

**MADISON COUNTY BOARD OF SUPERVISORS  
Meeting – Tuesday, September 11, 2012**

The Board convened at 10:30 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Bradstreet (44 votes).

Pledge of Allegiance.

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

**COMMUNICATIONS**

1. Copies of resolutions from Schuyler and Chautauqua Counties – Opposing Proposed Toll Increase for Commercial Vehicles by NYS Thruway Authority.

**REPORTS**

1. Madison County Occupancy Tax Receipts/Expenditures for Quarter 4/1/12 – 6/30/12.
2. Deferred Compensation Plan Audit FYE 2011.
3. The Art of Literacy Magazine – Unique Published by ARISE.

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$1,459,226.60
Miscellaneous Accounts:	\$1,951,506.28

**UNFINISHED BUSINESS**

**Resolution No. 257-12 – Authorizing the Chairman to Approve a Permit Application for Highway Access on County Roads. Tabled By: Supervisor Degear, 2<sup>nd</sup> By: Supervisor Salka on 8/14/12.**

**Supervisor Bono who originally introduced this resolution asked that it be pulled at this time. Supervisors Degear and Salka concurred with Mr. Bono’s request. Resolution No. 257-12 is pulled.**

**RESOLUTIONS**

**By Supervisor Degear:**

**RESOLUTION NO. 265-12**

**RESOLUTION OF APPRECIATION – RETIREE RECOGNITION**

**WHEREAS**, the Madison County Board of Supervisors believes that County employees should be recognized for their faithful service to the public; and

**WHEREAS**, recognition of the distinguished service of 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 Philip Thomas and Gary Roberts upon their retirement.

Philip K. Thomas	Communications	1979 – 2012
Gary R. Roberts	Mental Health	1988 – 2012

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

**Dr. Yonia, Director of Mental Health address the Board stating that Mr. Roberts has been an exceptional employee over the last 24 years, working with many individuals and organizations, leaving with bittersweet emotions. Mr. Roberts thanked everyone and stated that it has been an honor and privilege working and serving everyone.**

#### **RESOLUTION NO. 266-12**

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

**WHEREAS**, the 2012 Child Passenger Safety Technical Conference will be held in Atlantic City, New Jersey on October 25 through October 27, 2012; and

**WHEREAS**, the Sheriff, has requested that Darren Ladd, Madison County Deputy Sheriff, attend this training to obtain Continuing Education Units for re-certification; and

**WHEREAS**, lodging will be provided by the Governor's Traffic Safety Committee, and transportation, meals and registration expenses will be covered under the Health Department's Car Seat Grant; and

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

**NOW, THEREFORE BE IT RESOLVED** that Darren Ladd be and hereby is authorized to attend said conference at no expense to the County.

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

#### **RESOLUTION NO. 267-12**

#### **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.

ITEM	DEPARTMENT	MILEAGE	CONDITION
2005 Ford Focus	Public Health	58,158 (approx.)	Totaled 8/2/12

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

**RESOLUTION NO. 268-12**

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**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.

Tag #	ITEM	CONDITION
331	Secretarial Chair, Blue	Good
332	Secretarial Chair, Black/White Tweed	Good
333	(4) Office Guest Chairs	Good
334	Plantronics Phone, Headset, Accessory Deck Model S20	
335	Box of Dictaphones	
336	Small Shredder	
337	Boots, pants, helmets, gloves (for snowmobile) w/duffle bag	Fair/Good
338	Bib coveralls, pants (for snowmobile)	Fair/Good
339	Box of Leather Holders (holsters, double mag pouches, handcuff cases)	Fair/Good
340	Helmet, HJC, w/extra shield	Excellent
341	Cameras, 2 Polaroid, 1 Instamatic	Condition Unknown
342	Digital Video Camcorder, new but doesn't connect	New
343	Time/Date Stamp, Rapid Print	Needs repair
344	Antique Ink Stamp Holder	Good
345	Brother Typewriter	Needs repair, types incorrect letters
346	Kelvinator Scientific Lab/Pharmacy Refrigerator	

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

**RESOLUTION NO. 269-12**

**AUTHORIZING THE CHAIRMAN TO ACCEPT A PROPOSAL FROM EXCELLUS BLUE CROSS AND BLUE SHIELD**

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

**WHEREAS**, Excellus has announced that they will be discontinuing this product effective December 31, 2012; and

**WHEREAS**, the County's Health Insurance Task Force, with the assistance of Benefit Consulting Group, has evaluated various alternatives to replace the current 65+ plan; and

**WHEREAS**, the Health Insurance Task Force and the Health Plan Administrator recommend transitioning to the Excellus Classic Blue Secure product; and

**WHEREAS**, the covered benefits of the Classic Blue Secure plan are substantially the same as those provided by the current 65+ plan; and

**WHEREAS**, the main difference between the two plans is that the current plan is community-rated, and the Classic Blue Secure plan will be experience-rated; and

**WHEREAS**, Excellus has proposed 2013 rates of \$213.52 per month for single coverage, and \$427.04 per month for 2-person coverage, an increase of 11.2% as compared with the 2012 premiums.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be, and hereby is, authorized to execute the proposal for the Excellus Classic Blue Secure plan, as is on file with the Clerk of the Board.

