement is imminent; and

WHEREAS, the State must provide funding for its newly-created program, the Kinship Guardian Assistance Program, as a permanency program outside of the Foster Care Block Grant, using the same formula as adoption subsidies;

NOW, THEREFORE, BE IT RESOLVED, that the Foster Care Block Grant must be retained and local flexibility must be provided to request a “carve out” for innovative projects; and

BE IT FURTHER RESOLVED, that New York State should support and promote innovative funding and performance models for foster care, including performance-based policies and funding approaches, as well as the use of data reports to assist in measuring performance outcomes, and increased flexibility for counties by allowing rate adjustments on individual cases to be negotiated between the district and the provider; and

BE IT FURTHER RESOLVED, that any effort to place a cap on or further reduce the child welfare funding stream, as well as the continued expansion of unfunded social services mandates placed on Madison County, is unsustainable; and

BE IT FURTHER RESOLVED, that New York State must renew its commitment to the safety, service delivery, permanency, continuing care/adoption, and wellbeing of children by prioritizing child welfare financing, child protective services, preventive services, foster care, adoption, independent living services, and aftercare; and

BE IT FURTHER RESOLVED, that Madison County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Office of Children and Family Services, and all others deemed necessary and proper.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 74-12

CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO WORK WITH COUNTIES TO INSURE THE SUCCESSFUL IMPLEMENTATION OF THE PROPOSED STATE TAKEOVER OF CERTAIN MEDICAID ELIGIBILITY FUNCTIONS

WHEREAS, in 2010, the State Legislature enacted legislation to gradually assume all Medicaid administrative functions currently provided by counties on behalf of the State, with assurances that this action would generate savings for county property taxpayers, while improving service delivery to recipients; and

WHEREAS, the New York State 2012 – 2013 Executive Budget renews the call for a State assumption of the local Medicaid eligibility and enrollment functions, while placing a cap on County Administrative expenses based on 2011 claiming; and

WHEREAS, this Medicaid administrative funding cap is effective April 1, 2012, and Madison County has already adopted the budget for 2012, which included increases in expected costs to administer Medicaid above the State-proposed 2011 cap level, largely driven by negotiated labor contracts and State mandated double digit increases in pension contributions; and

WHEREAS, New York's Medicaid program and all public health spending must be reevaluated in the context of the numerous Federal and State program reforms with a focus on a modern, patient-driven system that ensures public integrity, improves patient outcomes, and places it on a fiscally sustainable path; and

WHEREAS, the Madison County Board of Supervisors agrees that streamlining of eligibility and enrollment processes as required under the Affordable Care Act and State law can help facilitate administrative savings, but counties remain concerned about the State's ability to maintain and strengthen the quality of services currently delivered to a Medicaid recipient that is also eligible for numerous other publicly-financed human service benefits and programs; and

WHEREAS, in light of the new administrative cap proposed in the Governor's 2012-13 Budget, if the State assumption of Medicaid eligibility is poorly implemented, it would negatively impact recipients' access to medical care and other human services programs, and also impose new unfunded costs on counties who are required to maintain Medicaid eligibility functions until the successful completion of the State takeover;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors calls on the Governor and State Legislature to continue to work with counties to improve the administrative efficiency, including advancements in technology for all human services programs provided and required under New York State law, including Medicaid; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors is calling on the Governor and State Legislature to recognize that a State takeover of local Medicaid administrative costs cannot be viewed or implemented in a vacuum that fails to address and financially support the total human services administrative system, of which Medicaid is just one component; and

BE IT FURTHER RESOLVED, that Madison County has expertise, experience, and knowledge that the State must consider when designing and implementing a takeover of eligibility functions; and

BE IT FURTHER RESOLVED, that Madison County should be a partner with the State regarding the design of the State takeover plan, including, but not limited to, overall implementation timeframes; the rollout schedule, including geographic regions across the State; the development of the technology system aimed at creating efficiency; and the impact on other human service-related programs and on the residents of each county who require assistance from other human service programs; and

BE IT FURTHER RESOLVED, that in light of the Executive Budget proposal to place a cap on Medicaid administrative expenses claimed by Madison County to 2011 historical claims, that Madison County be held harmless on a fiscal and programmatic basis for State delays in implementation of a State takeover; and

BE IT FURTHER RESOLVED, that based on the pace of the State assumption of local administrative functions and the anticipated timeframe for having the necessary technology in place, local administrative funding should not be reduced or capped until such time as the State assumes significant administrative responsibilities for Medicaid eligibility that would provide local fiscal relief beginning April 1, 2018, or on the date aligned with the State's actual progress on implementation; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this Resolution to the Governor, the New York State Legislature and all others deemed necessary and proper.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 75-12

CALLING ON THE GOVERNOR AND THE STATE LEGISLATURE TO IMPLEMENT A FULL TAKEOVER OF ALL LOCAL COSTS OF THE MEDICAID PROGRAM

