

**MADISON COUNTY BOARD OF SUPERVISORS**  
**Meeting – Tuesday, August 12, 2014**

The Board convened at 2:00 p.m. in the Supervisors chambers, second floor, County Office Building, Wampsville, New York with all members present.

Pledge of Allegiance.

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

**COMMUNICATIONS**

1. Copy of a resolution sent from Seneca County – Recognizing New York State's First Invasive Species Awareness Week.
2. Copy of a resolution sent from Wayne County – Opposing the Adoption and Implementation of Plan2014 which will cause catastrophic damage to the Lake Ontario Shoreline.

**REPORTS**

1. Madison County Occupancy Tax Receipts/Expenditures for Quarter 4/1/14 – 6/30/14.

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services, WIA/JTPA and Madison County Sewer District:	\$ 3,438,152.24
Miscellaneous Accounts:	\$ 1,530,815.30

**RESOLUTIONS**

**By Supervisor Degear:**

**RESOLUTION NO. 227-14**

**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 an upcoming retirement is in order,

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Susan Frank, Lana Zophy and Roxanne Jackson upon their retirement.

Susan I. Frank	County Attorney's	1984 - 2014
Lana M. Zophy	Sheriff's	1988 - 2014
Roxanne Jackson	Board of Elections	2010 - 2014

**ADOPTED: AYES – 1500 NAYS – 0**

Chairman Becker called on County Attorney John Campanie and retiree Sue Frank to step forward. Mr. Campanie thanked Mrs. Frank for her many years of dedicated service to the county, pointing out that the success of the office is a result of her expertise, knowledge and efficiency, making sure everything is handled professionally, being the cornerstone of the office. Sue was presented a gift and was wished a happy retirement and will be missed by all. Also stepping forward was Undersheriff John Ball accepting a gift for Lana Zophy who could not be present today. Also accepting a gift for her service to the county was Roxanne Jackson which was presented by Election Commission Lynne Jones.

**RESOLUTION NO. 228-14**

**AUTHORIZING THE CHAIRMAN TO RENEW  
AN AGREEMENT WITH LOCEY & CAHILL, LLC**

**WHEREAS**, Madison County provides Medicare-eligible retirees with prescription drug benefits that are equivalent or better than those that would otherwise be provided by Medicare; and

**WHEREAS**, the Federal government makes subsidy assistance payments to the County for each Medicare Part D eligible retiree enrolled in the County's prescription drug plan and not enrolled in Medicare Part D; and

**WHEREAS**, the County is in the process of applying for a retiree drug subsidy in accordance with the Medicare Part D program for plan year 2014, anticipating budgeted revenue of \$112,000; and

**WHEREAS**, the County requires professional consulting services to continue with the application process; and

**WHEREAS**, Locey & Cahill, LLC, has the technical and professional ability to prepare the actuarial attestation statement, prepare the actuarial certification of creditable coverage, coordinate cost reporting with the pharmacy benefit manager, and coordinate the filing of the application for the County; and

**WHEREAS**, Locey & Cahill, LLC, has submitted a proposal to provide these health benefits consulting services for plan year 2014 for a fee of \$2,500, which represents no increase in their fee from the previous year; and

**WHEREAS**, appropriations for these services have been included in the 2014 Adopted County Budget account A9061.8609; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be, and hereby is, authorized to enter into an agreement on behalf of the County of Madison with Locey & Cahill, LLC, in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 229-14**

**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 Pharmacia, in the amount of Two Million Three Hundred Eight Thousand Three Hundred Three and 00/100 dollars (\$2,308,303.00), Madison County's distribution after expenses being Seven Hundred Thirty-Eight and 73/100 dollars (\$738.73); 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 settlement set forth above in full satisfaction of the claims against Pharmacia, and that the Chairman of the Board of Supervisors be and hereby is authorized to execute any necessary paperwork with regard to the acceptance of these amounts.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 230-14**

**CREATING ONE PART-TIME POSITION IN THE  
SOLID WASTE DEPARTMENT AND INCREASING THE HOURS AND SALARY OF AN  
EXISTING POSITION**

**WHEREAS**, the Director of Solid Waste Management has developed a comprehensive management plan which includes an increase in recycling staffing levels in order to augment and enhance Madison County's ability to handle research and educational outreach programs, and to meet deadlines and requirements of regulatory agencies; and

**WHEREAS**, the department currently has one (1) full-time Recycling Coordinator position being shared by two (2) employees, whose combined hours worked equal 37.5 hours per week; and

**WHEREAS**, the Director of Solid Waste Management wishes to increase the number of hours worked by one of the incumbents of said position; and

**WHEREAS**, in order to accommodate the increase in hours, it is necessary to create one (1) additional part-time Recycling Coordinator position; and

**WHEREAS**, the incumbent of said part-time position will be paid an hourly rate of \$21.56, working not more than 15 hours per week; and

**WHEREAS**, the incumbent of the existing position shall increase hours worked from 22.5 hours to 30 hours per week which will increase the current salary of \$22,581 to \$30,108 annually; and

**WHEREAS**, the additional salary will be funded from appropriations in the 2014 Solid Waste Department budget; and

**WHEREAS**, this request has been reviewed and approved in accordance with the vacancy review procedure by the Solid Waste and Recycling, and Government Operations Committees,

**NOW, THEREFORE BE IT RESOLVED** that one (1) permanent part-time Recycling Coordinator position be and hereby is created; and

**BE IT FURTHER RESOLVED** that the salaries as stated be established effective August 25, 2014.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO.231-14**