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

**RESOLUTION NO. 270-12**

**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 Actavis, Hoffman LaRoche, Mylan, TAP in the amount of Thirty-Six Million Six Hundred Thirty-Nine Thousand Zero Hundred and 00/100 dollars (\$36,639,000.00), Madison County's distribution after expenses being Twenty-Seven Thousand Four Hundred Sixty and 13/100 dollars (\$27,460.13); 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 Actavis, Hoffman LaRoche, Mylan and TAP 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 – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)**

**At 10:45 a.m. the Clerk announced the scheduled public hearing on Local Law No. 4 for the year 2012 – Prohibiting the use of Tobacco Upon Real Property Owned or Leased by Madison County. Supervisor Degear made a motion to open the hearing, seconded by Supervisor Suits and carried.**

**Chairman Becker asked for speakers. After asking several times, there was no one who wished to speak. Supervisor Goldstein then made a motion to close the hearing. Supervisor Cary seconded that motion and the motion was carried.**

**The Board then continued with regular business.**

**By Supervisor Salka:**

**RESOLUTION NO. 271-12**

**ADOPTING LOCAL LAW NO. 4 FOR THE YEAR 2012**

**WHEREAS**, there has been duly introduced Local Law No. 4 for the year 2012 entitled “A LOCAL LAW PROHIBITING THE USE OF TOBACCO UPON REAL PROPERTY OWNED OR LEASED BY MADISON COUNTY”; and

**WHEREAS**, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on September 11, 2012;

**NOW, THEREFORE BE IT RESOLVED**, that Local Law No.4 for the year 2012 be and the same is hereby adopted.

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

**RESOLUTION NO. 272-12**

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH CITY OF SYRACUSE AND ONONDAGA COUNTY HEALTH DEPARTMENT**

**WHEREAS**, the Public Health Department is responsible for Point of Dispensing (POD) Activities; and

**WHEREAS**, the City of Syracuse wishes to purchase the emergency Point of Dispensing Clinic initiation go-bags utilizing grant funds from the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA); and

**WHEREAS**, Onondaga County Health Department is the primary partner with both the City of Syracuse and Madison County Health Department for the objectives, plans and procedures that guide the use of the emergency Point of Dispensing Clinic initiation go-bag; and

**WHEREAS**, Madison County Health Department shall perform POD exercises that include utilizing the POD go-bag for setting up its drill clinics annually, provide orientation training and refresher training and maintain the equipment throughout its useful life; and

**WHEREAS**, the Public Health Services Committee feel it is expeditious to enter into an agreement with the City of Syracuse and Onondaga County Health Department; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with the City of Syracuse and Onondaga County Health Department in the form as is on file with the Clerk of The Board.

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

**By Supervisors Salka and Monforte:**

**RESOLUTION NO. 273-12**

**AUTHORIZING SUBMISSION OF APPLICATION FOR A HEALTH FOUNDATION OF WESTERN & CENTRAL NEW YORK (HFWCNY) GRANT**

**WHEREAS**, Madison County is eligible to apply for a Ready or Not, Here it Comes: Preparing for Success in Rapidly Changing Times Grant provided by the Health Foundation of Western and Central New York (HFWCNY); and

**WHEREAS**, this grant could provide funding for our health care initiative that includes conducting the community health assessment, developing the County's Health Improvement Plan, and laying the foundation for a Madison County Health Care Council.

**WHEREAS**, Eric Faisst, Madison County Director of Public Health, has reviewed and completed the HFWCNY Ready or Not grant application; and

**WHEREAS**, it has been estimated that through this grant, Madison County could potentially receive between \$25,000 and \$50,000 over an 18 month period; and

**WHEREAS**, the Public Health Services Committee and Government Operations Committee have approved the submittal of this application,

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Director of Public Health be and hereby is authorized to submit the application for a Health Foundation of Western & Central New York's Ready or Not Grant, a copy of which is on file with the Clerk of the Board.

