

**MADISON COUNTY BOARD OF SUPERVISORS
Meeting – October 12, 2010**

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

Pledge of Allegiance.

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

COMMUNICATIONS

1. Copies of resolutions from Seneca County – Proclaiming Sept. 28, 2010 as Governor David Paterson Day and Renaming Bayard Street Extension as Governor David Paterson Blvd., in the Town of Seneca Falls.

REPORTS

1. Madison County Mental Health Department Monthly Report for Sept. 2010.
2. Federal Single Audit Report for the fiscal year ended December 31, 2009.
3. County of Madison Basic Financial Statements for fiscal year ended Dec. 31, 2009.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Cazenovia Sewer District:	\$ 2,184,410.70
Miscellaneous Accounts:	\$ 546,180.40

Chairman Becker called upon Jack Campbell, Joleen Cleaver and Renee MacDonald from Madison-Cortland ARC to step forward. They were presented with a proclamation on Disability Mentoring Day in Madison County noting that nearly 40 individuals with disabilities are now working in local businesses. The Board was thanked for their continued support.

PROCLAMATION

DISABILITY MENTORING DAY - OCTOBER 20, 2010

WHEREAS, more than one million people with disabilities have entered the labor force since the passage of the Americans with Disabilities Act in 1990; and

WHEREAS, as taxpayers, consumers, and workers, people with disabilities are contributing to our society and to their own fulfillment of the American dream; and

WHEREAS, new generations of young people with disabilities are growing up in Madison County, New York, graduating from high school, going to college, and preparing to participate in the workplace; and

WHEREAS, job seekers with disabilities, regardless of age, are striving to attain economic independence through self-sufficiency and gainful employment; and

WHEREAS, both students and job seekers with disabilities have the right to maximize their potential by making the most of their intellect, talents, and abilities in an environment free of physical, programmatic, and attitudinal barriers; and

WHEREAS, Disability Mentoring Day provides an opportunity for students and job seekers with all types of disabilities to gain insight into career options by spending part of their day in the workplace “shadowing” an employee as he or she goes through a normal day on the job; and

WHEREAS, employers from the private, governmental, and non-profit sectors may benefit from mentoring people with disabilities as a way of learning about the experience of disability, developing lasting relationships with disability community leaders, and recruiting new and emerging talent for meaningful internship and employment opportunities; and

WHEREAS, these efforts are made possible through a broad partnership with the American Association of People with Disabilities and a dedicated local team of organizers from Madison Cortland ARC, The Greater Oneida Chamber of Commerce, Working Solutions of Herkimer, Madison, and Oneida Counties, and the Workforce Investment Board;

NOW, THEREFORE, BE IT RESOVLED, that I, John M. Becker, Chairman of the Madison County Board of Supervisors do hereby proclaim Wednesday, October 20, 2010 as:

DISABILITY MENTORING DAY

in Madison County and encourage all citizens to recognize the enormous potential of people with disabilities and to work toward their full integration into the workforce.

RESOLUTIONS

By Supervisor Bargabos:

RESOLUTION NO. 310-10

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

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

WHEREAS, recognition of the distinguished service of a certain County employee with an upcoming retirement is in order,

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Jeanne Griffin upon her retirement.

Jeanne M. Griffin Public Health 2000 - 2010 10 years

ADOPTED: AYES – 1500 NAYS – 0

Director of Health, Eric Faisst and Jeanne Griffin stepped forward. Mr. Faisst stating that Jeanne has been a good employee, well liked by here co-workers. Jeanne was presenting a gift and thanked for here years of dedication in the Health Department.

RESOLUTION NO. 311-10

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

WHEREAS, the 2010 Future View Aerial Imaging Technology Conference will be held in Lake Buena Vista, FL from October 24, 2010 – October 27, 2010; and

WHEREAS, Paul Hartnett, E-911 Director has requested that Michael Ellis, E-911 Database Coordinator attend said conference; and

WHEREAS, his expenses will be funded 100% through PICTOMETRY Intelligent Images, inc.; 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 Michael Ellis be and hereby is authorized to attend said training conference at no expense to the County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 312-10

**ADOPTING A COUNTY LACTATION – TIME AWAY FROM WORK
POLICY AND PROCEDURES**

WHEREAS, in support of an employee in her decision to continue breastfeeding while working, Madison County wishes to implement a formal policy which enables lactation support for employees who choose to express milk during work hours; and

WHEREAS, the Government Operations Committee has reviewed and approved this policy and procedures; and

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby adopts the Lactation – Time Away From Work policies and procedures effective immediately.

ADOPTED: AYES – 1500 NAYS – 0

MADISON COUNTY POLICY AND PROCEDURES

- I. **SUBJECT:** LACTATION – TIME AWAY FROM WORK
- II. **ADOPTED:** October 12, 2010
- III. **POLICY:** The County provides reasonable time away from work for lactating mothers who choose to breastfeed by expressing milk at the workplace. A reasonable effort will be made on behalf of the County to provide a private room or other location near an employee’s work area for such activity.
- IV. **PROCEDURE:**
 - A. Unpaid break time, paid break time or unpaid meal time, as well as personal leave, sick leave, vacation leave or flexible scheduling can be used for this activity. The extension of paid and unpaid breaks for the purpose of expressing milk may be permitted by utilizing any of the aforementioned forms of leave time.
 - B. A nursing mother desiring to express milk during work hours must request time off, in advance, from their direct supervisor. The employee should discuss with her supervisor an appropriate place to express milk, a schedule for pumping and the storage of expressed milk. The employee will be responsible for storing her milk in a small cooler at her work site.
 - C. The County will attempt to provide a private room for the expression of milk in close proximity to their department. Department of Health staff are available to assist in the identification of appropriate rooms. If a room cannot be identified, employees may use a designated room in the Department of Health.

RESOLUTION NO. 313-10

**AMENDING THE AMERICANS WITH DISABILITIES ACT (ADA)
GRIEVANCE PROCEDURE**

WHEREAS, the Madison County Americans with Disabilities Act (ADA) Grievance Procedure has been reviewed by the Madison County ADA Coordinator in comparison to the current United States Department of Justice recommended Grievance Procedure; and

WHEREAS, the ADA Coordinator and the Government Operations Committee have recommended amending the policy and procedures to reflect the current Department of Justice recommendations; and

WHEREAS, the Government Operations Committee reviewed the amendments to the procedures as are attached and recommends same for amendment by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED that the Madison County Americans with Disabilities Act Grievance Procedure be and hereby is amended to reflect current ADA recommendations; and

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

ADOPTED: AYES – 1500 NAYS – 0

**Madison County
Grievance Procedure under
the Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County. The County's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**Mark Scimone
ADA Coordinator
PO Box 635, Wampsville, NY 13163
Phone - (315) 366-2779**

Fax – (315)366-2502

Email – mark.scimone@co.madison.ny.us

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Madison County Chairman of the Board of Supervisors or his/her designee.

Within 15 calendar days after receipt of the appeal, the Madison County Chairman of the Board of Supervisors or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Madison County Chairman of the Board of Supervisors or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the Madison County Chairman of the Board of Supervisors or his/her designee, and responses from these two offices will be retained by the Madison County for at least three years.

Adopted: September 19, 1995

Revised October 12, 2010

RESOLUTION NO. 314-10

AMENDING THE DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY POLICY AND PROCEDURES

WHEREAS, Resolution No.197-09 adopted a policy and procedures for disposal of County Personal Property for the purpose of providing for the best manner in which to obtain the best prices for such; and

WHEREAS, the Government Operations Committee believes that the Board of Supervisors should be the entity to declare all County personal property obsolete and/or surplus by Board resolution; and

WHEREAS, the Government Operations Committee also believes that once the Madison County Board of Supervisors declares said County personal property as

obsolete/and or surplus by resolution, the County Administrator should determine the method of disposal;

NOW, THEREFORE, BE IT RESOLVED, the Madison County Disposal of Obsolete and/or Surplus County Personal Property Policy and Procedures be and hereby is amended as attached, effective immediately.

ADOPTED: AYES – 1500 – NAYS – 0

MADISON COUNTY DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY POLICY AND PROCEDURES

Pursuant to §215 of the County Law, the Board of Supervisors herein and hereby establishes the following policy and procedures for the authorized disposal of the County's personal property which is declared to be obsolete and/or surplus and is deemed no longer of any use or value to the County by resolution of the Board of Supervisors. Such personal property includes, but is not limited to, office furniture, computer equipment, motor vehicles, machinery and other equipment. The disposal of this property will be handled pursuant to the procedures set forth below.