WHEREAS, Medicaid is a federal and State-designed health care program, whose costs and administration represent the largest component of the State and local fiscal relationship in New York, exceeding \$53 billion annually; and

WHEREAS, Medicaid is the single largest mandate that the State has placed on county governments and local property taxpayers, costing local taxpayers more than \$11.3 million annually and consuming nearly 40 percent of all county property taxes; and

WHEREAS, even with local budget austerity measures, the program's cost has forced increases in property taxes for decades and will force significant cuts or even total elimination of county funding to non-profits and significant cuts in non-mandated local programs and services such as Sheriff's road patrol and Highway Department services; and

WHEREAS, Governor Cuomo has consistently maintained that the current Medicaid program in New York is unsustainable and unaffordable and, therefore, implemented a Medicaid Redesign Team to propose fundamental changes; and

WHEREAS, more than 80 statutory and regulatory Medicaid Redesign Team proposals are currently being implemented, intended to save the State and federal governments tens of billions of dollars over the next decade; and

WHEREAS, the Medicaid Redesign Team and the Citizens Budget Commission have both made recommendations to the Governor and Legislature that counties and New York City be removed from financing the State's Medicaid program, because the reliance on property taxes is unfair for taxpayers and also undermines continued Medicaid reform and program efficiency efforts; and

WHEREAS, Congress has enacted comprehensive health care reform that greatly expands Medicaid coverage at enhanced federal matching rates and provides federal tax subsidies for all Americans required to purchase health insurance up to 400 percent of the federal poverty level; and

WHEREAS, when implemented, these reforms provide billions of dollars in new federal Medicaid funding to New York State, therefore, providing an opportunity for the State to garner billions of dollars annually in fiscal relief; and

WHEREAS, in 2010, the State Legislature enacted a law that provides for the assumption of local governments' costs and related functions of administering the State Medicaid program with assurances that this action would generate savings for county property taxpayers; and

WHEREAS, broadly supported bipartisan legislation, co-sponsored by Senator David Valesky and Assemblyman William Magee, has been introduced in New York, S.5889-B/A.8644, that calls for a multi-year transition that would require the State to take full financial responsibility for its Medicaid program, therefore providing property tax relief to local taxpayers; and

WHEREAS, New York's Medicaid program and all public health spending must be reevaluated in the context of the numerous federal and State program reforms with a focus on a modern, patient-driven system that ensures public integrity, improves patient outcomes, and places it on a fiscally sustainable path; and

WHEREAS, the implementation of the local Medicaid Cap in 2005 represented a significant reform in the way New York financed its Medicaid program and provided Madison County with a level of stability and predictability that benefited local taxpayers by setting annual

county increases for funding the State and federal Medicaid program at no more than three percent per year; and

WHEREAS, the enactment of a two percent property tax cap in New York under which the allowed growth in Madison County property taxes is almost entirely consumed by the State-required three percent growth in county Medicaid costs alone, largely reverses the positive fiscal trend that the prior local Medicaid growth cap provided; and

WHEREAS, the Board of Supervisors thanks the Governor for his proposed elimination of the three percent cap in the local share of Medicaid growth over the next four years; and

WHEREAS, to provide much needed immediate relief, the State should minimally accelerate the full cap on the growth in the local share of Medicaid by eliminating the three percent increase completely in this 2012-13 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors calls on the Governor and State Legislature of New York to use recently enacted (and future) State Medicaid Redesign Team reforms, federal health reform flexibilities and enhanced payments, the statutory requirement for the State to take full control over all Medicaid administrative functions, reform of the State bureaucracy, and the recovery in state revenues as the means for leveraging a gradual State takeover of all Madison County Medicaid costs; an action that will lead to significant property tax and budget relief for Madison County and New York City and lower tax burdens for property taxpayers across the County and State, vastly improving the State's economic competitiveness; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this resolution to the Mandate Relief Council, created by Governor Cuomo, to review the State Mandate that counties use property taxpayer dollars to help fund the cost of Medicaid; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Ball:

RESOLUTION NO. 76-12

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS
TO ENTER INTO AN AGREEMENT**

WHEREAS, Madison County has a grant through the Office of Child and Family Services titled "Multi-disciplinary Teams, Child Advocacy Centers and Child Fatality Review Teams"; and

WHEREAS, Karen Burgwin represents that she has the skills, expertise, education, training and licensing required to perform the duties required of a Family Advocate for this grant program; and

WHEREAS, the initial term of this agreement shall be from March 14, 2012 to September 30, 2012; and

WHEREAS, the County will compensate Karen Burgwin at an hourly rate of Eighteen Dollars (\$18.00), the total amount of compensation not to exceed the budgetary allocation of Eighteen Thousand Dollars (\$18,000) for the term of this agreement; and

WHEREAS, said compensation shall be wholly paid from grant monies; and

WHEREAS, the County Attorney has reviewed and approved a Personal Service Agreement embodying the terms of employment herein; and