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

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 274-12**

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

**WHEREAS**, the Madison County Health Department is planning their 10<sup>th</sup> Annual Eat Well Play Hard Family Fun Day on Friday, August 17, 2012; and

**WHEREAS**, Community Partners were invited to participate in this activity to help promote healthy eating; and

**WHEREAS**, United HealthCare Services, Inc. donated (\$500) Five hundred dollars to pay for fresh produce from the Stone Brothers Farm; and

**WHEREAS**, these funds will be forwarded to Stone Brothers Farm for their produce that will be given out to families on August 17, 2012; and

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

**General Fund**

**4014 Public Health-Health Promotion**

<u>Expense</u>	<u>From</u>	<u>To</u>
A4014.406 Family Fun Day Expense	\$ 0	<u>\$ 500</u>
Control Total		<u>\$ 500</u>

Revenue

A2705.3030 Private Contribution – Family Fun Day	\$ 0	<u>\$ 500</u>
Control Total		<u>\$ 500</u>

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

**By Supervisor Salka:**

**RESOLUTION NO. 275-12**

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

**WHEREAS**, Madison County Department of Social Services receives federal monies through the Temporary Assistance for Needy Families (TANF) to assist TANF recipients and low-income families to eliminate barriers to employment; and

**WHEREAS**, the program would provide the ability to meet the transportation needs of a rural population in Madison County who are TANF eligible or are below the 200 percent of the federal poverty level in order to assist them in obtaining or maintaining employment; and

**WHEREAS**, Community Action Program, Inc., (CAP) has a documented record of assisting low-income residents of Madison County with other transportation linkages; and

**WHEREAS**, Community Action Program, Inc., has agreed to provide these services for the period October 1, 2012, to September 30, 2013, at a total cost not to exceed \$72,224, the same amount as the 2011-2012 contract period; and

**WHEREAS**, this funding is 100 percent reimbursable through the New York State Office of Temporary and Disability Assistance; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to renew an agreement on behalf of the County of Madison with Community Action Program, Inc., in the form as is on file with the Clerk of the Board.

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

**RESOLUTION NO. 276-12**

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

**WHEREAS**, the Madison County Department of Social chooses to use part of its Flexible Fund for Family Services allocation to provide housing and credit counseling programs for Family Assistance recipients and low-income county residents; and

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

**WHEREAS**, such programs would benefit the county by assisting recipients of public aid and low-income residents by promoting family stability, providing access to quality housing and homeless services, providing access to quality credit counseling, and maximizing successful outcomes by addressing the goals of self-support and self-sufficiency; and

**WHEREAS**, Community Action Program, Inc., is a community partner with a demonstrated ability to develop and implement a full-service package of services; and

**WHEREAS**, an average of 114 families per month have been serviced with the housing and credit counseling program, assisting these families to improve their shelter or reduce the risk of homelessness in the 2012 contract year; and

**WHEREAS**, Community Action Program, Inc., receives funding to operate other low-income housing initiatives and credit counseling services; and

**WHEREAS**, total (100 percent) federal funding of \$108,948 is available through the Office of Temporary and Disability Assistance to provide these services; and

**WHEREAS**, Community Action Program has agreed to provide these services for the period of January 1, 2013, to December 31, 2013, at a total cost not to exceed \$108,948, the same amount as the 2012 contract year; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be and is hereby authorized to renew an agreement on behalf of the County of Madison with Community Action Program, in the form as is on file with the Clerk of the Board.

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

**RESOLUTION NO. 277-12**

**AUTHORIZING THE CHAIRMAN TO PROCLAIM SEPTEMBER AS NATIONAL RECOVERY MONTH**

**WHEREAS**, behavioral health is an essential part of health and one's overall wellness;  
and

**WHEREAS**, prevention of mental and/or substance use disorders works, treatment is effective, and people recover in our area and around the Nation; and

**WHEREAS**, the benefits of preventing and overcoming mental and/or substance use disorders are significant and valuable to individuals, families, and the community at large; and

**WHEREAS**, people in recovery achieve healthy lifestyles, both physically and emotionally, and contribute in positive ways to their communities; and

**WHEREAS**, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

**WHEREAS**, in 2010, 2.6 million people received specialty treatment for a substance use disorder and more than 31.3 million adults aged 18 or older received services for mental health problems, according to the *2010 National Survey on Drug Use and Health*. Given the serious nature of this public health problem, we must continue to reach the millions more who need help; and

**WHEREAS**, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and the Alcohol and Substance Abuse Sub-Committee of the Madison County Community Services Board invite all residents of Madison County to participate in **National Recovery Month**; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors call upon the people of Madison County to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "**Join the Voices for Recovery: It's Worth It.**"