1. Disposal of items to be declared obsolete and/or surplus personal property items will be referred to the County Administrator by the Department Head to authorize appropriate disposal of the property.
2. If the County Administrator declares the presented item or items NOT to be obsolete and/or surplus personal property, then the requesting department will retain the property for continued use.
3. If the County Administrator declares the presented item or items to be obsolete and/or surplus personal property, then he/she will direct the property to be disposed of by one of the following methods:
 - a. Transfer to another department; or
 - b. For sale to other municipalities; or
 - c. For sale by placing said item or items in a public auction; or
 - d. For sale by reverse bid, in accordance with the bid procedure; or
 - e. For trade-in on the purchase of similar, newer property; or
 - f. For scrap and/or salvage.
4. In the event that the item or items fail(s) to sell, the County Administrator may:
 - a. Designate one of the alternate methods of offering the item or items for sale; or
 - b. Direct the surplus personal property to be destroyed and/or disposed of in an appropriate manner; or with the preferred disposal method being recycling via the Department of Solid Waste; or

- c. Direct that the property be retained by the department or turned over to another department, as appropriate, where it shall be held and made available for any County purpose.
- 5. Items to be declared obsolete and/or surplus personal property with an original cost of \$1,000 or more and a useful life of one year or more will be recorded on the County's fixed asset inventory. The fixed asset inventory shall be adjusted to record their disposal.
- 6. The disposal of computer equipment will be coordinated through the Information Technology Department who will take the necessary steps to insure the removal of any and all County data from the data drives of the equipment before it is sold or otherwise disposed of.
- 7. Proceeds from sales will be credited to the fund from which the original expense was incurred as directed by the County Treasurer.

Since this is a general policy that may not be applicable to every situation, when appropriate, the County Administrator/Board of Supervisors may override the requirements set forth.

Adopted: Resolution No. 197-09 dated May 12, 2009
 Revised: Resolution No. 314-10 dated October 12, 2010

RESOLUTION NO. 315-10

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 as follows:

	DESCRIPTION	CONDITION
1	File Cabinet	Good
2	File Cabinet	Good
3	File Cabinet	Good
4	File Cabinet	Good
5	File Cabinet	Good
6	Desk 30x60	Good
7	Computer Table	Good
8	Executive Desk	Good
9	Computer Table	Good

10	Blue Chair w/arms	Good
11	Mauve Chair w/arms	Good
12	Black Side Chair	Good
13	File Cabinet	Good
14	GPS System (works)	Good
15	Portable Projector	Good
16	Super Structure	Good
17	Table w/lower shelf	Good
18	2 Drawer File	Good
19	5 Drawer File	Good
20	Desk	Good
21	Desk w/return	Good
22	Fan, floor model	Good
23	Fax Machine	Good
24	Speakers	Good
25	Document Holder	Good
26	Picture Frame	Good
27	Foot Rest	Good
28	Foot Rest	Good
29	Landscape panel	Good
30	Landscape panel	Good
31	5 Drawer File	Good
32	Blue Chair w/arms	Good
33	Desk from P. H.	Good
34	Desk from 911 Ctr.	Good
35	Chair from 911 Ctr.	Good
36	Desk from abstractors	Good
37	Desk from abstractors	Good
38	Desk from C. Clerk	Good
39	Desk from Planning	Good
40	Return for #39	Good
41	2 Drawer File	Good
42	Computer Cart	Good
43	File Cabinet	Good
44	19" panasonic TV from DA	Good
45	Bookcase, 2 shelf, tan	Good
46	Green side chair, vinyl, w/o arms	Good
47	Burgundy side chair, cloth, w/arms	Good
48	Purple side chair, cloth, (stains)	Fair
49	Executive Chair	Fair, wobbly
50	Green side chair, vinyl, w/o arms	Good
51	Green side chair, vinyl, w/o arms	Good
52	Navy secretarial chair	Good
53	Mauve secretarial chair, damaged arm	Fair
54	Black side chair, w/o arms	Good

55	Green side chair, w/o arms	Good
56	Bulletin Board	Good
57	Table, Oak 30x60	Good
58	VCR, Sylvania	Good
59	AM/FM Turntable w/speakers	Good
60	Computer Desk	Good
60a	Shelf for #60	Good
61	Rolling Computer Desk	Good
62	Monitor Riser	Good
63	Fax Machine from maint.	Works
64	Metal bookcase 3 or 4 shelf	Good
65	Red Chair w/arms	Poor
66	Tan Desk	Good
67	Desk Lamp	Good
68	Typewriter Table	Good
69	Tan Desk	Good

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

Supervisor Goldstein offered an amendment to remove item #6 and #38 from this list, seconded by Supervisor DiVeronica and carried. Final vote with amendment:

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Bargabos and Reinhardt:

RESOLUTION NO. 316-10

ABOLISHING A STAFF PSYCHOLOGIST POSITION AND CREATING A FULL-TIME STAFF SOCIAL WORKER AND OFFICE ASSISTANT I IN THE MENTAL HEALTH DEPARTMENT AND MODIFYING THE 2010 COUNTY BUDGET

WHEREAS, the Director of Community Mental Health Services has requested that a full-time Staff Psychologist position be abolished and a full-time Staff Social Worker position and an Office Assistant I position be created to increase the amount of clients served and prepare for the onset of clinic restructuring mandated by the New York State Office of Mental Health in the Mental Health Outpatient Clinic; and

WHEREAS, it is estimated that 100% of the cost of salary and fringe benefits of the Staff Social Worker position will be reimbursed with Mental Health fees and the salary and fringe benefits for the Office Assistant I position will be funded through existing appropriations in the 2010 Department of Mental Health budget; and

WHEREAS, these changes in staffing will produce a estimated revenue in excess of appropriations beginning in 2011; and

WHEREAS, this request has been reviewed and approved in accordance with the vacancy review procedure by the Social and Mental Health Services Committee and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that (1) one full-time Staff Psychologist position be and hereby is abolished effective immediately, and

BE IT FURTHER RESOLVED that one (1) full-time Staff Social Worker position be and hereby is created; and

BE IT FURTHER RESOLVED that one (1) full-time Office Assistant I position be and hereby is created; and

BE IT FURTHER RESOLVED that the Director of Community Mental Health Services be and hereby is authorized to fill said positions at the 2010 hourly rate of \$24.32 for the Staff Social Worker and \$12.50 for the Office Assistant I position in accordance with the Agreement between Madison County and the Civil Service Employees Association White Collar Unit effective immediately; and

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

General Fund

4308 – Mental Health - Clinic Adult Programs

	<u>From</u>	<u>To</u>
A4308.1 Personal Services		
1040 Staff Psychologist	\$76,323	\$56,858
1110 Staff Social Worker	-0-	8,208
1335 Office Assistant I	-0-	4,219

Supervisor Becker offered an amendment adding the following paragraph, seconded by Supervisor Ball and carried by unanimous vote:

BE IT FURTHER RESOLVED, that if these positions are not at a “break even” or making money in one year, both be abolished.

A final vote with amendment was then taken as follows:

ADOPTED: AYES – 912 (Salka, Monforte, Kuiper, Goldstein, Bono, Bradstreet, Stepanski, Becker, Rafte, Carinci)

NAYS – 588 (Degear, Suits, Cary, Coye, DiVeronica, Ball, Bargabos, Henderson, Reinhardt)

By Supervisor Salka:

RESOLUTION NO. 317-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE PFIZER INC. TO PROVIDE RECALL POSTCARDS FOR CHILD VACCINATIONS

WHEREAS, the Public Health Department provides and tracks recommended immunizations to children in Madison County; and

WHEREAS, Pfizer Inc. have agreed to provide postage-paid reminder recall postcards to Madison County Public Health Department for its use in contacting parent/guardians whose child may have missed a dose of a routinely recommended vaccine; and

WHEREAS, the term of this agreement shall be for one (1) year from the effective date; and

WHEREAS, upon review, both the Board of Health and the Public Health Services' Committee believe it is appropriate to enter an agreement with Pfizer, Inc. and received postage paid cards; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and hereby authorized to enter into an agreement between Madison County and the Pfizer, Inc., as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 318-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE MOUNT MARKHAM CENTRAL SCHOOL DISTRICT FOR THE USE OF THEIR FACILITIES FOR A FLU CLINIC

WHEREAS, the Public Health Department provides flu clinics to residents; and

WHEREAS, Mount Markham Central School District is interested in having a flu clinic setup on Election Day; and

WHEREAS, the Public Health Department provides the vaccinations at various locations throughout the county; and

WHEREAS, the Mount Markham Central School District has a gymnasium on their property that is conducive to setting up a clinic; and

WHEREAS, upon review, both the Board of Health and the Public Health Services' Committee believe the use of the school gymnasium is appropriate for the November 2 clinic; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and hereby authorized to enter into an agreement between Madison County and the Mount Markham Central School District, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 319-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE CANASTOTA OVERSEAS VETERANS ASSOCIATION INC. FOR THE USE OF THEIR FACILITIES FOR A FLU CLINIC