**ESTABLISHING A STIPEND FOR THE ADMINISTRATIVE ASSISTANT TO THE COUNTY ATTORNEY TO PROVIDE ADMINISTRATIVE ASSISTANCE FOR THE ASSIGNED COUNSEL PROGRAM FOR 2014**

**WHEREAS**, the Board of Supervisors has appointed Tina Wayland-Smith, First Assistant County Attorney as the Administrator of the plan to provide counsel for indigent defendants; and

**WHEREAS**, the Confidential Secretary to the County Attorney has been providing administrative and clerical assistance for the assigned counsel programs and receives an annual stipend in the amount of \$5,000 for providing such services; and

**WHEREAS**, the current Confidential Secretary to the County Attorney is retiring and it is recommended that her responsibilities regarding the assigned counsel plan now be undertaken by the Administrative Assistant to the County Attorney; and

**WHEREAS**, the Government Operations committee has reviewed and approved a request that the stipend currently provided to the Confidential Secretary now be provided to the Administrative Assistant to the County Attorney to perform these responsibilities,

**NOW, THEREFORE BE IT RESOLVED** that a stipend for administrative and clerical assistance for the assigned counsel programs be and hereby is established for the Administrative Assistant to the County Attorney at the annual rate of \$5,000 payable on a monthly basis for the balance of 2014.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 232-14**

**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.

<b>ITEM</b>	<b>DEPARTMENT</b>	<b>MILEAGE</b>	<b>CONDITION</b>
2006 Chevy Impala Police (SH5286)	SHERIFF	167410	FAIR -
2009 Chevy Impala Police (SH6671)	SHERIFF	171002	FAIR
2006 Ford 500 (SH9244)	SHERIFF	95018	POOR
1978 JFW Trailer (WAM020)	HIGHWAY	N/A	POOR
(2)-Wooden Ladders	HIGHWAY	N/A	POOR
Table Saw	HIGHWAY	N/A	FAIR
(2)-G244 R22.5 Tires	HIGHWAY	N/A	POOR
(3)- 9-14.5-12 Tires	HIGHWAY	N/A	FAIR
Misc Tire Tubes	HIGHWAY	N/A	UNKNOWN
(8)-5.00-8 Tires	HIGHWAY	N/A	NEW
(1)-6.5-10 Tire	HIGHWAY	N/A	FAIR
A/C Unit	HIGHWAY	N/A	FAIR
Amp Meter (old)	HIGHWAY	N/A	FAIR
R12 A/C Leak Sniffer	HIGHWAY	N/A	FAIR
(2)-Spreader Pans	HIGHWAY	N/A	POOR
Gradall Diesel Motor	HIGHWAY	N/A	POOR

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Stepanski:**

**RESOLUTION NO. 233-14**

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH MORRISVILLE STATE NURSING PROGRAM**

**WHEREAS**, Madison County Public Health Department is duly licensed to operate both the Home Care Service Agency and the Diagnostic and Treatment Center; and

**WHEREAS**, the Public Health Department employs registered nurses to provide home visits to County residents; and

**WHEREAS**, Morrisville State desires to have nursing students receive clinical field work experience with Madison County registered nurses; and

**WHEREAS**, Madison County Health Department is willing to accept nursing students to work with their registered nurses to gain field experience; and

**WHEREAS**, this joint project has been reviewed and approved by the Health and Human Services Committee,

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter the agreement between Madison County Department of Health and Morrisville State effective August 1, 2014 through June 30, 2017, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 234-14**

**AUTHORIZING THE MODIFICATION OF AN AGREEMENT WITH DR. SEELAN NEWTON**

**WHEREAS**, Dr. Newton entered an agreement on January 2, 2014 for medical consultant services; and

**WHEREAS**, Madison County Department of Health requires physician consulting services for public health concerns on a medical level; and

**WHEREAS**, the need to modify Dr. Newton's Scope of Services has been identified and modified to meet the needs of the Health Department; and

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

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to modify an agreement with Dr. Seelan Newton, effective immediately through the end of the contract on December 31, 2014, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS - 0**

**By Supervisors Stepanski and Reinhardt:**

**RESOLUTION NO. 235-14**

**AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET**

**WHEREAS**, Madison County Public Health Department accepted the grant renewal of the Children with Special Health Care Needs budget and work plan for the period of October 1, 2013 –September 30, 2014 by Resolution #408-13 on December 6, 2013; and

**WHEREAS**, the New York State Department of Health has awarded a cost of living adjustment (COLA) of \$776 to be expended between April 1, 2014 and March 31, 2015; and

**WHEREAS**, these funds will be used for expenditures associated with the recruitment and retention of staff or other critical non-personal service costs as well as non-personal services to accomplish the goals of the grant; and

**WHEREAS**, the Health and Human Services Committee supports the Health Department's involvement in this initiative,

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors hereby approves this resolution; and

**BE IT FURTHER RESOLVED**, that the 2014 Adopted County Budget be modified as follows:

Public Health Department

**A2961 Early Intervention**

**Expense**

	<u>From</u>	<u>To</u>
A2961.4103 CSHCN Grant Expense	\$ 2,355	\$ 3,131
Control Total		\$ 776

**Revenue**

A4489.1020 Federal Grant CSHCN Grant	\$22,095	\$22,871
Control Total		\$ 776

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 236-14**

**AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET**

**WHEREAS**, Madison County Public Health Department accepted the grant renewal of the Immunization Action Plan budget and work plan for the period of April 1, 2014 –March 31, 2015 by Resolution #200-14 on July 8, 2014; and