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

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 77-12

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH MADISON-ONEIDA BOCES**

WHEREAS, it is necessary and required to provide educational services and programs to inmates at the Madison County Jail in the regular course of their incarceration; and

WHEREAS, the Sheriff of Madison County seeks to continue to cut costs and enhance the efficiency in the provision of such services and programs by utilizing the expertise of Madison-Oneida BOCES; and

WHEREAS, Madison-Oneida BOCES possesses experienced personnel with special skills and training required to perform the necessary services pursuant to the terms of the contract by providing a staff person to the Madison County Jail; and

WHEREAS, the term of this contract shall be from March 1, 2012 through February 28, 2013. This contract may be terminated without cause by either party hereto at any time upon thirty (30) days written notice of the intention to so terminate. The County reserves the right to terminate this Agreement for cause at anytime; and

WHEREAS, the County hereby agrees to pay Madison-Oneida BOCES a monthly rate of Three Thousand Seven Hundred Seventy Dollars and .33 cents (\$3,770.33) in full and final satisfaction of all services and expenses, this represents no increase from the previous year. The total amount of compensation shall not exceed Forty Five Thousand Two Hundred Forty Four Dollars (\$45,244); and

WHEREAS, this agreement has been reviewed and approved by the Criminal Justice, Public Safety and Telecommunications Committee; 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

Madison-Oneida BOCES, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Suits:

RESOLUTION NO. 78-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE BOARD OF ELECTIONS IN REGARDS TO THE HELP AMERICA VOTE ACT STATE GRANT

WHEREAS, the Madison County Board of Elections has been allocated State HAVA (Help America Vote Act) funds; and

WHEREAS, these funds are scheduled to expire on March 31, 2012. The extension of this grant program is described as follows:

Awarding Agency:	New York State
Pass Thru. Agency:	New York State Board of Elections
Program Name:	New York State Voting Access for Individuals with Disabilities – Polling Place Access Improvement
Grant Period:	April 1, 2012 – March 31, 2013
Contract #	T002666
State Funds:	\$ 20,254.00
Grant Total:	\$ 20,254.00

NOW, THEREFORE BE IT RESOLVED, that the Chairman be hereby authorized to execute grant contracts for the Madison County Board of Elections with the State Board of Elections and sign for an extension of contract #T002666 for one year.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 79-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE BOARD OF ELECTIONS IN REGARDS TO THE HELP AMERICA VOTE ACT STATE GRANT

WHEREAS, the Madison County Board of Elections has been allocated State HAVA (Help America Vote Act) funds; and

WHEREAS, these funds are scheduled to expire on March 31, 2012. The extension of this grant program is described as follows:

Awarding Agency:	New York State
Pass Thru. Agency:	New York State Board of Elections
Program Name:	Voter Education/Pollworker Training Program
Grant Period:	April 1, 2012 – March 31, 2013
Contract #	T002550
State Funds:	\$ 40,509.00

Grant Total: \$ 40,509.00

NOW, THEREFORE BE IT RESOLVED, that the Chairman be hereby authorized to execute grant contracts for the Madison County Board of Elections with the State Board of Elections and sign for an extension of contract #T002550 for one year.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 80-12

A RESOLUTION TO COMBINE THE 2012 FEDERAL AND STATE PRIMARIES

WHEREAS, the United States District Court for the Northern District of New York has recently ordered New York State to hold its primary for federal offices on June 26, 2012; and

WHEREAS, this primary would be scheduled in addition to the Presidential Primary to be held on April 24, 2012 in New York State; and New York State's primary for state/local offices is presently scheduled to be held on September 11, 2012; and,

WHEREAS, to eliminate the substantial financial burden of an additional full county election, it is in the best interest of Madison County taxpayers to combine the state/local primary election with the federal primary election as ordered by the federal judge; and

WHEREAS, failure to do so would likely result in an additional expense of \$58,000 for Madison County - an expense that has not been anticipated in the 2012 Budget and will create a deficit in the Board of Elections budget due to this unfunded, and unnecessary, state mandate; and

WHEREAS, the taxpayers in Madison County cannot undertake this added expense, especially at a time when state and local governments are facing inordinate financial pressures; and

WHEREAS, the New York State Association of Counties (NYSAC) has recently approved a resolution that opposes the administration of three separate primary elections and called for a combined primary for federal, state and local offices on June 26, 2012; and

WHEREAS, there is no public benefit to holding three separate primaries in New York State this year, due to the voter confusion and lower turnout that may result; and

WHEREAS, at a time when taxpayers are pleading with government to run more efficiently, the prospect of a third primary should be summarily dismissed by policymakers in Albany, with an eye toward consolidating federal, state and local offices onto one primary election on June 26, 2012;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors urge the New York State Legislature to combine the federal and state/local primaries onto June 26, 2012, for a substantial savings of the tax dollars of New York residents; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby authorized to forward certified copies of this resolution to Governor Andrew Cuomo, State Senate Majority Leader Dean Skelos, and Speaker of the Assembly Sheldon Silver.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisors Suits and Reinhardt:

RESOLUTION NO. 81-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE BOARD OF ELECTIONS IN REGARDS TO THE HELP AMERICA VOTE ACT FEDERAL GRANT AND MODIFY THE 2012 BUDGET

WHEREAS, the Madison County Board of Elections has been allocated Federal HAVA (Help America Vote Act) funds; and

WHEREAS, these funds will provide reimbursement for eligible costs incurred in the effort to make poll sites accessible for individuals with disabilities. This grant program is described as follows:

Awarding Agency: US Health and Human Services
Pass Thru. Agency: New York State Board of Elections
CFDA #: 93.617
Program Name: HHS 2011 Voting Access for Individuals with Disabilities
Grant Period: January 1, 2012 to September 30, 2016
Contract #: T003281
Federal Funds: 100%
Grant Total: \$ 2,819

NOW, THEREFORE BE IT RESOLVED, that the Chairman be and hereby is authorized to execute grant contracts for the Madison County Board of Elections with the State Board of Elections, a copy of which is on file with the Clerk of the Board, and

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

General Fund

<u>1451 Polling Place Access Grant</u>		<u>From</u>	<u>To</u>
<u>Revenue</u>			
A4089.45	Fed Aid-2011 Access for Disabled Individuals	<u>- 0 -</u>	<u>\$2,819</u>
<u>Expense</u>			
A1451.4103	2011 Grant Access for Disabled Individuals	<u>- 0 -</u>	<u>\$2,819</u>

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Monforte:

RESOLUTION NO. 82-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR CLEANING SERVICES (KLOSTER CLEANING)

WHEREAS, the Employment & Training Department is in need of cleaning services for the cleaning of The Career Center located at 1006 Oneida Plaza Drive, Oneida, New York 13421; and

WHEREAS, Kloster Cleaning, P.O. Box 53, Durhamville, NY 13054 has submitted a responsible quotation of \$523.00 per month, not to exceed the amount of \$6,276.00 per year; and

WHEREAS, Kloster Cleaning has been providing this service since April, 2008 at the same rate and the services of Kloster Cleaning have been acceptable to the Employment and Training Director; and

WHEREAS, the above cost is paid for by the One-Stop partners located in the Career Center using Federal and State money with NO County funds involved;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to renew this Agreement with Kloster Cleaning for a period commencing on April 15, 2012 and expiring on April 14, 2014, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 83-12

APPOINTING MEMBERS TO THE CENTRAL NEW YORK REGIONAL PLANNING AND DEVELOPMENT BOARD

WHEREAS, the Central New York Regional Planning and Development Board is a five county organization established in 1966 to provide local and regional planning and development assistance to its member counties;

WHEREAS, the Central New York Regional Planning and Development Board has recently updated its by-laws with some changes to the term of service for its Board members;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors do hereby appoint the following Madison County residents to the Central New York Regional Planning and Development Board to serve for the duration of their term of office:

John Becker
Ralph Monforte

Chairman of the Board of Supervisors
Chairman of the Planning Committee

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors do hereby appoint the following Madison County residents to the Central New York Regional Planning and Development Board to serve at the pleasure of the Board:

Scott Ingmire
Joe Wisinski

Planning Director
Highway Superintendent

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors does hereby appoint the following Madison County residents to the Central New York Regional Planning and Development Board for a one year term of office, commencing on January 1, 2012 and expiring on December 31, 2012:

James Raffte	Local Elected Official
Larry Baker	At Large Representative
Mary Ann Messinger	At Large Representative

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 84-12

AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT WITH PICTOMETRY INTERNATIONAL CORPORATION

WHEREAS, Madison COUNTY presently contracts with Pictometry International Corporation (PICTOMETRY) for the use of high resolution aerial imagery flown in the spring of 2010; and

WHEREAS, numerous departments, agencies, and other governmental units of the County have used the imagery to assist in land use planning, zoning enforcement, law enforcement, disaster assistance, real property management, transportation planning, fire protection, emergency preparedness, 911 addressing, and much more; and

WHEREAS, PICTOMETRY software and imagery have been made available to all units of government (currently 71 users) and departments within the COUNTY without additional cost to them, thereby providing a powerful tool to assist in carrying out their governmental responsibilities; and

WHEREAS, PICTOMETRY will re-fly the COUNTY with even higher resolution (9" community oblique and orthogonal images, 3" neighborhood oblique and orthogonal images, in the spring of 2012 (then again in 2015 and 2018) providing us with new imagery for use on three year cycles; and

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman to sign a contract (a copy of which is on file with the Clerk of this Board) with PICTOMETRY for the purchase (\$52,992 for flight 1, \$59,352 for year 2, and \$59,352 for year 3) of aerial imagery products and Pictometry Online software for use by COUNTY departments and other units of government in Madison County.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 85-12