WHEREAS, the Public Health Department provides flu clinics to residents; and

WHEREAS, Canastota Overseas Veterans Association, Inc. is interested in having a flu clinic setup on Election Day; and

WHEREAS, the Public Health Department provides the vaccinations at various locations throughout the county; and

WHEREAS, the Canastota Overseas Veterans Association Inc. has a facility on their property that is conducive to setting up a clinic; and

WHEREAS, upon review, both the Board of Health and the Public Health Services' Committee believe the use of the Veterans building is appropriate for the November 2 clinic; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and hereby authorized to enter into an agreement between Madison County and the Canastota Overseas Veterans Inc., as is on file with the Clerk of the Board.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into facility use agreements with Canastota Overseas Veterans Association, Inc., as needed for other events, according to the Public Health Director, with the approval of the Public Health Services Committee through December 31, 2011.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 320-10

**DRINKING WATER ENHANCEMENT GRANT RENEWAL AND MODIFYING THE
2010 COUNTY BUDGET**

WHEREAS, the Madison County Public Health Department has been successfully administering the Drinking Water Enhancement Grant, providing additional services to the residents of Madison County; and

WHEREAS, this New York State funding is available to Madison County for the contract period of April 1, 2010 through March 31, 2011; and

WHEREAS, Madison County's total share for the twelve month period is \$113,204; and

WHEREAS, both the Board of Health and the Public Health Services Committee feel it expeditious to accept this funding and continue the additional environmental services in this area;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an agreement with New York State Department of Health for the contract period of April 1, 2010 to March 31, 2011, as is on file with the Clerk of The Board; and

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

General Fund

4090 Public Health Environmental

Expense

	From	To
A4090.41004PWS Enhancement Grant Expense	\$ 370	\$ 8,073
Control Total		<u>\$ 7,703</u>

Revenue

A3401.6940 State Aid Public Water Supply	\$102,721	\$110,424
Control Total		<u>\$ 7,703</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Salka:

RESOLUTION NO. 321-10

APPOINTING MEMBERS TO THE COMMUNITY SERVICES BOARD

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

WHEREAS, there are currently four vacancies on the Board; and

WHEREAS, the Membership Committee has favorably reviewed an application for membership from: **Janet McMahon, D.O., 447 Broad Street, Oneida, New York 13421** and the Community Services Board has voted in favor of her appointment; and

WHEREAS, the Membership Committee has also favorably reviewed an application for membership from: **Kaleb Wilson, 17 Carriage House Circle, Apt. C., Cazenovia, New York 13035** and the Community Services Board also voted in favor of his appointment; and

WHEREAS, the Social and Mental Health Services Committee has reviewed these applications and has recommended they both be appointed by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that Janet McMahon and Kaleb Wilson be appointed to four year terms on the Madison County Mental Health and Community Services Board, with the terms of membership running from November 1, 2010 through October 31, 2014.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Ball:

RESOLUTION NO. 322-10

**AUTHORIZING CHAIRMAN TO RENEW AN AGREEMENT
WITH THE UNIFIED COURT SYSTEM**

WHEREAS, the Madison County Sheriff provides court attendant services for the Madison County Court System as part of the security services agreement between UCS-Sixth Judicial District and Madison County; and

WHEREAS, as in the past, the County has contracted with the Unified Court System of the State of New York to provide security and court attendant services at full 100% reimbursement of costs to the County; and

WHEREAS, the total amount expended there under will not exceed \$48,000; and

WHEREAS, this contract shall cover the period from April 1, 2010 and shall terminate on March 31, 2011; and

WHEREAS, this agreement has been reviewed and approved by the Criminal Justice Committee:

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a renewal agreement on behalf of County of Madison with the Unified Court System of the State of New York, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 323-10

AUTHORIZING THE CHAIRMAN TO APPLY FOR A UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) RURAL ECONOMIC DEVELOPMENT GRANT: PRE-APPLICATION PACKAGE FOR RURAL DEVELOPMENT COMMUNITY FACILITY LOANS TO PUBLIC BODIES FOR REAL ESTATE PROJECTS

WHEREAS, Madison County has been actively involved in economic development in order to improve the economic well being of its government as well as that of the community as a whole; and

WHEREAS, the County of Madison has recognized the need to ensure the safety and security of its citizens and property in an effective manner; and

WHEREAS, The Office of the Madison County Sheriff is charged with responsibility for maintaining public peace and protecting the lives and property of all citizens in Madison County, and

WHEREAS, The Office of the Madison County Sheriff has proposed the creation of an Emergency Response Training Facility (ERTF) for Emergency Response, Tactical and Firearms Training together with facility improvements at the headquarters building, to meet those desired ends, and

WHEREAS, the facility will be used to conduct all sworn Deputy Sheriffs and Corrections Officers required annual weapon qualifications and certifications and the facility will also be used to provide support for required certification to all Madison County Law Enforcement agencies; and

WHEREAS, Madison County has a proposed site available consisting of approximately 13 acres situated in the town of Eaton off Brown Road, in Madison County, which is suited to this purpose, and

WHEREAS, the total project is estimated to be \$1.2 Million dollars and Madison County and the Madison County Office of the Sheriff, is in need of \$1.2 Million dollars of external support to fund and complete the project; and

WHEREAS, the United States Department of Agriculture (USDA) Rural Business-Cooperative Service has available an economic development program of

financial assistance to intermediaries in the form of grants to establish revolving loan funds and other supports ; and

WHEREAS, the County of Madison is eligible to submit a non-binding pre-application to the USDA which would allow the USDA to consider the project and provide project funding options and conditions up to the total amount of the project cost that would then be available to apply for, and

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman of the Board to sign any and all necessary pre-application documents, and to obtain necessary information to complete this pre-application process, for a United States Department of Agriculture (USDA) Rural Economic Development Grant: Pre-Application Package for Rural Development Community Facility Loans to Public Bodies for Real Estate Projects.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Ball and Reinhardt:

RESOLUTION NO. 324-10

AUTHORIZING PARTICIPATION IN A FEDERAL GRANT AND MODIFYING THE 2010 COUNTY BUDGET

WHEREAS, Madison County has received a Federal Grant through the New York State Governor’s Traffic Safety Committee; and

WHEREAS, the Federal awards grant is identified as follows; and

Awarding Agency: National Highway Safety Administration
Pass-through Agency: NYS Governor’s Traffic Safety Committee
Catalog #: 20.600
Program Name: “STEP” to Reduce Unsafe Driving Behaviors
Award Year: October 1, 2010 through September 30, 2011
Federal Funds Percentage: 100%
Grant No.: PT-2700222
Total Grant Amount: \$12,540; and

WHEREAS, the funding agencies have approved the following budget for this project during the term 10/1/2010 – 9/30/2011

<u>General Fund</u>		
<u>Department 3113 - Sheriff - “STEP” Federal Grant</u>		
	<u>FROM</u>	<u>TO</u>
 <u>Revenue</u>		
A4389.1520 Fed Aid “STEP” Grant 2010-11	<u>\$ 0</u>	<u>\$12,540</u>
Control Total		<u>\$12,540</u>

<u>Expense</u>			
A3113.1	Personal Services	13,300	<u>25,840</u>
	Control Total		<u>\$12,540</u>

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board is hereby authorized to execute the necessary documents to finalize receipt of the grant; and

BE IT FURTHER RESOLVED, that the adopted 2010 County Budget be modified in accordance with this grant.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 325-10

AUTHORIZING CONTINUED PARTICIPATION IN STATE GRANT FOR “MULTIDISCIPLINARY TEAMS, CHILD ADVOCACY CENTERS AND CHILD FATALITY REVIEW BOARDS” AND MODIFYING THE 2010 COUNTY BUDGET

WHEREAS, Madison County has been the recipient of a state grant through the Office of Child and Family Services (“OCFS”) since February 1, 2003 for the creation and maintenance of a Multi-disciplinary Team/Children’s Advocacy Center program; and

WHEREAS, said grant was a straight, state-funded grant with no federal funds passing through; and

WHEREAS, the original grant period has been amended and extended continuously to the present time, the most recent grant period ending on September 30, 2010; and

WHEREAS, OCFS has awarded Madison County a further grant of \$125,541 for the twelve month contract period commencing on October 1, 2010, said monies to be used to cover the costs of program and staff positions, operations and training of team members; and

WHEREAS, the funding agency has approved the following allocations to the Madison County budget to incorporate the \$125,541 in monies from OCFS:

General Fund

3114 Grant - Multidisciplinary Team

<u>Expense</u>		<u>From</u>	<u>To</u>
A3114. 1	Personal Services	\$ 28,661	\$ 68,335
A3114.4234	Contracted Services – Multidisciplinary Grant	\$ 15,918	\$ 42,920
A3114.41	Travel Expense (Mileage)	\$ 8,134	\$ 20,634
A3114.4004	Equipment Multidisciplinary Team Grant	\$ 5,035	\$ 12,795

A3114.4911 Office Supply & Expense (outside)	\$ 860	\$ 2,598
A3114.4100 Other Expense	\$ 12,557	\$ 31,408
A3114.810 Allocation of Fringe Benefits	<u>\$ 13,853</u>	<u>\$ 31,869</u>

Total: \$ 85,018 \$210,559

Control Total: \$125,541

Revenue

A3389.5510 State Aid – Multidisciplinary Team	<u>\$91,822</u>	<u>\$217,363</u>
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Control Total: \$125,541

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board be and hereby is authorized to execute an agreement with the State of New York permitting the County’s continued participation in this grant; and

BE IT FURTHER RESOLVED that the adopted 2010 Madison County Budget be modified in accordance with this grant.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Ball:

RESOLUTION NO. 326-10

ADOPTING THE CENTRAL NEW YORK INTEROPERABLE COMMUNICATIONS CONSORTIUM TACTICAL INTEROPERABLE COMMUNICATIONS PLAN (TICP)

WHEREAS, it is in the interest of Madison County to adopt a Tactical Interoperable Communications Plan (TICP) which will serve as a guide to reduce the risk to lives and health that county residents may face and reduce the damage to property that often results from an emergency, and

WHEREAS, the development of the TICP and implementation of its guidelines will assist the County and Emergency Responders in the implementation of interoperable talk paths with anticipation of problems that arise due to emergencies, with inclusion of possible solutions to communication problems, and

WHEREAS, this plan identifies known communications resources and describes how the participants in this plan can organize these resources to deal with such an emergency; and

WHEREAS, the Criminal Justice, Public Safety and Telecommunications Committee recommends the approval of the (TICP) plan;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors does hereby adopt and approve the **TACTICAL INTEROPERABLE COMMUNICATIONS PLAN**, and

BE IT FURTHER RESOLVED, that the **TACTICAL INTEROPERABLE COMMUNICATIONS PLAN** is intended to serve as a guide for decision makers in the public sector and shall not be construed as binding any legislative body to take specific actions, but shall provide direction for agencies throughout the County to pursue the strategies set forth in the plan.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Ball and Reinhardt:

RESOLUTION NO. 327-10

AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE AND MODIFY THE 2010 COUNTY BUDGET

WHEREAS, the county has been awarded a Federal Grant through the U.S. Justice Department; and

WHEREAS, the Federal Grant is identified as follows:

Awarding Agency:	U.S. Department of Justice
Pass through Agency:	Office of Community Oriented Policing Services (COPS) - Direct
Catalog of Federal Domestic Assistance:	16.710
Program Name:	COPS Technology Program
Award Year:	12/16/2009 to 12/15/2012
Federal Funds Percentage:	100%
Grant No:	2010CKWX0063
Total Grant Amount:	\$800,000

WHEREAS, the purpose of this grant is to enhance communication of all first responders through the upgrade of the Public Safety Communication system;

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 U.S. Department of Justice, in the form as is on file with the Clerk of the Board, and

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

Capital Projects

H3028 Public Safety Communication Upgrade

<u>Expense</u>	<u>From</u>	<u>To</u>
H3028.405 COPS Technology Grant Equipment Expense	\$0	\$699,979
H3028.4051 COPS Technology Grant Other Expense	0	<u>100,021</u>
Control Total		<u>\$800,000</u>

<u>Revenue</u>		
H4397.1010 Fed Aid PSCU COPS Technology Program Grant	\$0	<u>\$800,000</u>
Control Total		<u>\$800,000</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Cary:

RESOLUTION NO. 328-10

AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORIC PRESERVATION

WHEREAS, the NYS Office of Parks Recreation and Historic Preservation disburses Snowmobile Trails Grant-in-Aid Funding to participating Snowmobile Program Local Sponsors; and

WHEREAS, Madison County is the Local Sponsor of the Madison County Snowmobile Program; and

WHEREAS, the Madison County Association of Snowmobile Clubs incorporated in 2003 and has agreed to maintain snowmobile trails within Madison County, and comply with Snowmobile Program requirements; and

WHEREAS, Madison County has received a Snowmobile Trails Grant-in-aid for snowmobile trail maintenance within Madison County; and

WHEREAS, as a condition of this Grant-in-aid, Madison County undertakes to comply with certain promises and conditions associated with this grant;

NOW THEREFORE, BE IT RESOLVED, that Madison County Board of Supervisors hereby authorizes John M. Becker, Chairman of the Board, to enter into an agreement with the NYS Office of Parks Recreation and Historic Preservation for snowmobile trail maintenance.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 329-10

SUPPORTING AGRICULTURAL DISTRICT CONSOLIDATION IN MADISON COUNTY

WHEREAS, pursuant to the provisions contained in Article 25AA, Section 303 of the New York State Agriculture and Markets Law, Madison County has created 13 separate and distinct agricultural districts; and

WHEREAS, for logistical and programmatic reasons, it is desirable to consolidate these 13 districts down into 4 districts, which will be based upon municipal boundaries; and

WHEREAS, the Madison County Agricultural and Farmland Protection Board and the Madison County Planning Department have met and are in support of the consolidation concept; and

WHEREAS, there is nothing in Agricultural District Law that specifically outlines the procedures for district consolidation, but the State views district consolidation as a favorable practice and has provided detailed guidance on the County's plan for doing so; and

WHEREAS, by 2013, the County plans to have its 13 districts consolidated down into 4 districts, without negative impact or loss of protection to any property currently within a district; and

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors supports the concept of District consolidation and hereby authorizes the Planning Department to take the steps necessary to begin the consolidation process.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 330-10

ACCEPTING BID AND AWARDING CONTRACT FOR THE RESTROOM FACILITY AT THE OXBOW FALLS COUNTY PARK

WHEREAS, bids were duly received and opened on September 10, 2010 for the Restroom Facility located at the Oxbow Falls County Park; and

WHEREAS, all bids have been canvassed and reviewed by the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee who have made their recommendation to award to the lowest responsible bidder meeting bid specifications;

NOW, THEREFORE, BE IT RESOLVED, that the bid be awarded as follows to:

CXT, Inc.

3808 N. Sullivan Road - Bldg. #7
Spokane, WA 99216
Attn: Gregg Zentarsky

Total Bid Award: \$32,500.00 (Tioga)

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 331-10

AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR FIRST TIME HOME BUYERS PROGRAM

WHEREAS, Madison County has received a \$531,000 grant from the New York State Community Development Block Grant (CDBG) program; and

WHEREAS, the grant award is identified as follows:

Awarding Agency:	Office of Community Renewal
Pass-Through Agency:	NYS Housing Trust Fund Corporation
Program Name:	New York State Community Development Block Grant
Award Year:	2010
Federal Funds Percentage:	100% (pass through)
Grant No.:	686HO78-10
Total Grant Amount:	\$531,000

WHEREAS, Madison County will use the grant for direct homeownership assistance to first time homebuyers;

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

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

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 332-10

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

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

WHEREAS, the grant award is identified as follows:

Awarding Agency:	Office of Community Renewal
Pass-Through Agency:	New York State Housing Trust Fund Corporation/Office of Community Renewal
Program Name:	New York State Economic Development Community Development Block Grant
Award Year:	2010
NYS CDBG Project #:	686ME718-10
Total Grant Amount:	\$200,000

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

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

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

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

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

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 333-10

AUTHORIZING THE CHAIRMAN TO EXECUTE AN ASSIGNMENT OF PROMISSORY NOTE AND OTHER DOCUMENTS

WHEREAS, the County of Madison administers an Economic Development Revolving Loan program; and

WHEREAS, WiseBuys Stores, Inc., borrowed \$100,000 from the Economic Development Revolving Loan Fund program on June 9, 2005; and

WHEREAS, Hudson Capital Partners, LLC paid off the Wisebuys Stores, Inc. note in full on March 3, 2008 as part of a stock purchase of Wisebuy's Stores, Inc; and

WHEREAS, Hudson Capital Partners, LLC has requested Madison County to assign the Note and other related documents executed by Wisebuys Stores, Inc. to Hudson Capital Partners, LLC;

NOW, THEREFORE BE IT RESOLVED, that the Chairman is hereby authorized to execute the assignment of note and other related documents, which are file with the Clerk of the Board, on behalf of Madison County related to the WiseBuys Stores, Inc. loan.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Degear:

RESOLUTION NO. 334-10

CONTROL OF SNOW AND ICE ON THE VILLAGE OF WAMPSVILLE STREETS FOR THE SNOW SEASON OCTOBER 1, 2010 THROUGH MAY 31, 2011

WHEREAS, the County of Madison is entering into an Agreement with the Village of Wampsville for the control of Snow and Ice on the Village of Wampsville Streets in Madison County and in accordance with the terms and provisions of said agreement; and

WHEREAS, the Agreement for payment is \$5,500 for the Snow Season October 1, 2010 through May 31, 2011;

NOW, THEREFORE, BE IT RESOLVED, that the County of Madison shall enter into Agreement with the Village of Wampsville and the County Superintendent of Highways is hereby authorized to execute said agreement on behalf of the County.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor DiVeronica:

RESOLUTION NO. 335-10

AUTHORIZING THE COUNTY TREASURER TO DESIGNATE THE LOCATION OF A PETTY CASH FUND

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 is necessary at the County Landfill for the purposes of making change during sale of residential punch cards;

NOW, THEREFORE, BE IT RESOLVED, that the petty cash fund that was authorized by Resolution No. 30 of February 11, 2003 in the amount of \$650.00 (six hundred fifty dollars) for the sole purpose of making change remain the same; and

BE IT FURTHER RESOLVED, that no County expenditures shall be made from such fund and that the petty cash fund be transferred from the Residential Attendant at the County Landfill site on the East Side of Buyea Road, Town of Lincoln to a secure location acceptable and authorized by the County Treasurer: and

BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

ADOPTED: AYES – 1459 NAYS – 41 (Ball)

RESOLUTION NO. 336-10

INCREASE 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 is necessary at the County Landfill for the purposes of making change during sale of Day Use Permits, landfill tipping fees;

NOW, THEREFORE, BE IT RESOLVED, that the petty cash fund that was authorized by Resolution No.164 of May 10, 2005 in the amount of \$400.00 (four hundred dollars) be increased to \$600.00 (six 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 Scale Attendant at the County Landfill.

BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

ADOPTED: AYES – 1215 NAYS – 285 (Becker)

RESOLUTION NO. 337-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS TO ACCEPT ALTERNATIVE DAILY LANDFILL COVER MATERIAL

WHEREAS, Madison County is currently in need of landfill cover material for the operation of the Westside Landfill and for revenue purposes; and

WHEREAS, Paragon Environmental Construction, Inc. and Abscope Environmental, Inc. are corporations located in the State of New York have the ability to supply Alternative Daily Landfill Cover Material (**Petroleum Contaminated Soil**) which such material may be used according to the New York State Department of Environmental Conservation; and

WHEREAS, Paragon Environmental Construction, Inc. and Abscope Environmental, Inc. is willing to provide such material and it is in the best interest of Madison County to receive same (on an as needed basis) upon payment to Madison County of an agreed upon price of \$22.00 per ton from October 13, 2010 through October 13, 2011; and

WHEREAS, an Agreement has been drafted whereby such arrangement may be formalized with Paragon Environmental Construction, Inc. and Abscope Environmental, Inc. who will provide such material to the County as a supplement in the event the County Landfill does not receive the quantity of incinerator ash needed for daily landfill cover;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board be and is hereby authorized and directed to enter into an Agreement (beginning October 13, 2010 and ending October 13, 2011) with Paragon Environmental Construction, Inc. and Abscope Environmental, Inc. in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 338-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH VENDOR FOR SELLING SOLID WASTE PUNCH CARDS

WHEREAS, private vendors in the County are willing to sell solid waste punch cards, and it is in the best interest of Madison County to approve such vendors; and

WHEREAS, an Agreement has been reviewed and approved by the County Attorney whereby such arrangement may be formalized with any vendor interested in providing such service to the County; and

NOW, THEREFORE, BE IT RESOLVED, that Madison County enter into an Agreement with such vendors that are approved by the Solid Waste Committee and are willing to provide the service of selling punch cards consistent with the provisions of the Agreement, a copy of which is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the Chairman of this Board is hereby authorized and directed to enter into an Agreement with the following Solid Waste Committee approved vendor:

**Bub's Subs And Eatery LLC
135 N. Court St.
Wampsville, NY. 13163**

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Reinhardt:

RESOLUTION NO. 339 -10

AUTHORIZING THE CHAIRMAN TO MODIFY AN AGREEMENT WITH SYSTEMS EAST, INC.

WHEREAS, by Resolution No. 302-10, dated September 14, 2010, the Board of Supervisors authorized an agreement with Systems East, Inc. for maintenance and supportive services of various software applications utilized by the Treasurer's Office, for the period January 1, 2011 through December 31, 2011; and

WHEREAS, the cost associated with this agreement reflected an increase of \$1,032, or 2.8%, from the fiscal year 2010 agreement; and

WHEREAS, Systems East, Inc. has since provided a modified agreement to eliminate the increase in cost while providing the same scope of services, general considerations, and benefits of subscription as contained in the initial agreement;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be, and hereby is, authorized to modify an agreement with Systems East, Inc., as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 340-10

AUTHORIZING THE MODIFICATION OF THE 2010 ADOPTED COUNTY BUDGET

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

Modification #1

General Fund

1990 – Contingent

Expense

A1990.4444 Contingent Fund

<u>From</u>	<u>To</u>
\$637,991	\$632,991

1620 – County Buildings

Expense

A1620.403	Misc. Building Expense & Repairs	\$ 25,000	\$ 30,000
	Control Total	<u>\$662,991</u>	<u>\$662,991</u>

Modification #2
General Fund
1990 – Contingent
Expense

A1990.4444	Contingent Fund	<u>From</u> \$632,991	<u>To</u> \$632,304
	Control Total:		<u>\$ 687</u>

7410 – Libraries – Mid York System
Expense

A7410.42740	Local Library Contracts	\$ 68,654	\$ 69,341
	Control Total:		<u>\$ 687</u>

Modification #3
General Fund
3110 Sheriff Department
Expense

A3110.2310	Computer Equipment/Operating System	<u>From</u> \$ 2,000	<u>To</u> \$ 0
A3110.2806	New Hand Guns	3,000	2,600
A3110.2810	Bullet Proof Vest (Grant)	4,470	7,470
A3110.2811	Replacement Vests (Non-Grant)	5,215	2,215
A3110.40101	Computer Equipment	6,000	8,000
A3110.44232	Hand Gun Upgrades	0	400
	Totals	<u>\$ 20,685</u>	<u>\$ 20,685</u>

3150 Sheriff-Correctional Facility
Expense

A3150.40101	Computer Equipment	<u>From</u> \$ 2,400	<u>To</u> \$ 7,400
A3150.409	Service Plan-Black Creek	44,601	23,101
A3150.4428	Clothing & Bedding	7,000	10,000
A3150.4800	Janitorial Supplies	9,500	17,000
A3150.4847	Hardware/Repair Parts-Black Creek	0	6,000
	Totals	<u>\$ 63,501</u>	<u>\$ 63,501</u>

3989 Navigation & Snowmobile Patrol
Expense

A3989.4425	Personnel Uniforms & Equipment Navigation	<u>From</u> \$ 3,000	<u>To</u> \$ 454
A3989.4426	Personal Gear Snowmobile	1,500	4,978
A3989.44271	Navigation Equipment	<u>1,000</u>	<u>68</u>
	Totals	<u>\$ 5,500</u>	<u>\$ 5,500</u>

Modification #4

General Fund**4308 Mental Health-Adult Clinic**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A4308.4226 Transcription Expense	\$ 23,000	\$ 26,300
A4308.4723 Other Client Transportation	2,000	4,000
A4308.4501 Medicaid Reim. Prescription	<u>13,000</u>	<u>7,700</u>
Total Expense	\$ 38,000	\$ 38,000
Control Total		\$ 0

Modification #5**County Road Fund****5110 - Maintenance of Roads & Bridges**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
D5110.46002 Guide Rail	\$ 94,963	\$128,269

5112 - Construction Projects

	<u>From</u>	<u>To</u>
<u>Expense</u>		
D5112.450010 Hunt Rd/Box Culvert DER 660	60,000	26,694

5113 - Consolidated Highway Program

	<u>From</u>	<u>To</u>
<u>Expense</u>		
D5113.4735 In-Place Recycling	698,000	545,233
D5113.46007 Misc. Materials	<u>5,231</u>	<u>157,998</u>
Control Total	<u>\$858,194</u>	<u>\$858,194</u>

Modification #6**Road Machinery Fund****5130 Road Machinery Fund**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
DM5130.4821 Gasoline	130,000	127,000
DM5130.4835 Tools & Repair to Tools	<u>12,000</u>	<u>15,000</u>