**WHEREAS**, the New York State Department of Health has awarded a cost of living adjustment (COLA) of \$2,945 to be expended between April 1, 2014 and March 31, 2015; and

**WHEREAS**, these funds will be used for expenditures associated with the recruitment and retention of staff or other critical non-personal service costs as well as non-personal services to accomplish the goals of the grant; and

**WHEREAS**, the Health and Human Services Committee supports the Health Department's involvement in this initiative,

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors hereby approves this resolution; and

**BE IT FURTHER RESOLVED**, that the 2014 Adopted County Budget be modified as follows:

Public Health Department

**A4012 Prevent**

**Expense**

	<u>From</u>	<u>To</u>
A4012.41031 Immunization Grant Expense	\$ 9,199	\$12,144
Control Total		\$ 2,945

<b>Revenue</b>			
A3401.1050	St. Aid PH Immun Grant	\$24,028	\$25,795
A4401.1050	Fed. Aid PH Immun Grant	<u>\$16,019</u>	<u>\$17,197</u>
	Total	<u>\$40,047</u>	<u>\$42,992</u>
	Control Total		<u>\$ 2,945</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 237-14**

**AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET FOR A PUBLIC HEALTH PREPAREDNESS GRANT**

**WHEREAS**, the Madison County Department of Health has been working on Public Health Preparedness by implementing emergency procedures and has successfully completed the past work plans through Health Research; and

**WHEREAS**, Resolution 130-13, was approved on May 14, 2013 for the grant period extension to June 30, 2017; and

**WHEREAS**, Health Research Inc., has approved the 2014-2015 budget in the amount of \$52,096 from July 1, 2014 through June 30, 2015; and

**WHEREAS**, the Board of Health and Health and Human Service Committee believes it is appropriate and in the best interest of Madison County to modify the grant funds and to accomplish the required work for Public Health Emergency Preparedness,

**NOW, THEREFORE BE IT RESOLVED**, that the 2014 Adopted County Budget be modified as follows:

**Public Health Department**  
**A4016 Federal and State Grants**

<u>Expense</u>		<u>From</u>	<u>To</u>
A4016.4911	Emergency Preparedness Expense	\$11,435	<u>\$26,493</u>
	Control Total		<u><b>\$15,058</b></u>

<u>Revenue</u>			
A4489.4010	Federal Aid – Emergency Prep.	\$49,481	<u>\$64,539</u>
	Control Total		<u><b>\$15,058</b></u>

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 238-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR NURSING SERVICES**

**WHEREAS**, the County Mental Health Department is required to provide nursing services for certain of its clients; and

**WHEREAS**, these services have regularly been provided on a part-time contractual basis; and

**WHEREAS**, there is a current need for a licensed practical nurse to provide health monitoring to clients who attend the Outpatient Mental Health Clinic; and

**WHEREAS**, the 2014 Mental Health budget provides funds for the purchase of nursing services,

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be hereby authorized to enter into a staffing agreement with Express Employment Professionals for the provision of services to the Mental Health Department at a rate of \$29.94/hour, said rate to be effective August 1, 2014 to December 31, 2014, and a copy of the agreement is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Stepanski & Reinhardt:**

**RESOLUTION NO. 239-14**

**AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT MODIFICATION AND MODIFYING THE 2014 ADOPTED COUNTY BUDGET**

**WHEREAS**, OASAS has approved one-time funding for Liberty Resources Alcohol Community Residence Program (Maxwell House) for purchase of various household items; and

**WHEREAS**, these additional funds result in 100% State Aid for 2014 to Liberty Resources, Inc.,

**NOW, THEREFORE, BE IT RESOLVED** that the 2014 Adopted County Budget be modified as follows:

**General Fund**

**4316 Mental Health - Liberty Resources**

	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A3490.3083 St. Aid Liberty Resources	285,994	289,494
Control Total		<u>\$ 3,500</u>

Expense

A4316.4276 Liberty Resources-Halfway	285,994	289,494
Control Total		<u>\$ 3,500</u>

**BE IT FURTHER RESOLVED**, that the Chairman of the Board be hereby authorized to execute a modification agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2013 through December 31, 2014 with Liberty Resources, Inc.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 240-14**

**AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT MODIFICATION AND  
MODIFYING THE 2014 ADOPTED COUNTY BUDGET**

**WHEREAS**, the Office of Alcoholism and Substance Abuse (OASAS) has approved one-time funding for Madison County Council on Alcoholism & Substance Abuse, Inc. (**dba, BRIDGES**) for moving expenses; and

**WHEREAS**, these additional funds result in 100% State Aid for 2014 to Madison County Council on Alcoholism & Substance Abuse, Inc.,

**NOW, THEREFORE, BE IT RESOLVED** that the 2014 Adopted County Budget be modified as follows:

**General Fund**

<u>4250 Madison County Council on Alcohol &amp; Drugs</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A3490.1020 St. Aid MCCASA	\$ -0-	\$ 7,830
Control Total		<u>\$ 7,830</u>
<u>Expense</u>		
A4250.4271 Council on Alcohol & Drugs	\$291,289	\$299,119
Control Total		<u>\$ 7,830</u>

**BE IT FURTHER RESOLVED**, that the Chairman of the Board be hereby authorized to execute a modification agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2014 through December 31, 2014 with Madison County Council on Alcoholism & Substance Abuse, Inc. (dba, BRiDGES) .