ADOPTING LOCAL LAW NO. 1 FOR THE YEAR 2012

WHEREAS, there has been duly introduced 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 public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on March 13, 2012;

NOW, THEREFORE BE IT RESOLVED, that Local Law No. 1 for the year 2012 be and the same is hereby adopted.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Bono:

RESOLUTION NO. 86-12

**AUTHORIZING THE CHAIRMAN TO ENTER
INTO AN AGREEMENT FOR PROFESSIONAL SERVICES
WITH BARTON & LOGUIDICE, P.C.**

WHEREAS, the County of Madison entered into a settlement agreement in a recent law suit brought against the County by Paul Brown and Vincent Rogowski to make the Madison County Courthouse compliant with the American with Disabilities Act (hereinafter “ADA”) by Resolution No. 25-12 on February 14, 2012; and

WHEREAS, as part of the settlement of that lawsuit the County agreed to do renovations to the Madison County Courthouse to ensure that at least one courtroom would be ADA compliant; and

WHEREAS, Barton & Loguidice has been advising the County on the litigation regarding the renovations to the Courthouse; and

WHEREAS, they are familiar with the terms of the Settlement Agreement; and

WHEREAS, they will provide the design for installing an ADA accessible elevator, relocating/reconfiguring court office space and adding an ADA accessible staff bathroom; and

WHEREAS, the cost of said agreement will be Ninety Two Thousand Six Hundred dollars (\$92,600.00);

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into the Agreement for Professional services with Barton & Loguidice in the form that is on file with the Clerk of the Board of Supervisors.

On motion by Supervisor Bono, seconded by Supervisor Monforte the following resolution with amendments was offered:

RESOLUTION NO. 86-12 (As Amended)

**AUTHORIZING THE CHAIRMAN TO ENTER
INTO AN AGREEMENT FOR PROFESSIONAL SERVICES
WITH BARTON & LOGUIDICE, P.C.**

WHEREAS, the County of Madison entered into a settlement agreement in a recent law suit brought against the County by Paul Brown and Vincent Rogowski to make the Madison County Courthouse compliant with the American with Disabilities Act (hereinafter “ADA”) by Resolution No. 25-12 on February 14, 2012; and

WHEREAS, as part of the settlement of that lawsuit the County agreed to do renovations to the Madison County Courthouse to ensure that at least one courtroom would be ADA compliant; and

WHEREAS, Barton & Loguidice has been advising the County on the litigation regarding the renovations to the Courthouse; and

WHEREAS, they are familiar with the terms of the Settlement Agreement; and

WHEREAS, they will provide the detailed drawings for approval by NYS Office of Court Administration and the plaintiffs for installing an ADA accessible elevator, relocating/reconfiguring court office space and adding an ADA accessible staff bathroom; and

WHEREAS, the cost of said agreement will be Thirty Thousand dollars (\$30,000.00);

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into the Agreement for Professional services with Barton & Loguidice in the form that is on file with the Clerk of the Board of Supervisors.

Resolution No. 86-12 as amended was carried.

A final vote on Resolution 86-12 with amendments was then taken as follows:

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Goldstein:

RESOLUTION NO. 87-12

AUTHORIZING A SERVICE AGREEMENT WITH LEXISNEXIS – VITALCHEK NETWORK, INC.

WHEREAS, LexisNexis -VitalChek is engaged in the business of providing a service which expedites the processing of various types of governmental service requests and guarantees the payment to participating governmental agencies for the fulfillment of such requests, and

WHEREAS, Madison County is desirous of installing the Service and providing access to the service to the public at the Madison County Department of Solid Waste office and landfill scale house.

NOW, THEREFORE BE IT RESOLVED, in exchange for the mutual consideration set forth herein, VitalChek and Madison County do hereby agree as follows:

1. VitalChek shall, at its expense, install at mutually agreed upon facilities of Madison County all hardware and software associated with the Service.
2. VitalChek shall, at its expense, train and authorize appropriate personnel of Madison County in the use and operation of the hardware and software associated with the service.
3. VitalChek will make payment to Madison County in an amount equal to Madison County's charges for all properly authorized requests which are processed through the Service. Such payments shall be made in a manner acceptable to both Madison County and VitalChek.
4. VitalChek will honor all properly authorized requests from individuals or entities seeking to utilize the Service.
5. VitalChek will charge the consumer/applicant a convenience fee for the use of the service, and will accept payment of such convenience fee through the use of a valid MasterCard, Discover Card, Visa or American Express credit card, as well as most major debit cards.
6. This Agreement shall be effective immediately and shall continue in effect for a period of one year. Thereafter, this Agreement shall automatically renew for successive one year periods, unless either party provides the other with written notice of termination not less than sixty (60) days prior to the expiration of the then existing term.
7. The terms of this Agreement represent the full and complete agreement between the parties. They may not be altered or amended except by written instrument, duly executed by the parties.