Control Total	<u>\$142,000</u>	<u>\$142,000</u>
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Modification #7**Enterprise Fund****8164 Environmental Control (Landfill)**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
EE8164.4208 Professional Legal Counsel	\$ 40,000	\$ 55,000
EE8164.4214 Miscellaneous Engineering	160,000	180,000
EE8164.4821 Equipment Fuel	<u>160,000</u>	<u>125,000</u>
Control Totals	<u>\$360,000</u>	<u>\$360,000</u>

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 341-10

AUTHORIZING THE MODIFICATION OF THE 2010 COUNTY BUDGET

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

Modification #1:

General

Fund

Expense

From

To

Personal Services

A1040.1	Clerk of Legislative Board	\$ 121,798	\$ 126,140
A1165.1	District Attorney	477,293	482,504
A1325.1	County Treasurer	569,997	576,076
A1410.1	County Clerk	571,962	579,778
A1420.1	County Attorney	250,845	254,319
A1430.1	Personnel & Civil Service	273,011	279,090
A1450.1	Board of Elections	378,699	381,305
A1480.1	Public Information & Service	38,471	41,077
A1620.1	County Buildings	493,425	496,031
A1670.1	Central Printing, Supplies & Mail	82,530	84,267
A1680.1	Information Technology	499,619	502,225
A3020.1	Communications Center	802,978	804,715
A3110.1	Sheriff Department	2,203,491	2,205,228
A3140.1	Probation	765,283	768,757
A3315.1	Special Traffic Programs-STOP DWI	28,653	30,390
A4010.1	Public Health Administration	428,939	435,886
A4013.1	Public Health Home Care	1,890,031	1,891,768
A4090.1	Public Health Environmental	412,570	415,176
A4308.1	Mental Health Clinic Adult Programs	745,368	746,237
A4310.1	Mental Health Administration	370,578	373,184
A6010.1	Social Services Administration	4,655,527	4,672,026
A6510.1	Veterans Agency	110,883	112,620
A6610.1	Consumer Affairs	95,343	97,080
A7145.1	Youth Programs Administration	90,831	92,568
A8020.1	Planning	271,530	273,267

Social Security & Medicare Expense

A1040.8130	Clerk of Legislative Board	9,318	9,650
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A1165.8130	District Attorney	36,513	36,912
A1325.8130	County Treasurer	43,605	44,070
A1410.8130	County Clerk	43,755	44,353
A1420.8130	County Attorney	19,190	19,456
A1430.8130	Personnel & Civil Service	20,885	21,350
A1450.8130	Board of Elections	28,694	28,893
A1480.8130	Public Information & Service	2,943	3,142
A1620.8130	County Buildings	37,747	37,946
A1670.8130	Central Printing, Supplies & Mail	6,314	6,447
A1680.8130	Information Technology	38,221	38,420
A3020.8130	Communications Center	61,428	61,561
A3110.8130	Sheriff Department	168,567	168,700
A3140.8130	Probation	58,544	58,810
A3315.8130	Special Traffic Programs-STOP DWI	2,140	2,273
A4010.8130	Public Health Administration	32,814	33,345
A4013.8130	Public Health Home Care	144,587	144,720
A4090.8130	Public Health Environmental	31,562	31,761
A4308.8130	Mental Health Clinic Adult Programs	57,021	57,087
A4310.8130	Mental Health Administration	28,349	28,548
A6010.8130	Social Services Administration	356,148	357,410
A6510.8130	Veterans Agency	8,483	8,616
A6610.8130	Consumer Affairs	6,660	6,793
A7145.8130	Youth Programs Administration	6,949	7,082
A8020.8130	Planning	20,685	20,818
A9030.8200	Social Security Expense	1,661,925	1,668,966
A9030.8210	Allocation of FICA Expense	(1,661,925)	(1,668,966)

1990 Contingent Fund

A1990.4444	Contingent Fund	632,304	535,074
	Totals	<u>\$ 18,533,081</u>	<u>\$ 18,534,951</u>
	Control Total		<u>\$ 1,870</u>

Revenue

Special Traffic Programs-STOP DWI

A2615.1010	STOP DWI Fines-Justice Court	\$ 165,524	\$ 167,394
	Control Total		<u>\$ 1,870</u>

Modification #2:

General

Fund

Expense

Contribution to Other Funds

A9901.9415 Contribution to WIA (EPI) \$ - \$ 2,805

1990 Contingent Fund

A1990.4444 Contingent Fund 535,074 532,269

Control Totals \$ 535,074 \$ 535,074

Modification #3:

County Road Fund

Expense

From

To

Personal Services

D5010.1 County Highway Administration \$ 226,486 \$ 229,092

D5110.1 Maintenance of Roads & Bridges 1,322,927 1,324,664

Social Security & Medicare Expense

D5199.8130 County Road Employee Benefits 259,505 259,838

Totals \$ 1,808,918 \$ 1,813,594

Control Total \$ 4,676

Revenue

D5031 Contribution from General Fund \$ 6,938,596 \$ 6,943,272

Control Total \$ 4,676

General

Fund

Expense

Contribution to Other Funds

A9901.94 Contribution to County Road Fund \$ 6,938,596 \$ 6,943,272

1990 Contingent Fund

A1990.4444 Contingent Fund 532,269 527,593

Control Total

\$ 7,470,865

\$ 7,470,865

AYES – 1500 NAYS – 0

RESOLUTION NO. 342-10

AUTHORIZING THE MODIFICATION OF THE 2010 COUNTY BUDGET

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

General Fund

<u>Expense</u>	<u>From</u>	<u>To</u>
<u>Health Insurance Expense</u>		
A1010.811 Legislative Board	\$ 234,021	\$ 228,814
A1040.811 Clerk of the Board	26,156	26,773
A1165.811 District Attorney	66,829	98,485
A1325.811 Treasurer	108,130	108,596
A1355.811 Assessment	17,812	26,963
A1410.811 County Clerk	134,874	138,856
A1420.811 County Attorney	37,144	36,238
A1430.811 Personnel & Civil Service	62,672	67,910
A1450.811 Board of Elections	41,808	46,056
A1480.811 Public Information	5,494	5,680
A1620.811 County Buildings	87,803	87,379
A1670.811 Central Printing & Supply	10,988	11,358
A1680.811 Information Technology	97,585	89,811
A2960.811 Preschool Special Education	-	5,251
A2961.811 Early Intervention Program	19,693	24,037
A3020.811 Communications Center	114,454	130,943
A3110.811 Sheriff Department	282,405	308,054
A3140.811 Probation	136,733	130,795
A3150.811 Correctional Facility	488,564	572,006
A3315.811 Special Traffic Programs-STOP DWI	10,331	10,548
A3410.811 Fire Control-Emergency Preparedness	10,331	10,548
A4010.811 Public Health Administration	105,898	115,114
A4012.811 Public Health Preventive	93,721	103,380
A4013.811 Public Health Home Care	286,267	294,010
A4090.811 Public Health Environmental	90,493	90,107
A4306.811 Mental Health Clinic Children	38,763	53,556
A4308.811 Mental Health Clinic Adult	96,399	106,007
A4309.811 Mental Health Adapt Programs	63,568	61,324

A4310.811	Mental Health Administration	76,719	74,775
A6010.811	Department of Social Services	841,934	892,778
A6510.811	Veterans Agency	31,478	29,949
A6610.811	Consumer Affairs	10,331	10,548
A7145.811	Youth Programs Administration	20,662	21,095
A7510.811	Historian	-	3,676
A8020.811	Planning	57,033	59,035
A9902.98	Contribution to Risk-Health Insurance	750,000	476,855
	Totals	<u>\$ 4,557,093</u>	<u>\$ 4,557,310</u>
	Control Total		<u><u>\$ 217</u></u>

Revenue

Special Traffic Programs-STOP DWI

A2615.1010	STOP DWI Fines	<u>\$ 167,394</u>	<u>\$ 167,611</u>
	Control Total		<u><u>\$ 217</u></u>

Risk Retention Fund

Revenue

Hospital & Medical Insurance

CS5031.5010	General Charges	\$ 3,810,000	\$ 4,083,145
CS5031.5020	Contribution from General	<u>750,000</u>	<u>476,855</u>
	Control Totals	<u><u>\$ 4,560,000</u></u>	<u><u>\$ 4,560,000</u></u>

AYES – 1500 NAYS – 0

RESOLUTION NO. 343-10

AUTHORIZING THE MODIFICATION OF THE 2010 COUNTY BUDGET

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

Risk Retention Fund

940 Workers Compensation

	<u>From</u>	<u>To</u>	
<u>Revenue</u>			
CS2801.2035	County Road Charges	\$159,838	\$241,326
CS2801.2040	Road Machinery Charges	<u>125,033</u>	<u>43,545</u>
	Control Total	<u><u>\$284,871</u></u>	<u><u>\$284,871</u></u>