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

**By Supervisor Suits:**

**RESOLUTION NO. 278-12**

**AUTHORIZING THE MADISON COUNTY BOARD OF ELECTIONS TO CONTRACT FOR POLL SITE USAGE**

**WHEREAS**, pursuant to Election Law § 4-104 a resolution was passed by the County Board of Supervisors consolidating the responsibility for polling sites, and other election matters, solely in the Madison County Board of Elections; and

**WHEREAS**, in the past, the local municipalities have entered into agreements with the owners of the respective polling sites for the purpose of allowing elections to be held at said sites; and

**WHEREAS**, the Board of Elections has been undertaking the changes required to transition the control of polling sites and other election functions from the local municipalities to the Madison County Board of Elections; and

**WHEREAS**, Madison County requires an agreement to determine terms, insurance, liability, and rent before said premise can be used for the purpose of holding elections; and

**WHEREAS**, polling places that are not required to allow access may request a rental fee; and

**WHEREAS**, the Lease Agreement, with the rent fee clause, regarding the pollsites; Cazenovia American Legion, Grace Lutheran Church, St. Agatha's Church Center, Canastota VFW, Fyler Community Hall, St. Paul's United Methodist Church, Kallet Civic Center, and Sullivan Free Library are on file with the Clerk of the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED** that the Madison County Board of Supervisors herein and hereby authorizes and ratifies the Agreements for polling sites currently on file with the Clerk of the Board of Supervisors, and the Chairman of the Board of Supervisors is hereby authorized to execute the same.

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

**RESOLUTION NO. 279-12**

**AUTHORIZING THE MADISON COUNTY BOARD OF ELECTIONS TO CONTRACT FOR POLLSITE USAGE**

**WHEREAS**, pursuant to Election Law § 4-104 a resolution was passed by the County Board of Supervisors consolidating the responsibility for polling sites, and other election matters, solely in the Madison County Board of Elections; and

**WHEREAS**, in the past, the local municipalities have entered into agreements with the owners of the respective polling sites for the purpose of allowing elections to be held at said sites; and

**WHEREAS**, the Board of Elections has been undertaking the changes required to transition the control of polling sites and other election functions from the local municipalities to the Madison County Board of Elections; and

**WHEREAS**, Madison County requires an agreement to determine terms, insurance, and liability before said premise can be used for the purpose of holding elections; and

**WHEREAS**, pursuant to the terms of the HAVA Polling Place Access Improvement Grant, whenever any permanent improvements to a polling facility are made, the parties must enter into at least a five (5) year Lease; and

**WHEREAS**, permanent improvements were made to the Poolville Community Center (2007) and the Lincoln Fire House (2010) using funding from the HAVA Polling Place Access Improvement Grant; and

**WHEREAS**, the Agreements with the polling site owners regarding the Poolville Community Center and the Lincoln Fire House are on file with the Clerk of the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED** that the Madison County Board of Supervisors herein and hereby authorizes and ratifies the Agreements for the Hamilton District 4 polling site and the Lincoln District 1 and 2 polling site currently on file with the Clerk of the Board of Supervisors, and the Chairman of the Board of Supervisors is hereby authorized to execute the same.

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

**RESOLUTION NO. 280-12**

**AUTHORIZING THE MADISON COUNTY BOARD OF ELECTIONS TO CONTRACT FOR  
POLLSITE USAGE**

**WHEREAS**, pursuant to Election Law § 4-104 a resolution was passed by the County Board of Supervisors consolidating the responsibility for polling sites, and other election matters, solely in the Madison County Board of Elections; and

**WHEREAS**, in the past, the local municipalities have entered into agreements with the owners of the respective polling sites for the purpose of allowing elections to be held at said sites; and

**WHEREAS**, the Board of Elections has been undertaking the changes required to transition the control of polling sites and other election functions from the local municipalities to the Madison County Board of Elections; and

**WHEREAS**, Madison County requires an agreement to determine terms, insurance and liability before said premise can be used for the purpose of holding elections; and

**WHEREAS**, the Agreements with the polling site owners regarding the following pollsites; Leonardsville Fire House, Brookfield Town Building, North Brookfield Fire House, New Woodstock Free Library, Cazenovia High School, DeRuyter Town Building, ER Andrews Elementary School, Fenner Town Hall, Georgetown Town Hall, Hamilton Public Library, Earlville Village Office, Lebanon Town Office Building, New Life Church Cafe, Heritage Baptist Church, Madison Fire House, Erieville Fire House, Nelson Town Building, Smithfield Community Center, Stockbridge Town Building, Sullivan Veteran’s Memorial Parks & Recreational Building, Bridgeport Elementary School, and Sullivan Town Office Building are on file with the Clerk of the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED** that the Madison County Board of Supervisors herein and hereby authorizes and ratifies the Agreements for polling sites currently on file with the Clerk of the Board of Supervisors, and the Chairman of the Board of Supervisors is hereby authorized to execute the same.