BE IT FURTHER RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into the Agreement with LexisNexis-Vital Check in the form that is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisors Goldstein and Reinhardt:

RESOLUTION NO. 88-12

INCREASING A PETTY CASH FUND AT THE COUNTY LANDFILL

WHEREAS, Subsection 371 of the New York State Law authorized the Board of Supervisors to establish petty cash funds, and

WHEREAS, a petty cash fund will be necessary at the County Landfill site for the purpose of making change at the new Reuse Store (Center); and

NOW, THEREFORE, BE IT RESOLVED, that the petty cash fund be authorized in the amount of \$200.00 (two hundred dollars) for the sole purpose of making change; and

BE IT FURTHER RESOLVED, that no County expenditures shall be made from such fund and that the petty cash fund be the sole responsibility of the Reuse Store Manager at the County Landfill site on the East Side of Buyea Road, Town of Lincoln: and

BE IT FURTHER RESOLVED, that this Resolution take effect March 20, 2012.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 89-12

AUTHORIZING THE PURCHASE OF TWO USED ARTICULATED DUMP TRUCKS FOR THE DEPARTMENT OF SOLID WASTE AND SANITATION

WHEREAS, the Board of Supervisors established a Capital Reserve Fund (Resolution No. 262, October 10, 2000) designated as the “County Landfill and Transfer Station Equipment, Machinery and/or Apparatus purchase Capital Reserve Fund”; and

WHEREAS, such Capital Reserve Fund was established for the purpose of financing, in whole or in part, the purchase of equipment, machinery and/or apparatus to be utilized for the operation and/or maintenance of the Madison County Landfill and Transfer Stations provided, however, no such purchase of any such item shall be less than \$75,000; and

WHEREAS, the Solid Waste/Recycling Committee has reviewed and approved the Solid Waste Department equipment replacement schedule which recommends purchasing the dump trucks this year; and

WHEREAS, the Solid Waste Department and Solid Waste/Recycling Committee has also reviewed all bids and recommends bid award to Five Star Equipment, Inc., 6500 East Taft Road, East Syracuse, NY 13057, the lowest responsible bidder meeting all specifications.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be and is hereby authorized to purchase two used articulated dump trucks from Five Star Equipment, Inc. being the lowest responsible bidder meeting all specifications with trade allowance of \$23,000.00 for a 1996 Caterpillar 250 Articulated Dump Truck for a total price less trade in of \$255,750.00; and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby authorized to utilize funds from the Landfill Machinery and/or Apparatus Capital Reserve Fund to purchase such item.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Reinhardt:

RESOLUTION NO. 90-12

AUTHORIZING THE ASSISTANCE IN DEFENSE OF ASSESSMENT REVIEW PROCEEDINGS

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

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

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

WHEREAS, the City of Oneida has requested the County assist them in a defense of assessment review proceedings brought by Tracy Street Property Management seeking a reduction in assessment of \$176,800.00;

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

BE IT FURTHER RESOLVED, that the County Treasurer is authorized to reimburse the Comptroller/City of Oneida Assessment Department 25% of the legal fees incurred for the certiorari proceeding between Tracey Street Property Management and the City of Oneida in the amount of \$635.00.

Note for the Record: This resolution requires a 2/3's Vote of the Board.

ADOPTED: AYES – 1082 NAYS – 0 ABSENT – 418 (Salka, Becker)

RESOLUTION NO. 91-12

AUTHORIZING THE MODIFICATION OF THE 2012 COUNTY BUDGET

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

General Fund

<u>Expense</u>	<u>From</u>	<u>To</u>
<u>1010 Legislative Board</u>		
A1010.1 Personal Services	\$ 370,215	\$ 370,827
A1010.8130 Social Security Expense	28,321	28,368
<u>1420 County Attorney</u>		
A1420.4010 Indian Affairs Expense	50,000	172,057
<u>1990 Contingent Fund</u>		

A1990.4444 Contingent Fund	782,298	994,570
Total Appropriations	<u>1,230,834</u>	<u>1,565,822</u>

Control Total \$ 334,988

A599 Appropriated Fund Balance	<u>6,000,000</u>	<u>6,334,988</u>
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Control Total \$ 334,988

County Road Fund

5110 Maintenance of Roads & Bridges Expense

D5110.46000 Local Bridge Expense	-	\$ 158,512
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Control Total \$ 158,512

D599 Appropriated Fund Balance	<u>841,194</u>	<u>999,706</u>
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Control Total \$ 158,512

Road Machinery Fund

5130 Road Machinery Repairs & Expense Expense

DM5130.40102 Computer Software Programs	-	\$ 4,500
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Control Total \$ 4,500

DM599 Appropriated Fund Balance	<u>25,000</u>	<u>29,500</u>
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Control Total \$ 4,500