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Stepanski:**

**RESOLUTION NO. 241-14**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH BERKSHIRE FARM  
CENTER AND SERVICES FOR YOUTH**

**WHEREAS**, the Department of Social Services is mandated to provide preventive services to at-risk children and families designed to prevent foster care placements and to reduce the lengths of costly foster care and residential placements; and

**WHEREAS**, the Department of Social Services has had success in the past several years in providing intensive preventive services for Persons in Need of Supervision (PINS) and their families so would now like to expand to other high-needs individuals; and

**WHEREAS**, the Madison County Department of Social Services has experienced costly Juvenile Delinquent (JD) placements for several years; and

**WHEREAS**, this intensive preventive service program is based on sound evidence-based practices and is effective in other counties around New York State; and

**WHEREAS**, this program worked with 30 youth in the past year with over ninety percent (90%) of them avoiding subsequent placement in detention or residential care; and

**WHEREAS**, Berkshire Farm Center and Services for Youth, has the recognized capacity to provide these services and has offered to do so for an amount not to exceed \$132,135 for the period September 1, 2014, to August 31, 2015; and

**WHEREAS**, upon Board of Supervisors' approved Resolution Number 249-12, Madison County applied for and was awarded a grant through the New York State Division of Criminal Justice Services (DCJS) to work with youth charged with Juvenile Delinquency; and

**WHEREAS**, ninety percent (90%) of the funds necessary for this program will be provided through a grant with the New York State Division of Criminal Justice Services, which will total \$118,921; and

**WHEREAS**, of the remaining ten percent (10%) of the funds necessary for this program (\$13,214), sixty-two percent (62%) of those funds (\$8,192) will be provided through the Supervision and Treatment Services for Juveniles Program from New York State such that only \$5,022 will need to be provided through local county funds; and

**WHEREAS**, this agreement has been reviewed and approved by the Health and Human 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 Berkshire Farm Center and Services for Youth in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Henderson:**

**RESOLUTION NO. 242-14**

**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 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, Eaton Town

Building, Fenner Town Hall, Georgetown Town Hall, Hamilton Public Library, Earlville Village Office, Poolville Community Center, 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 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.

**ADOTPED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 243-14**

**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, 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 Lincoln Fire House (2010) using funding from the HAVA Polling Place Access Improvement Grant; and

**WHEREAS**, the Agreement with the polling site owner regarding the Lincoln Fire House is 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 Agreement for 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 – 1500 NAYS – 0**

**RESOLUTION NO. 244-14**

**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, Bridgeport Firehouse 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 – 1500 NAYS - 0**

**By Supervisor Bradstreet:**

**RESOLUTION NO. 245-14**

**AUTHORIZING AN AGREEMENT  
WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES**

**WHEREAS**, Madison County has been awarded state aid of \$2,805 for its Pretrial Services Program for the period from July 1, 2014 to June 30, 2015 and;

**WHEREAS**, the Criminal Justice, Public Safety and Telecommunications Committee has reviewed and approved such contract,

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized to execute a contract for receipt of the state aid with the State of New York, Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 246-14**

**AUTHORIZING THE CHAIRMAN AND THE SHERIFF TO ENTER INTO AN AGREEMENT TO PROVIDE SUPPLEMENTAL LAW ENFORCEMENT SERVICES WITH ALLMAN PROMOTIONS LLC (MADISON BOUCKVILLE BIG FIELD ANTIQUES SHOW)**

**WHEREAS**, Allman Promotions, LLC (AKA Madison Bouckville Big Field Antiques Show) has requested supplemental law enforcement services and the Madison County Sheriff is willing and able to provide members and vehicles for such supplemental law enforcement services; and

**WHEREAS**, the Madison County Sheriff will provide the services outlined in Schedule A of the Agreement for a rate of \$85.00 per hour, with the fee for services estimated at \$4,760 for the duration of the event, scheduled for August 15-17, 2014, payable in accordance with the agreement, attached hereto and made a part thereof; and

**WHEREAS**, the term of the contract is August 15 – 17, 2014 unless terminated earlier; and

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

**NOW, THEREFORE BE IT RESOLVED**, that the Sheriff and the Chairman of the Board of Supervisors be and hereby are authorized to enter into an agreement with Allman Promotions, LLC (AKA Madison Bouckville Big Field Antiques Show) for the provision of supplemental law enforcement services, in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Bradstreet & Reinhardt:**

**RESOLUTION NO. 247-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND MODIFYING THE 2014 COUNTY BUDGET**

**WHEREAS**, Madison County has been awarded a grant for \$43,300 by the New York State Division of Criminal Justice Services (DCJS), and

**WHEREAS**, these funds will provide 100% state reimbursement of eligible costs incurred in the effort to support Madison County; and this grant program is described as follows:

Awarding Agency:	New York State Division of Criminal Justice Services
Project ID #	IM13-1036-EOO
Program Name	IMPACT Tools
Grant Period:	4/1/14 to 3/31/15
Contract #	T464255
State Funds:	100%
Grant Total:	\$43,300

**NOW THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with the NYS Division of Criminal Justice Services a copy of which is on file with the Clerk of the Board, and

**BE IT FURTHER RESOLVED**, that the 2014 Adopted County Budget be modified as follows:

**General Fund**

**3110-Sheriff Department**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A3110.2106 Video Equipment – Vehicle	\$40,000	\$81,300
A3110.4443 Computer Software Maintenance	<u>7,000</u>	<u>9,000</u>
	\$47,000	\$90,300
Control Total		<u>\$43,300</u>