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

**By Supervisor Monforte:**

**RESOLUTION NO. 281-12**

**EXTENDING A CONTRACT WITH MADISON COUNTY COMMUNITY ACTION  
PARTNERSHIP FOR PROGRAM IMPLEMENTATION SERVICES FOR MADISON COUNTY’S  
COMMUNITY DEVELOPMENT BLOCK GRANT**

**WHEREAS**, Madison County received community development grants from the U.S. Department of Housing and Urban Development and New York State under the Small Cities Community Development Block Program for a “Direct Home Ownership Assistance Program;” and

**WHEREAS**, Madison County contracts with the Madison County Community Action Partnership to implement and assist in the administration of the County's Direct Home Ownership Assistance Program; and

**WHEREAS**, the Community Action Program proposes extending their program implementation and administrative services from September 1, 2012 to December 31, 2012 due to the approval of the 2010 NYSCDBG #686HO78-10 contract extension; and

**WHEREAS**, these program services are paid for out of the grant funds;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors is authorized to sign a contract extension with the Madison County Community Action Program, a copy of which is on file with the Clerk of this Board.

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

**RESOLUTION NO. 282-12**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE "LOCAL PLAN" FOR THE PERIOD JULY 1, 2012 – JUNE 30, 2013 FOR THE LOCAL WORKFORCE INVESTMENT AREA OF HERKIMER-MADISON- AND ONEIDA COUNTIES**

**WHEREAS**, the New York State Department of Labor is requiring the execution of the Workforce Investment Act Local Plan for Program Year 2012 – 2013; and

**WHEREAS**, the Local Plan requires the Local Workforce Investment Board to reflect upon the current One-Stop delivery system, identify gaps and workforce challenges within our communities and consider the manner in which we will strategically move our system forward in alignment with State and Federal priorities and directives; and

**WHEREAS**, said Plan was developed in collaboration with the Local Workforce Investment Board and would explain the strategies to provide high quality services to both jobseekers and employers in our three-County area; and

**WHEREAS**, said Plan directs the use of the 100% federally funded Workforce Investment funds with no impact on County budget,

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors for the County of Madison be and hereby is authorized to sign the document entitled "Local Plan", a copy of which is on file with the Clerk of the Board.

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

**By Supervisor Bono:**

**RESOLUTION NO. 283-12**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH SERVOMATION FOR VENDING SERVICES**

**WHEREAS**, Madison County desires to provide staff and visitors the ability to purchase a variety of vended products including, but not limited to, fresh food, snacks and beverages; and

**WHEREAS**, the County also desires to offer a robust variety of healthy products as described above; and

**WHEREAS**, the County Building and Grounds Committee recommends renewing the agreement with Servomation to provide such services; and

**WHEREAS**, the renewal will expire on August 9, 2013,

**NOW THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors is hereby authorized to sign the contract extension (a copy of which is on file with the Clerk of this Board) with Servomation effective immediately.

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

**RESOLUTION NO. 284-12**

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

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

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

**WHEREAS**, the maintenance agreement is for one year, commencing March 1, 2013, in the amount of \$1,360.00 annually, the same as the previous contract period;

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

**ADOPTED: AYES – 1171 NAYS – 285 (Becker) ABSENT – 44 (Bradstreet)**

**RESOLUTION NO. 285-12**

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

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

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

**WHEREAS**, the maintenance agreement is for one year, commencing April 1, 2013, in the amount of \$725.51 for the Public Safety Building; \$584.06 for the Public Health Building; \$576.52 for the Department of Social Services Building; \$801.44 for the Highway Department; and \$656.83 for the County Office Building; totaling \$3,344.36 annually;

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

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

**RESOLUTION NO. 286-12**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT FOR ELEVATOR SERVICES**

**WHEREAS**, Madison County has a five-year agreement with ThyssenKrupp Elevator Corporation of 6067 Corporate Drive, East Syracuse, New York, 13057, for the full maintenance service to elevators located in the County Office Building, Veterans Memorial Building, Social Services Building and the Public Health Building; and

**WHEREAS**, the amended agreement is in the amount of \$823.14 per month, with a guarantee of annual cost adjustments not to exceed 2 (two) percent per year; and

**WHEREAS**, the agreement is for a term of five years, commencing February 1, 2013, and expiring January 31, 2018;

**WHEREAS**, the County Buildings and Grounds Committee has reviewed the maintenance agreement and recommends approval by the Board of Supervisors; and