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 92-12

AUTHORIZING THE ESTABLISHMENT OF A CAPITAL PROJECTS COST CENTER FOR HIGHWAY ROAD AND BRIDGE CAPITAL PROJECTS

WHEREAS, historically Madison County has accounted for its road and bridge capital projects within the County Road Fund; and

WHEREAS, in accordance with County Finance Law Section 368, appropriations for such projects accounted for in the County Road Fund, to the extent that they have not been expended or encumbered, lapse at the close of the fiscal year for which made; and

WHEREAS, appropriations for such projects accounted for in the Capital Projects Fund continue in force until the purposes for which they were made have been accomplished or abandoned; and

WHEREAS, due to the unique financial accounting, budgeting and reporting required for road and bridge capital projects, the County Treasurer recommends the establishment of a cost center for such projects within the Capital Projects Fund; and

WHEREAS, the County's independent audit firm has also recommended that future road and bridge projects be accounted for in the Capital Projects Fund.

NOW THEREFORE BE IT RESOLVED, that a cost center entitled "Highway Road and Bridge Capital Projects" be and hereby is established within the Capital Projects Fund.

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 93-12

**AUTHORIZING THE EATON ROAD BRIDGE CAPITAL PROJECT
AND MODIFYING THE 2012 ADOPTED COUNTY BUDGET**

WHEREAS, Madison County has previously accounted for Highway road and bridge projects in the County Road Fund; and

WHEREAS, the Eaton Road Bridge project was originally budgeted for in the County Road Fund in fiscal year 2009; and

WHEREAS, the Eaton Road Bridge project remains incomplete, with fiscal year end 2011 unencumbered appropriations of \$135,026, remaining revenues from State and Federal Aid of \$128,275, and local share of \$6,751; and

WHEREAS, these remaining appropriations have lapsed at the end of fiscal year 2011 in accordance with County Finance Law Section 368; and

WHEREAS, a cost center entitled "Highway Road and Bridge Capital Projects" was recently established in the Capital Projects Fund; and

WHEREAS, the County Treasurer recommends transferring the 2011 year- end balance of the Eaton Road Bridge project budget from the County Road Fund to the Capital Projects Fund in order to account and report for this project in a more efficient manner.

NOW THEREFORE BE IT RESOLVED, that the Eaton Road Bridge project be and hereby is authorized in the Capital Projects Fund; and

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

<u>County Road Fund</u>	<u>From</u>	<u>To</u>
<u>Maintenance of Roads and Bridges</u>		
<u>Expense</u>		
D5110.91 Transfer to Capital Projects Fund	\$-0-	\$ <u>6,751</u>
Control Total		\$ <u>6,751</u>
D599 Appropriated Fund Balance	\$ <u>650,000</u>	\$ <u>656,751</u>
Control Total		\$ <u>6,751</u>
<u>Capital Projects Fund</u>		
<u>Highway Road and Bridge Capital Projects</u>		
<u>Revenue</u>		
H5031.30 Transfer from County Road Fund	\$-0-	\$ 6,751
H3589.10 St. Aid Marchiselli Eaton Road Bridge	-0-	20,254
H4589.10 Fed Aid Eaton Road Bridge	<u>-0-</u>	<u>108,021</u>
Totals	\$-0-	\$135,026
Control Total		\$ <u>135,026</u>
<u>Expense</u>		
H5197.2901 Eaton Road Bridge	\$-0-	\$ <u>135,026</u>
Control Total		\$ <u>135,026</u>

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 94-12

AUTHORIZING THE TIMMERMAN ROAD CAPITAL PROJECT AND MODIFYING THE 2012 ADOPTED COUNTY BUDGET

WHEREAS, Madison County has previously accounted for Highway road and bridge projects in the County Road Fund; and

WHEREAS, the Timmerman Road project was originally budgeted for in the County Road Fund in fiscal year 2011; and

WHEREAS, the Timmerman Road project remains incomplete, with fiscal year end 2011 unencumbered appropriations of \$184,443; and

WHEREAS, these remaining appropriations have lapsed at the end of fiscal year 2011 in accordance with County Finance Law Section 368; and

WHEREAS, a cost center entitled “Highway Road and Bridge Capital Projects” was recently established in the Capital Projects Fund; and

WHEREAS, the County Treasurer recommends transferring the 2011 year- end balance of the Timmerman Road project budget from the County Road Fund to the Capital Projects Fund in order to account and report for this project in a more efficient manner.