**Revenue**

A3389.3530 St Aid-NYSDCJ Grants	\$ 0	\$43,300
	\$ 0	\$43,300
Control Total		<u>\$43,300</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 248-14**

**AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET**

**WHEREAS**, all across the State, county jails have seen an increase in the jail populations due to the recent climb of drug related incidents and mental health issues; and

**WHEREAS**, the Madison County jail is at its maximum capacity and has had to house inmates at outside facilities; and

**WHEREAS**, with the increase of the jail population comes an increase in jail services. Currently, the accounts for inmate medical and personal care expenses and prescriptions expenses have been depleted and the Appropriate Fund Balance will need to be used,

**NOW, THEREFORE, BE IT RESOLVED** that the 2014 Adopted County budget be modified as follows:

**General Fund**

**3150 Sheriff-Correctional Facility**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A3150.450 Prescriptions	\$140,000	\$208,000
A3150.452 Medical & Personal Care Expense	<u>105,000</u>	<u>210,000</u>
Totals	<u>\$245,000</u>	<u>\$418,000</u>
Control Total		<u>\$173,000</u>
<b>A599 Appropriated Fund Balance</b>	<u>\$5,442,397</u>	<u>\$5,615,397</u>
Control Total		<u>\$173,000</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 249-14**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT  
WITH THE NEW YORK STATE CANAL CORPORATION  
AND MODIFYING THE 2014 COUNTY BUDGET**

**WHEREAS**, Madison County has received a 2014 Marine Patrol Grant through the New York State Canal Corporation; and

**WHEREAS**, this State Awards Grant is identified as follows:

Awarding Agency:	New York State Canal Corporation
Program Name:	2014 Marine Patrol Grant
Award Year:	April 1, 2014 – March 31, 2015
Contract No.:	C010267
Total Grant Amount:	\$17,953.98

**WHEREAS**, the funding agencies have approved the following budget for this project during project year 04/01/14 – 03/31/15:

**General Fund**

<b><u>Expense</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
A3389.13 Personal Services Grant	\$ 0	\$ 12,022
A3989.4111 Tuition/Lodging Bicycle Patrol Training	0	1,020
A3989.810 Allocation of Fringe Benefits	<u>0</u>	<u>4,912</u>
Control Total	<u>\$ 0</u>	<u>\$ 17,954</u>
Revenue		
A3389.3540 SA Bicycle Patrol Law Enforcement	<u>\$ 0</u>	<u>\$17,954</u>
Control Total		<u>\$17,954</u>

**NOW THEREFORE BE IT RESOLVED** that the Chairman of the Board be authorized to execute an agreement, a copy on file with the clerk for participation in this grant; and

**BE IT FURTHER RESOLVED** that the 2014 County Budget be modified in accordance with this project budget.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Salka:**

**RESOLUTION NO. 250-14**

**APPOINTING A MEMBER TO THE MADISON COUNTY  
REVOLVING LOAN FUND COMMITTEE**

**WHEREAS**, a vacancy was created on Madison County’s Revolving Loan Fund Committee due to the departure of a Loan Committee member; and

**WHEREAS**, the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee has recommended the appointment of Tara Ashton of NBT Bank to fill the vacancy on the Committee,

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors does hereby appoint Tara Ashton, to the Revolving Loan Fund Committee to serve at the pleasure of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 251-14**

**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. 252-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH GHD FOR PROPERTY EVALUATION SERVICES - NEAL**

**WHEREAS**, the Madison County Treasurer's delinquent tax staff does a property inspection of each parcel prior to taking title for nonpayment of delinquent taxes; and

**WHEREAS**, there is a parcel of land in the Town of Lincoln with a physical address of 4485 Clockville Road and which is identified by MAP# 45.13-1-14; and

**WHEREAS**, the Madison County Highway Superintendent and the Deputy Highway Superintendent are in great need of this parcel of land for bridge work; and

**WHEREAS**, the Highway Department has no use for the buildings on the property and the neighbors have cited sewage issues, and

**WHEREAS**, Madison County would like a Phase I done on the parcel and GHD has the staff and the expertise to assist the County in this evaluation; and

**WHEREAS**, the monies to pay for the evaluation are in the 2014 Madison County budget and we have an executed contract with GHD through May 1, 2015 on file with the Clerk of the Board; and

**WHEREAS**, the Planning, Economic Development and Environmental Affairs Committee has reviewed the proposal of GHD and has recommended the County enter into an agreement with GHD, for property evaluation services for this parcel; and

**WHEREAS**, the Finance Ways and Means Committee concurs with said recommendation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors authorize the Chairman of the Board to enter into an agreement with GHD for property evaluation services for 4485 Clockville Road, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Bono:**

**RESOLUTION NO. 253-14**

**CONTROL OF SNOW AND ICE ON COUNTY ROADS**

**WHEREAS**, the County of Madison entered into an Agreement with the Towns of the County of Madison on October 12, 1982, for Control of Snow and Ice on the County Road System in accordance with the terms and provisions of said agreement; and

**WHEREAS**, the Highway, Buildings and Grounds Committee met on July 16, 2014 and recommended to continue the current payment policy to the Towns; and

**WHEREAS**, the current payment policy is based on a per lane mile cost of \$16.84 starting October 1, 2014 and ending April 30, 2015; and

**WHEREAS**, the Agreement also includes a loader rate of \$120.00 per hour for snow bank removal under certain circumstances; and

**WHEREAS**, the Agreement for payment has been included in the Madison County Highway Budget for 2014 and 2015,

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby authorizes the County Highway Superintendent to execute said Agreement on behalf of the County.