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

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

**RESOLUTION NO. 287-12**

**OPPOSING THE PROPOSED 45 PERCENT THRUWAY TOLL INCREASE ON COMMERCIAL VEHICLES**

**WHEREAS**, the New York State Thruway Authority has proposed a 45% toll increase for commercial vehicles; and

**WHEREAS**, state business leaders and the New York Farm Bureau have warned that the toll hike could severely harm the already struggling upstate business climate and add to the state's reputation as hostile to business; and

**WHEREAS**, proposed toll increases will directly impact the cost of doing business for farmers and all business owners in New York; and

**WHEREAS**, this proposed toll increase would result in increased transportation costs that would be passed on to consumers by significantly increasing retail product costs; and

**WHEREAS**, the State's economic development decisions should be focused on increasing the transportation of produce and goods on our roadways to further promote New York products;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors

opposes this proposed 45% toll increase and calls on the NYS Thruway Authority to employ cost control measures that would stave off the need for toll increases that will further stifle economic development in New York; and

**BE IT FURTHER RESOLVED**, that the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Association of Counties, Assemblyman William Magee and Senator David Valesky, and all others deemed necessary and proper.

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

**By Supervisor Goldstein:**

**RESOLUTION NO. 288-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
FOR THE SALE OF MIXED WASTE PAPER**

**WHEREAS**, Waste Management Recycle America is seeking to enter into an Agreement with Madison County so as to encourage the removal of mixed paper from the municipal solid waste stream and thereby decreasing the flow of solid waste into the Madison County Landfill Facility, to aid in the recovery of valuable resources and to conserve energy; and

**WHEREAS**, Waste Management Recycle America shall purchase all of the acceptable quality bales of mixed paper from the Madison County A.R.C. Materials Recovery Facility on Buyea Road, Town of Lincoln, State of New York; and

**WHEREAS**, Waste Management Recycle America will be responsible for the cost of all trucking and insurance and pay Madison County Eighty-four dollars and Fifty-three cents (\$84.53) per net ton for acceptable quality mixed paper; and

**WHEREAS**, the term of this Agreement shall be for two (2) years commencing on September 14, 2012; and

**WHEREAS**, this Agreement was formulated after due solicitation of competitive quotes; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into an Agreement with Waste Management Recycle America (a corporation having its principle place of business at 6255 Sheridan Drive, Williamsville NY 14221) in the form as is on file with the Clerk of the Board.

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

**At 11:00 a.m. the Clerk announced the scheduled public hearing on Local Law No. 5 for the year 2012 – Madison County Ban on the Sale and Possession of the Synthetic Drug Known as Bath Salts. Supervisor Bono made a motion to open the hearing, seconded by Supervisor Degear and carried.**

**Chairman Becker asked for speakers. After asking several times, there was no one who wished to speak. Supervisor Stepanski then made a motion to close the hearing. Supervisor Shwartz seconded that motion and the motion was carried.**

**The Board then continued with regular business.**

**By Supervisor Salka:**

**RESOLUTION NO. 289-12**

**ADOPTING LOCAL LAW NO. 5 FOR THE YEAR 2012**

**WHEREAS**, there has been duly introduced Local Law No 5 for the year 2012 entitled “THE MADISON COUNTY BAN ON THE SALE AND POSSESSION OF THE SYNTHETIC DRUG KNOWN AS BATH SALTS”; and

**WHEREAS**, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on September 11, 2012;

**NOW, THEREFORE BE IT RESOLVED**, that Local Law No.5 for the year 2012 be and the same is hereby adopted.

Supervisor Salka asked permission to speak, thanking everyone who was involved with this issue, for all of their hard work in getting this law passed and sending this important message.

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

**By Supervisor Goldstein:**

**RESOLUTION NO. 290-12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
FOR THE SALE OF RECYCLED FERROUS SCRAP METAL  
(LIGHT IRON & STEEL)**

**WHEREAS**, Upstate Shredding, LLC is seeking to enter into an agreement with Madison County so as to encourage the removal of miscellaneous ferrous scrap metal (light iron and steel) from the municipal solid waste stream, thereby decreasing the flow of solid waste into the Madison County Landfill Facility, and aiding the recovery of valuable resources and the conservation of energy; and

**WHEREAS**, pursuant to said Agreement, Upstate Shredding, LLC will retrieve and transport from Madison County all loose ferrous scrap metal stock piled at the County Landfill on Buyea Road, Town of Lincoln; and

**WHEREAS**, Upstate Shredding, LLC will be responsible for the cost of all trucking, labor, and insurance, and will pay Madison County in accordance with the pricing formula in the agreement on file with the Clerk of the Board of Supervisors and shall pay no less than \$200.00 per gross ton (floor price) during the contract period; and

**WHEREAS**, the term of this agreement shall be a period of (2) two years from September 11, 2012 through September 11, 2014; and

**WHEREAS**, this agreement was formulated after due solicitation of competitive proposals from responsible bidders; and

**WHEREAS**, a copy of the agreement is on file with the Clerk of the Board of Supervisors; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into an agreement with Upstate Shredding, LLC, 1 Recycle Drive, Owego, NY 13827 in the form as is on file with the Clerk of the Board.