County Road Fund

5199 County Road Employee Benefits

Expense

D5199.8140 Workers Compensation Expense	\$159,838	\$241,326
Control Total		<u>\$81,488</u>

5010 County Highway Administration

Revenue

D5031 Contribution from General Fund	\$6,857,108	\$6,938,596
Control Total		<u>\$81,488</u>

Road Machinery Fund

5131 Road Machinery Employee Benefits

Expense

DM5131.8140 Workers Compensation Expense	\$125,033	\$43,545
Control Total		<u>(\$81,488)</u>

5130 Road Machinery Repairs & Expense

Revenue

DM5031.10 Contribution from General Fund	\$2,036,531	\$1,955,043
Control Total		<u>(\$81,488)</u>

General Fund

9901 Contribution to Other Funds

Expense

A9901.94 Contribution to County Road Fund	\$6,857,108	\$6,938,596
A9901.9410 Contribution to Road Machinery Fund	<u>2,036,531</u>	<u>1,955,043</u>
Control Total	<u>\$8,893,639</u>	<u>\$8,893,639</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Cary:

RESOLUTION NO. 344-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT

WHEREAS, by Resolution 193-10 the Board authorized the Chairman of the Board to sign Amendment Number 4 for Agreement C302761 with the New York State Department of Environmental Conservation which modified funding for the State Assistance Contract for the Environmental Remediation Project of the Former Jerry's Service Station on Utica Street in the Village of Hamilton; and

WHEREAS, subsequently, the NYSDEC provided a substitute Amendment Number 4 adding additional language requiring the County to agree to a process for electronic payments for the project; and

WHEREAS, the assistance provided by the substitute Amendment Number 4 remains at \$17, 823 as was specified in Resolution 193-10;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is authorized to sign the substitute Amendment Number 4 for Agreement C302761 with the New York State Department of Environmental Conservation as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Suits:

RESOLUTION NO. 345-10

REQUESTING THE WAIVER OF RULE NO. 24 AND NO. 24-A

WHEREAS, Rule No. 24 requires that all resolutions intended to be moved for adoption at a regular meeting shall be filed with the Clerk not less than seven (7) calendar days prior to the meeting; and

WHEREAS, Rule No 24-A requires that all such resolutions be introduced by the Chairman of the Legislative Board having jurisdiction after having been filed with the Chairman at least ten (10) days prior to the meeting at which time it is to be introduced;

NOW, THEREFORE BE IT RESOLVED, that Rule No. 24 is hereby waived for the purpose of the introduction of resolutions for the balance of this meeting; and

BE IT FURTHER RESOLVED, that portion of Rule No. 24-A calling for all resolutions to be first filed with the Chairman of the appropriate committee ten (10) days prior to the meeting, is also hereby waived to the extent of such time limitation for the balance of this meeting; providing however, that to the extent not hereby specifically waived all such rules remain in full force and effect.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Cary:

RESOLUTION NO. 346-10

EXPRESSING OPPOSITION TO THE CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD (TMDL) REGULATORY PROPOSAL BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)

WHEREAS, clean water and healthy watersheds are a priority for New York farmers, which play a critical role in proven and successful local efforts to conserve and protect New York’s natural resources; and

WHEREAS, the U.S. Environmental Protection Agency Region 3 is implementing a Chesapeake Bay TMDL which imposes new and costly federal regulations on approximately 19 counties, 650,000 residents and 2,000 New York family farms within the NY portion of the Chesapeake Bay watershed area; and

WHEREAS, New York accounts for 10% of the total watershed area which is mostly forested (76%), is home to 4% of the total population in the watershed with agriculture (21%) being the dominant business sector; and

WHEREAS, the federally-designed TMDL, intended to limit nitrogen, phosphorous and sediment discharges into the Chesapeake Bay watershed, is now projected to cost New York State as much as \$250 million over the next 15 years, without being able to satisfy EPA's regulatory goal; and

WHEREAS, the best way to achieve the important public benefit of clean water at a regional level is through locally led conservation efforts, rather than a top-down federal, one-size-fits-all regulatory approach such as EPA's TMDL for the Chesapeake Bay watershed; and

WHEREAS, EPA's proposed TMDL regulation imposes disproportionately heavier restrictions for water quality in New York in order to help other states meet their overall TMDL goal, ignores New York's excellent record of environmental accomplishments over the past 25 years using state and local conservation efforts and forces unrealistic costs on the businesses, governments and residents within the watershed area; and

WHEREAS, even if the other states achieve their EPA mandated allocations by 2025, their water would still contain higher nutrient loads per acre than New York's current 2010 load per acre because of progressive natural resource management programs like New York State's Agricultural Environmental Management Program; and

WHEREAS, even with the elimination of animal agriculture and utilizing every best management practice available in the watershed area, New York would still not be able to meet EPA's TMDL allocation; and

WHEREAS, we object to EPA's discriminatory regulatory process that disproportionately burdens our farm communities with costly mandates, weakens our rural economies, disrupts local food systems and provides no additional water quality protection for the Chesapeake Bay watershed; and

WHEREAS, we oppose EPA increasing its federal regulatory control and usurping state and local jurisdiction and authority in order to impose their TMDL, instead of working collaboratively with State agriculture and environmental protection agencies, Soil and Water Conservation Districts and local communities to address Bay watershed water quality concerns; and

WHEREAS, we object to the fact that in order to satisfy EPA's regulatory goals without confirmation of water quality improvement, EPA has not ensured realistic delivery of needed funding and technical assistance and has not provided regulatory flexibility to allow for implementation of continually improving on-farm practices in response to site-specific environmental variables; and

WHEREAS, each and every day farmers across New York work to improve their environmental sustainability recognizing that appropriate natural resource management is critical to maintaining success of their businesses for future generations; supporting farmers in these endeavors is how government can best aid agriculture in protecting water quality; and

WHEREAS, we support state and locally driven collaborative initiatives which effectively use federal environmental funds and specifically address areas of high environmental risk and employ a farm-specific focus, such as NYS Department of Agriculture and Market's Agricultural Environmental Management Program; and

WHEREAS, we support NYS Department of Environmental Conservation's recommendations in their draft Phase I Watershed Implementation Plan which recognizes the environmental stewardship of New York farmers and inherent inequality of the current EPA proposal; and

NOW THEREFORE BE IT RESOLVED that while Madison County fully supports responsible efforts to improve water quality in the Chesapeake Bay watershed and protect our State's environment and natural resources, we object to the unfair and unattainable mandate the Chesapeake Bay TMDL forces upon our local governments, local communities and family farms; and

BE IT FURTHER RESOLVED, that Madison County urges its Congressional and State representatives to intercede with EPA, and enact superseding legislation if required, to delay implementation of the Chesapeake Bay TMDL and request that EPA report to them on their response and adaptations regarding the aforementioned concerns; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to our two United States Senators, the Honorable Charles Schumer and the Honorable Kirsten Gillibrand; to our United States Representative, the Honorable Bill Owens; to the Honorable Governor David Paterson; to our New York State Senator, the Honorable David Valesky; to our New York State Assembly Representative, the Honorable William Magee; to the Commissioner of the NYS Department of Agriculture and Markets; to the Commissioner of the NYS Department of Environmental Conservation and to EPA Region 2 Administrator Judith Enck.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 347-10

RESOLUTION CALLING ON THE NEW YORK STATE PUBLIC SERVICE COMMISSION TO REJECT NATIONAL GRID RATE INCREASE PROPOSAL

WHEREAS, National Grid, a U.S. subsidiary of the United Kingdom-based National Grid plc, has sought to impose a 20% increase in delivery charges per annum, or approximately \$396 million, which would be borne by paying customers of the power and gas monopoly residing throughout Upstate New York; and

WHEREAS, said proposed increase comes in the midst of an ongoing economic downturn and high unemployment throughout Upstate New York; and

WHEREAS, the New York State Public Service Commission did discover various questionable charges to New Yorkers within the requested \$396 million increase, including charging Upstate New York customers 73% of the costs associated with computer upgrades made exclusively in Rhode Island and Massachusetts, a \$25 million increase to cover employee bonuses, paying for employees that departed on early retirement to return as consultants and double-dip, sponsorship of the Adirondack Phantoms hockey team; and

WHEREAS, the New York State Public Service Commission did specifically condemn \$26 million in excessive and lavish charges that National Grid intended to pass on to ratepayers, including \$1,254 in shipping costs for an executive's wine collection to Europe, repair of another executive's washing machine, \$54,000 in tuition payments for private school for yet another executive's children, and \$1,200 for "cat transportation"; and

WHEREAS, David Manning, a former executive vice president, charged ratepayers \$2,179 to attend the Democratic National Convention in Denver and \$4,363 to attend the inauguration of President Barack Obama; and