**On motion by Supervisor Degear, seconded by Supervisor Moses this resolution was TABLED.**

**RESOLUTION NO. 254-14**

**AUTHORIZING THE CHAIRMAN TO EXECUTE A LICENSE AGREEMENT**

**WHEREAS**, for several years the Mohican Model A. Ford Club, Inc. (the "Club") has utilized the Wampsville Fireman's Field for their annual car show;

**WHEREAS**, the County is in the process of purchasing a portion of the Wampsville Fireman's Field and anticipates closing prior to the Club's September 2014 car show;

**WHEREAS**, the Club wishes to utilize a portion of the lands of the County in the Village of Wampsville, for the Club's annual car show to be held September 7, 2014; and

**WHEREAS**, it is in the public interest that the Club be permitted to use such premises, and that same constitutes a public use,

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman be and is hereby authorized to sign a Revocable License with the Mohican Model A. Ford Club, Inc. in the form as is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 255-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR ELEVATOR SERVICES**

**WHEREAS**, the Madison County Building Maintenance Department maintains an elevator in the County Office Building at 138 North Court Street, Wampsville, that serves three stories in that building; and

**WHEREAS**, that elevator, installed in 1969, was last upgraded in the mid-1980s and is becoming increasingly difficult to service and repair due to the scarcity of parts and controls; and

**WHEREAS**, there has been an increase in breakdowns resulting in limitations of access to public services located on other floors of the County Office Building

**WHEREAS**, this scheduled modernization will provide increased reliability and minimize unplanned service interruptions in the future, creating the least amount of disruption to staff and the public; and

**WHEREAS**, Otis Elevator will perform the work required by the specifications published in the bid documents for the amount of \$ 52,550, and has been determined to be the lowest responsible bidder; and

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

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

**Supervisor Bono offered an amendment to this resolution filling in the blanks with Otis Elevator and the amount of \$52,550, seconded by Supervisor Degear and carried by unanimous vote. A final vote with amendments was then taken as follows:**

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Bono and Reinhardt:**

**RESOLUTION NO. 256-14**

**AUTHORIZING THE MODIFICATION OF 2014 COUNTY BUDGET**

**RESOLVED**, that the 2014 Adopted County Budget be modified as follows:

**Road Machinery Repairs & Expense Fund**

**5130 Road Machinery Fund**

**Expense**

		<u>From</u>	<u>To</u>
DM5130.2905	10-Wheel Dump Truck	430,000	425,500
DM5130.2910	Equipment Trailer 50-Ton	101,563	61,563
DM5130.2911	Hot Water Pressure Washer	7,700	5,415
DM5130.2912	Brush Chipper	0	44,500
DM5130.4846	Safety Inspections/Requirements	9,500	11,785
	Control Total	<u>\$548,763</u>	<u>\$548,763</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Bono, Reinhardt and Degear:**

**RESOLUTION NO. 257-14**

**ESTABLISHING THE SALARY FOR A  
HIGHWAY OPERATIONS MANAGER POSITION AND  
AUTHORIZING THE MODIFICATION OF THE 2014 COUNTY BUDGET**

**WHEREAS**, the Madison County's Highway Department's Highway Operations Manager position has been vacant since 2013 following a retirement; and

**WHEREAS**, the County Highway Superintendent wishes to fill said vacancy at this time; and

**WHEREAS**, this request has been reviewed and approved in accordance with the vacancy review procedure by the Highway Buildings and Grounds, Finance, Ways and Means and Government Operations Committees,

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the County Highway Superintendent be and hereby is authorized to fill said position at a 2014 salary not to exceed \$57,712 in accordance with Civil Service Law and Rule effective immediately; and

**BE IT FURTHER RESOLVED**, that the 2014 Adopted County Budget be modified as follows:

**County Road Fund**

**5110 Maintenance of Roads and Bridges**

**Expense**

	<u>From</u>	<u>To</u>
D5110.1001 Highway Operations Manager	\$ -0-	\$ 23,311
D5110.1005 Salary & Wages	<u>1,146,672</u>	<u>1,123,361</u>
Control Totals	<u>\$1,146,672</u>	<u>\$1,146,672</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Goldstein:**

**RESOLUTION NO. 258-14**

**AUTHORIZING 5-YEAR SOLID WASTE DISPOSAL AGREEMENT WITH  
COMMERCIAL PERMIT HOLDERS**

**WHEREAS**, in order to continue to retain solid waste and recyclables within the County's existing system to ensure the proper management and disposal of all waste generated in the County; and

**WHEREAS**, in order to provide further long-term stability for the solid waste management system to support all of the costs associated with recycling and environmentally responsible solid waste management, including the Landfill Expansion Project, without the use of taxpayer funding; and

**WHEREAS**, in order to provide long-term price stability to haulers and residents of the County; and

**WHEREAS**, the contract for Haulers will provide for a lower tip fee than the tip fee for Haulers who do not enter into contracts with the County for disposal of all waste and recyclables at the County facilities,

**NOW, THEREFORE, BE IT RESOLVED**, that Madison County be permitted to enter into a 5-year Solid Waste Disposal Agreement with Commercial Permit Holders that are willing to deliver both solid waste and recyclables to the Madison County Landfill and Recycling Facility in accordance with provisions of the Solid Waste Disposal Agreement, a copy of such Agreement is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, the Solid Waste Disposal Agreement shall cover the period from January 1, 2011 through December 31, 2015; and