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

**By Supervisor Reinhardt:**

**RESOLUTION NO. 291-12**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT  
WITH HARBRIDGE CONSULTING GROUP, LLC**

**WHEREAS**, the Governmental Accounting Standards Board (GASB) issued Statement No. 45, establishing accounting and reporting standards regarding the costs and financial obligations that governments incur for post-employment benefits other than pensions (OPEB) offered by state and local governments; and

**WHEREAS**, Madison County implemented GASB Statement No. 45 beginning in 2008; and

**WHEREAS**, Harbridge Consulting Group, LLC has successfully performed the County's actuarial valuations since the adoption of this Statement; and

**WHEREAS**, Harbridge Consulting Group, LLC has submitted a proposal to provide the County with an interim valuation for fiscal year 2013 at a cost of \$3,000, and a full valuation for fiscal year 2014 at a cost of \$11,400, which represents no increase from the current year.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be and hereby is authorized to renew an agreement with Harbridge Consulting Group, LLC, as is on file with the Clerk of the Board of Supervisors.

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

**RESOLUTION NO. 292-12**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT**

**WHEREAS**, it is necessary for the Real Property Tax Department to enter into a maintenance agreement with Office Equipment Source, Inc. for the routine cleaning and maintenance of the Xerox 6204; and

**WHEREAS**, the Xerox 6204 is used for reproduction of GIS/Tax Maps, filed survey and subdivision maps and other digital products on a daily basis and needs to be in top working condition; and

**WHEREAS**, the Finance, Ways and Means Committee have reviewed and approve of this maintenance agreement; and

**WHEREAS**, the maintenance agreement is for one (1) year, commencing on October 1, 2012 and expiring on September 30, 2013, with a base charge of \$241.25 quarterly which

includes toner and a 1,000 sq./ft allowance per month and having a service overage rate of \$.0413/sq.ft.,

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

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

**RESOLUTION NO. 293-12**

**APPROVAL OF APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES UNDER SECTION 556 OF THE REAL PROPERTY TAX LAW**

**WHEREAS**, the following application for refund and credit of real property taxes was made in accordance with Section 556 of the Real Property Tax Law,

Christmas & Associates  
P.O. Box 200  
Camden, NY 13316

Tax Map #157.-1-33.1  
Town of Brookfield

**WHEREAS**, the 2012 town and county taxes were paid in the amount of \$987.91; and

**WHEREAS**, the taxable assessed value of 67,300 on this property included an improvement that is actually located on another parcel according to the filed subdivision map; and

**WHEREAS**, the correct taxable assessed value for vacant land on this parcel should be 33,500 and the correct tax amount should be \$491.75; and

**WHEREAS**, under Section 550.3(b) of the New York State Real Property Tax Law this is an error in essential fact; the assessment of an improvement not in existence or present on a different parcel; and

**WHEREAS**, the Director of Real Property Tax Services recommends approval of this application,

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be, and hereby is directed to, refund the 2012 town and county taxes in the amount of \$496.16 due to this error.

**ADOPTED: AYES – 1456 NAYS – 0 ASBENT – 44 (Bradstreet)**

**RESOLUTION NO. 294-12**

**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**

**1170 Public Defender Service**

**Revenue**

A3389.2220 St. Aid-Indigent Legal Services  
Fund-3 yr. funding

<u>From</u>	<u>To</u>
-0-	<u>37,946</u>

Control Total: \$37,946

**1170 Public Defender Service**

**Expense**

A1170.4747	Indigent Legal Services Fund-Legal Defense	-0-	30,946
A1170.4748	Indigent Legal Services Fund-CLE	-0-	500
A1170.4749	Indigent Legal Services Fund-Reimbursements	-0-	<u>6,500</u>

Control Total: \$37,946

**Modification No. 2**

**General Fund**

**1325 County Treasurer**

**Expense**

	<u>From</u>	<u>To</u>
A1325.4005 Books & Periodicals	\$ 2,250	\$ 1,864
A1325.409 Section 125 Admin Expense	<u>4,514</u>	<u>4,900</u>