WHEREAS, the median household income in Madison County County, per 2008 U.S. Census Bureau projections, is \$49,853 per annum before application of taxes; and

WHEREAS, in Cape Cod in the Commonwealth of Massachusetts, National Grid gas charges are only set to increase by 2.3% per annum, despite the median household income in Massachusetts, per 2008 U.S. Census Bureau projections, being \$65,304; and

WHEREAS, the Chairman of the New York State Senate Energy Committee, the Honorable George D. Maziarz, Senator for the 62nd District, has scheduled a committee hearing for October 19, 2010, to review both National Grid's application for increases in rates and the company's lavish spending on unjustifiable expenses to subsidize a luxurious lifestyle for National Grid plc executives; and

WHEREAS, Chairman Maziarz did state that "The timetable for the rate hike must be re-evaluated, not only in light of the questions and answers presented in the

upcoming Senate hearing, but also because the PSC and National Grid are launching their own investigations into the matter. More details are going to come to light, and the PSC must refrain from following any sort of pre-determined timetable." ; and

WHEREAS, the Honorable Charles E. Schumer, United States Senator for New York, did issue, on September 20, 2010, a letter calling upon the Public Service Commission to suspend review and action on National Grid's rate increase request until completion of a formal investigation of the utility's misspending; and

WHEREAS, Senator Schumer did state in the same letter that "National Grid's electric prices are among the highest in the nation, and have consistently been a hindrance when trying to attract or expand businesses to the region-especially ones that require a great deal of power. In 2008, residential rates were 37% higher than the national average and commercial rates were over 60% higher, according to Department of Energy statistics"; and

WHEREAS, such increases as have been sought by National Grid would further penalize the citizens of Madison County and Central New York; and

WHEREAS, it is the view of the Board of Supervisors of Madison County that the proposed increase in utility rates would be to the substantial detriment of the citizens of this county, Central New York, and all of Upstate New York, and that such detriment would go beyond those penalties already imposed through enactment of § 18-a surcharges; and

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Madison County does hereby call upon the New York State Public Service Commission to reject the increases in residential electrical and natural gas rates sought by National Grid; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Madison County calls upon the entire delegation to the New York State Legislature, and those chairmen and ranking minority members of relevant committees in the New York State Senate and Assembly, to provide letters to the Public Service Commission expressing their opposition to the National Grid increase; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Madison County does hereby commend Senator Maziarz and Senator Schumer for their actions in this matter, and does call upon their colleagues to unite behind their opposition to this unjustifiable rate hikes; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Madison County does direct that the Chairman of this body shall, either through transmission of a written statement, or through appearing in person, provide testimony, as shall be needed and/or sought, in the October 19, 2010 hearings of the State Senate Energy Committee,

including expressing the opposition of this Legislature to any rate hikes by National Grid; and

BE IT FURTHER RESOLVED, that the County of Madison shall forward copies of this Resolution to Governor David A. Paterson; U.S. Senator Charles E. Schumer; U.S. Senator Kirsten E. Gillibrand; Senator George D. Maziarz; Senator David Valesky; Assemblyman William Magee; Mr. Garry A. Brown, Chairman of the Public Service Commission; Commissioner Patricia L. Acampora; Commissioner Robert E. Curry Jr.; Commissioner Maureen F. Harris, Esq.; Commissioner James L. Larocca; Jaclyn A. Brillling, Secretary to the Commission, and all others deemed necessary and proper.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Salka:

RESOLUTION NO. 348-10

RESOLUTION IN SUPPORT OF EXPANDING THE LOCAL MEDICAID CAP TO ENCOMPASS A COMPLETE STATE TAKEOVER OF THE LOCAL SHARE OF MEDICAID COSTS TO ENSURE FURTHER PROPERTY TAX RELIEF

WHEREAS, Medicaid is a federal, state, and local health care program whose costs and administration represent the largest component of the state and local fiscal relationship in New York, currently totaling over \$51 billion annually in New York State and \$10 million in Madison County; and

WHEREAS, since the program's inception, counties across the state have struggled to fund the growth of the Medicaid local share, and even with local budget austerity measures, the program's cost has resulted in higher property taxes, higher sales taxes, and a decline in county services; and

WHEREAS, in response to the coordinated efforts of New York State Association of Counties (NYSAC) and county officials from across the state, the Governor and State Legislature included in the enacted 2005-06 state budget a local Medicaid "cap" designed to limit annual Medicaid growth to no more than 3.5 percent in 2006, 3.25 percent in 2007, and 3 percent in 2008 and years thereafter; and

WHEREAS, this Medicaid "cap" represents a significant reform in the way New York finances its Medicaid program and provides counties with a new level of stability and predictably that will benefit local taxpayers for years to come; and

WHEREAS, while the Medicaid "cap" will help shield local taxpayers from the impact of excessive Medicaid growth, counties remain concerned with the future sustainability of the Medicaid program, the effect on other state and local budget priorities, and the overall outlook for New York's economic competitiveness;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors calls for the continuation and strengthening of the Local Medicaid “cap” to stabilize county budgets and the impact the program has on local real property taxes; and

BE IT FURTHER RESOLVED that Madison County Board of Supervisors calls upon the Governor and State Legislature to continue to focus on relieving local property taxpayers of the fiscal burden of the Medicaid program by undertaking a complete state takeover of the local share of Medicaid costs through the implementation of a multi-year gradual phase down of the local sharing requirement; and

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

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 349-10

**OPPOSING UNFUNDED MANDATES IN THE GOVERNOR’S KINSHIP
GUARDIANSHIP BUDGET PROPOSAL**

WHEREAS, Kinship Guardianship can support the unique needs of children in foster care by offering relatives an opportunity to play a supportive, long-term role for dependent children, while receiving financial support; and

WHEREAS, Kinship Guardianship can be a long-term option for families, the proposal in the Governor’s Budget, in effect, creates a local government mandate by removing State financial support by funding the program through the capped Foster Care Block Grant; and

WHEREAS, an expansive Kinship care program can be a positive alternative to adoption, such a long-term permanency plan must be funded in a manner that supports its long-term costs and the State cannot decline its responsibility to children in foster care by limiting their financial support;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors calls on the Governor and the State Legislature to fund Kinship Guardianships through the existing adoption subsidy financing process in a manner consistent with permanency; and

BE IT FURTHER RESOLVED that the Board of Supervisors also recommends that the six-month minimum established in the Governor’s Kinship Guardianship proposal be extended up to 14 months in order to provide sufficient time in foster care to determine that there is no possibility the child is going to achieve reunification or

permanency through adoption, consistent with most other states that operate Kinship Guardianship programs; and

BE IT FURTHER RESOLVED that Madison County will forward copies of this Resolution to Governor David A. Paterson, the New York State Legislature and all others deemed necessary and proper.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 350-10

OPPOSING THE GOVERNOR’S BUDGET PROPOSAL TO SHIFT FEDERAL MEDICAID DISALLOWANCES TO LOCAL GOVERNMENTS

WHEREAS, Medicaid is a federal, state and local health care program whose costs and administration represent the largest component of the state and local fiscal relationship in New York, currently totaling over \$51 billion annually for New York State and \$10 million in Madison County; and

WHEREAS, the Governor’s Budget proposes to shift the cost of federal penalties and disallowances to local governments, which is inconsistent with the original 2005 Medicaid Cap agreement; and

WHEREAS, all Medicaid services provided by counties are approved as part of the Medicaid State Plan submitted by the State to the federal government; and

WHEREAS, the federal government continues to tighten its oversight of federal Medicaid spending, increasing the chances of future disallowances that are more likely to be the result of changing the rules in the middle of the process versus abuse or negligence;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors calls on the Governor and State Legislature to reject shifting federal Medicaid penalties and disallowances to local governments; and

BE IT FURTHER RESOLVED that the Madison County Board of Supervisors also urges the Governor and Legislature to not implement penalties and civil fines against local governments stemming from Medicaid audits that are largely the result of technical mistakes or had been acceptable practice at the time the Medicaid service was delivered; and

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

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Reinhardt:

RESOLUTION NO. 351-10

APPROVING THE PAYMENT OF CLAIMS

RESOLVED, that the claims presented to this Board by the Clerk, having been duly audited, be and the same hereby are authorized to be paid by the Treasurer upon receipt of a copy of the abstract of audited claims attested by the Clerk.

ADOPTED: AYES – 1500 NAYS – 0

PUBLIC COMMENT PERIOD

No speakers.

A reminder by Chairman Becker that the next scheduled meeting will be the 1st Day of Annual Session – Monday, Nov. 8, 2010.

On motion by Supervisor Degear, seconded by Supervisor Coye, the Board adjourned.