**BE IT FURTHER RESOLVED**, that the Commercial Permit Holders listed below are hereby permitted to enter into a Solid Waste Disposal Agreement, and that the Chairman of the Board of Supervisors is authorized to execute such Solid Waste Disposal Agreement on behalf of Madison County with the following Commercial Permit Holders:

1. BRIAN ENDERS CONSTRUCTION & REMODELING LLC.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Goldstein, Salka and Reinhardt:**

**RESOLUTION NO. 259-14**

**AUTHORIZING THE CHAIRMAN TO ACCEPT A \$4 MILLION DOLLAR GRANT FROM  
EMPIRE STATE DEVELOPMENT FOR WATER AND SEWER INFRASTRUCTURE SERVING  
THE ARE PARK**

**WHEREAS**, the New York State Urban Development Corporation d/b/a Empire State Development ("ESD") by letter dated July 14, 2014 notified Madison County that it is eligible for a Four Million Dollar (\$4,000,000.00) grant to reimburse a portion of the County's costs of

developing a water line and sewer line serving the landfill complex and ARE Park located on Buyea Road in the Town of Lincoln; and

**WHEREAS**, in accordance with the terms and conditions of the ESD incentive agreement the County must commit to contributing at minimum 10% of the total project cost or Six Hundred Thirty Five Thousand Six Hundred Dollars (\$635,600.00) along with a 1% commitment fee (\$40,000.00) as well as application fees and expense reimbursements for a grand total financial commitment of Six Hundred Seventy Six Thousand Six Hundred and Fifty Dollars (\$676,650.00) for the combined water and sewer projects; and

**WHEREAS**, the grant further requires compliance with various New York State laws and policies with respect to non-discrimination, contractor & supplier diversity, environmental, historic preservation and smart growth reviews; and

**WHEREAS**, to accept the grant the County must agree to the terms and conditions of the grant and affirm its intent to perform the projects in compliance with New York State and ESD policies and programmatic requirements.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors is hereby authorized and directed to accept ESD's incentive Proposal and execute the required affirmation dated July 14, 2014 by execution of same; and

**BE IT FURTHER RESOLVED**, that the County shall proceed with the water and sewer projects as planned including the expenditure of at minimum Six Hundred Seventy Six Thousand Six Hundred and Fifty Dollars (\$676,650.00) as required by the grant agreement for the combined water and sewer projects.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Goldstein & Reinhardt:**

**RESOLUTION NO. 260-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO CONTRACTS FOR ENGINEERING AND LEGAL SERVICES IN CONNECTION WITH THE FINANCING FOR THE SEWER LINE SERVING THE COUNTY LANDFILL AND ARE PARK**

**WHEREAS**, the New York State Environmental Facilities Corporation (“EFC”) has approved Madison County’s application and engineering design report for a \$3,375,000 loan to construct a 3.2 mile sewer line connecting the County solid waste facilities and ARE Park located on Buyea Road in the Town of Lincoln to the City of Oneida sewer system at the five corners intersection of Route 5 and Upper Lennox Avenue; and

**WHEREAS**, the County proposes to engage Barton & Loguidice, D.P.C. to provide the construction phase engineering services under a contract with a not to exceed cost of Three Hundred Ten Thousand Dollars (\$310,000.00), said contract being on file with the Clerk of the Board; and

**WHEREAS**, the County proposes to engage Orrick, Herrington & Sutcliffe LLP to serve as bond counsel to the County in connection with the project under a contract with a not to exceed cost of Six Thousand Eight Hundred Seventy Five Dollars (\$6,875.00), said contract being on file with the Clerk of the Board; and

**WHEREAS**, the County proposes to engage Buchan & Sutter, P.C. to serve as environmental counsel to the County in connection with the project under a contract with a not to exceed cost of Fifteen Thousand Dollars (\$15,000.00), said contract being on file with the Clerk of the Board; and

**WHEREAS**, the County's costs for professional services in connection with the sewer line project are eligible for reimbursement under the EFC financing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors is hereby authorized and directed to enter into contracts with Barton & Loguidice, D.P.C., Orrick, Herrington & Sutcliffe LLP and Buchan & Sutter, P.C. as aforesaid.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 261-14**

**AUTHORIZING THE CANCELLATION OF A 2012 TOWN AND COUNTY TAX INCLUDING THE 2011-12 SCHOOL RELEVY**

**WHEREAS**, the Madison County Treasurer's Office has researched a parcel identified by MAP# 11.-2-65.1 located in the Town of Sullivan; and

**WHEREAS**, the parcel was created March 3, 2011 due to split and then on June 27, 2011 the parcel was combined into another parcel; and

**WHEREAS**, the parcel did not exist after June 27, 2011, but the parcel was included in the final roll which created a 2011-12 school tax and a 2012 Town and County tax; and

**WHEREAS**, the Madison County Treasurer's Office has no legal avenue to enforce the delinquent tax since the parcel no longer exists,

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Treasurer be and is hereby directed to cancel the 2011-12 School tax and the 2012 Town and County taxes, including interest and penalties, totaling \$654.61.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 262-14**

**AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH THE TOWN OF HAMILTON FOR TAX COLLECTION**

**WHEREAS**, the Town of Hamilton wishes to have the Madison County Treasurer collect real property taxes for the Town, jointly and concurrently with the tax collecting officer as authorized by Real Property Tax Law §578 (2) (a) and §578 (2) (b); and