Control Total \$ 6,764 \$ 6,764

**Modification No. 3**

**General Fund**

**1362 Tax Advertising & Expense**

**Expense**

	<u>From</u>	<u>To</u>
A1362.41 Travel Expense (Mileage)	\$ 800	\$ -0-
A1362.4131 Tax Advertising Expense	12,000	8,890
A1362.4135 Contractors-Co. Owned Property	<u>10,000</u>	<u>13,910</u>

Control Total \$22,800 \$22,800

**Modification No. 4**

**General Fund**

**1450 – Board of Elections**

**Expense**

	<u>From</u>	<u>To</u>
A1450.2310 NTS Image-It!	\$ -0-	\$19,265

Control Total \$19,265

**Revenue**

A2680.15	Insurance Recoveries	\$ -0-	\$19,265
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Control Total \$19,265

**Modification No. 5**

**General Fund**

**1620 County Buildings**

**Expense**

	<u>From</u>	<u>To</u>
A1620.2901 Engineering Svs-Courthouse Project	<u>\$30,000</u>	<u>\$92,600</u>

Control Total \$92,600

<u>Revenue</u>		
A880.1010 Appropriation of Bldg Improvement Rsv	<u>\$30,000</u>	<u>\$92,600</u>
Control Total		<u>\$92,600</u>

**Modification No. 6**

**General Fund**

**1640 Central Garage Expense**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A1640.4820 Repair Parts	51,971	50,471
A1640.4845 Outside Maintenance & Repairs	<u>3,000</u>	<u>4,500</u>
Control Total	<u>\$54,971</u>	<u>\$54,971</u>

**Modification No. 7**

**General Fund**

**3110 Sheriff Department**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A3110.2312 Drug Enforcement Equipment	\$ -0-	\$ 3,000
A3110.41021 Drug Enforcement Equipment	<u>-0-</u>	<u>2,000</u>
Totals	\$ <u>-0-</u>	\$ <u>5,000</u>
Control Total		\$ <u>5,000</u>

Revenue

A2705.1025 Contribution-Law Enforcement Trust Fund	<u>-0-</u>	<u>5,000</u>
Control Total		\$ <u>5,000</u>

**Modification No. 8**

**General Fund**

**6010 Social Services Administration**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A6010.2105 File Server	\$ -0-	\$ 8,025
A6010.40101 Computer Equipment	1,218	9,320
A6010.4111 Tuition\Education Reimbursement	25,000	18,873
A6010.44 Gas & Electric	<u>110,000</u>	<u>100,000</u>
Control Total	<u>\$136,218</u>	<u>\$136,218</u>

**Modification No. 9**

**General Fund**

**7510 County Historian**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A7510.42742 County Historian Expense	\$ 500	\$ 150
A7510.4130 Advertising Expense	680	580
A7510.41 Travel Expense	1,200	800
A7510.40101 Computer Equipment	<u>-0-</u>	<u>850</u>
Control Total	<u>\$ 2,380</u>	<u>\$ 2,380</u>

**Modification No. 10**

**Road Machinery Fund**

**5130 Road Machinery Fund**

**Expense**

	<u>From</u>	<u>To</u>
DM5130.4820 Repair Parts	245,000	240,000
DM5130.4810 Oils & Grease	<u>20,000</u>	25,000
Control Total	<b><u>\$265,000</u></b>	<b><u>\$265,000</u></b>

**Modification No. 11**

**Enterprise Environmental Landfill Fund**

**8164 Environmental Control Landfill**

**Expense**

	<u>From</u>	<u>To</u>
EE8164.4046 Leachate Treatment Transportation	\$140,000	\$100,000
EE8164.4821 Equipment Fuel	<u>120,000</u>	<u>160,000</u>
Control Total	<b><u>\$260,000</u></b>	<b><u>\$260,000</u></b>

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

**RESOLUTION NO. 295-12**

**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 – 1456 NAYS – 0 ABSENT – 44 (Bradstreet)**

**At this time Chairman Becker asked for a moment of silence in honor of those who lost their lives in the September 11, 2001 tragedy.**

**PUBLIC COMMENT PERIOD**

**Speakers:**

- 1. Dr. Yonai, Director of Mental Health announced a retirement reception for Gary Roberts which will be held September 26<sup>th</sup> from 2-4 p.m., and also thanked the Board for adopting the local law banning “bath salts.”**
- 2. Susan Jenkins from BRiDGES handed out a flyer on Recovery Month . This event will be held on Saturday, September 15, 2012 @ 11:00 a.m. at Zem’s in Canastota, NY.**

On motion by Supervisor Rafte, seconded by Supervisor Monforte the Board adjourned.