NOW THEREFORE BE IT RESOLVED, that the Timmerman Road project be and hereby is authorized in the Capital Projects Fund; and

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

<u>County Road Fund</u>	<u>From</u>	<u>To</u>
<u>Maintenance of Roads and Bridges</u>		
<u>Expense</u>		
D5110.91 Transfer to Capital Projects Fund	\$ <u>6,751</u>	<u>\$191,194</u>
Control Total		<u>\$184,443</u>
D599 Appropriated Fund Balance	<u>\$656,751</u>	<u>\$841,194</u>
Control Total		<u>\$184,443</u>
<u>Capital Projects Fund</u>		
<u>Highway Road and Bridge Capital Projects</u>		
<u>Revenue</u>		
H5031.30 Transfer from County Road Fund	<u>\$ 6,751</u>	<u>\$191,194</u>
Control Total		<u>\$184,443</u>
<u>Expense</u>		
H5197.2902 Timmerman Road LIN-173	\$ <u>-0-</u>	<u>\$184,443</u>
Control Total		<u>\$184,443</u>

ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

RESOLUTION NO. 95-12

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

4012 Public Health Preventive

Expense

	<u>From</u>	<u>To</u>
A4012.41033 Medicare Immunization Appl. Fee	\$ 0	\$ 523

Control Total		<u>\$ 523</u>
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4012 Public Health Preventive

Revenue

A1601.1240 Medicare Immunizations	<u>9,000</u>	<u>9,523</u>
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Modification No. 2

General Fund

2960 Preschool Special Education

Expense

A2960.4101 Stipend for Day Care	<u>From</u>	<u>To</u>
	\$4,800	\$ -0-

2961 Early Intervention Program

Expense

A2961.4101 Stipend for Day Care	<u>-0-</u>	<u>4,800</u>
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Control Totals	<u>\$4,800</u>	<u>\$4,800</u>
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ADOPTED: AYES – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Suits:

RESOLUTION NO. 96-12

SUPPORTING THE PROPOSED 22nd DISTRICT

WHEREAS, US Magistrate Roanne Mann has proposed redrawn boundary lines for the State of New York’s Congressional Districts; and

WHEREAS, Judge Mann has proposed a 22nd district which would include Madison County in its entirety; and

WHEREAS, the proposed 22nd district would be represented by Congressman Richard L. Hanna; and

WHEREAS, the Administration and Oversight Committee is supportive of this proposed 22nd district and the representation of Congressman Richard L. Hanna;

NOW, THEREFORE, BE IT RESOLVED that Madison County Board of Supervisors is supportive of Judge Mann’s proposed 22nd district and the representation of Congressman Richard L. Hanna; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to US Magistrate Roanne Mann.

On motion by Supervisor Suits, seconded by Supervisor Monforte and carried, the following amendments were made to this resolution.

On motion by Supervisor Suits, seconded by Supervisor Monforte the following resolution with amendments was offered:

RESOLUTION NO. 96-12 (As Amended)

SUPPORTING THE PROPOSED 22nd DISTRICT

WHEREAS, US Magistrate Roanne Mann has proposed redrawn boundary lines for the State of New York's Congressional Districts; and

WHEREAS, Judge Mann has proposed a 22nd district which would include Madison County in its entirety; and

WHEREAS, the Administration and Oversight Committee is supportive of this proposed 22nd district;

NOW, THEREFORE, BE IT RESOLVED that Madison County Board of Supervisors is supportive of Judge Mann's proposed 22nd district; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to US Magistrate Roanne Mann.

Resolution No. 96-12 as amended was carried.

A final vote on Resolution No. 96-12 with amendments was then taken as follows:

ADOPTED: AYES – 1161 NAS – 0 ABSENT – 339 (Salka, Becker)

By Supervisor Reinhardt:

RESOLUTION NO. 97-12

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 – 1161 NAYS – 0 ABSENT – 339 (Salka, Becker)

PROCLAMATION

DEVELOPMENTAL DISABILITIES AWARENESS MONTH MARCH 2012

***WHEREAS**, decades ago, a small group of parents, working against enormous odds fighting for the dignity of their children, created the Madison County ARC. They left a legacy that has changed the course of history for persons with developmental disabilities and their families throughout the county; and*

***WHEREAS**, today Madison Cortland ARC has become a symbol for what parents, family members and persons with disabilities can do for themselves through dedication and perseverance. Due to the tireless efforts of Madison Cortland ARC more than 1,000 people they serve are living lives filled with opportunity, dignity and hope; and*

***WHEREAS**, this year the Madison Cortland ARC will build upon its past successes to increase the public awareness and understanding of individuals with developmental disabilities. As a result, children and adults, in Madison County, may realize a future that will bring them the equality and fulfillment, which is the dream of every citizen of this county;*

***NOW, THEREFORE**, I, John M. Becker, Chairman of the Madison County Board of Supervisors do hereby proclaim official recognition to the month of March as:*

2012 Developmental Disabilities Awareness Month

celebrating the achievements and contributions of people with developmental disabilities in Madison County and urge all citizens to observe this proclamation.

PUBLIC COMMENT PERIOD

Speakers:

- 1. Mr. Rick Kinsella of Oneida spoke on professional services and his new business called Madison Follies.**

On motion by Supervisor Bargabos seconded by Supervisor Ball, the Board adjourned.