**WHEREAS**, the Madison County Treasurer has the ability and the expertise to collect said real property taxes on behalf of the Town; and

**WHEREAS**, the county taxpayers will benefit by an expansion of their options to pay their taxes; and

**WHEREAS**, both the Town and the Madison County Treasurer's office will achieve financial and labor savings by undertaking this shared tax collection service,

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with the Town of Hamilton in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Degear & Reinhardt:**

**RESOLUTION NO. 263-14**

**AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET**

**BE IT RESOLVED** that the 2014 Adopted County budget be modified as follows:

**General Fund**

**1680 Information Technology**  
**Expense**

A1680.2101 Network Equipment

From

\$5,185

To

\$14,673

**1990 Contingent**

**Expense**

A1990.4444 Contingent Fund

378,792

369,304

Control Totals

\$383,977

\$383,977

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 264-14**

**APPOINTING A DIRECTOR OF REAL PROPERTY TAX SERVICES II AND  
MODIFYING THE 2014 ADOPTED BUDGET**

**WHEREAS**, Section 1530(1) of the Real Property Tax Law states that there shall be a Director of Real Property Tax Services who shall have a six year term of office commencing on October 1, 1971 and October 1 of each sixth year thereafter; and

**WHEREAS**, the Finance, Ways and Means Committee and the Government Operations Committee recommend the appointment of Paul E. Smith upon vacancy of said position; and

**WHEREAS**, this appointment has been reviewed and approved by the New York State Office of Real Property Tax Services in accordance with the State rules and regulations,

**NOW, THEREFORE BE IT RESOLVED**, that Paul E. Smith be and hereby is appointed Madison County Director of Real Property Tax Services effective September 2, 2014, for the remainder of the six (6) year term expiring on October 1, 2019 at the 2014 annual salary of \$63,500,

**BE IT FURTHER RESOLVED**, that the 2014 Adopted County budget be modified as follows:

General Fund

<u>1355 Assessment</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A1355.1 Personal Services	\$108,878	\$123,818
A1355.8110 Retirement Expense	15,281	19,627
A1355.8130 Social Security Expense	8,329	9,472
<u>9010 Retirement Expense</u>		
<u>Expense</u>		
A9010.8010 Retirement Expense	\$3,837,373	\$3,841,719
A9010.8020 Allocation Retirement Expense	(3,837,373)	(3,841,719)
<u>9030 Social Security &amp; Medicare Expense</u>		
<u>Expense</u>		
A9030.8200 Social Security Expense	\$1,540,469	\$1,541,612
A9030.8210 Allocation FICA Expense	(1,540,469)	(1,541,612)
<u>1990 Contingent Fund</u>		
<u>Expense</u>		
A1990.4444 Contingent Fund	\$369,304	\$348,875
Control Totals	<u>\$501,792</u>	<u>\$501,792</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 265-14**

**CREATING A TEMPORARY, PART-TIME POSITION IN THE  
DEPARTMENT OF REAL PROPERTY**

**WHEREAS**, the Director of Real Property Tax Services will resign no later than December 2014; and

**WHEREAS**, a new Director of Real Property Tax Services has been appointed effective September 2, 2014; and

**WHEREAS**, in order to accomplish a successful transition, the Board of Supervisors wishes to create a temporary, part-time Real Property Advisor position; and

**WHEREAS**, this request has been reviewed and approved in accordance with the vacancy review procedure by the Finance, Ways and Means and Government Operations Committees,

**NOW, THEREFORE BE IT RESOLVED** that one (1), temporary, part-time Real Property Advisor position be and hereby is created effective immediately, and be abolished on December 31, 2014; and

**BE IT FURTHER RESOLVED** that the Susan Carol Brophy be appointed as Real Property Advisor at the 2014 hourly rate of \$30.93 effective September 2, 2014.

**ADOPTED: AYES – 1500 NAYS – 0**

By Supervisor Reinhardt:

**RESOLUTION NO. 266-14**

**AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET**

**BE IT RESOLVED** that the 2014 Adopted County budget be modified as follows:

**Modification No. 1**

**General Fund**

**1620 County Buildings**

Expense

	<u>From</u>	<u>To</u>
A1620.2914 Miscellaneous Equipment	\$-0-	\$2,646

**1990 Contingent Fund**

Expense

A1990.4444 Contingent Fund	<u>\$348,875</u>	<u>\$346,229</u>
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Control Totals	<u>\$348,875</u>	<u>\$348,875</u>
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**Modification No. 2**

**General Fund**

**3110 Sheriff Department**

Expense

	<u>From</u>	<u>To</u>
A3110.2103 Lap Top	\$ 15,523	\$ 5,123

A3110.2106 Video Equipment-Vehicles	40,000	38,000
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A3110.4240 UNIIS Contract	\$ 0	\$ 12,400
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Totals	<u>\$ 55,523</u>	<u>\$ 55,523</u>
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Control Total		<u>\$ 0</u>
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**Modification No. 3**

**General Fund**

**3110 Sheriff Department**

Expense

	<u>From</u>	<u>To</u>
A3110.44217 Handicapped Parking Expense	<u>\$ 0</u>	<u>\$ 530</u>

Control Totals		<u>\$ 530</u>
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Revenue

A880.4045 Appropriation of Handicapped Parking Rsvs	<u>\$ 0</u>	<u>\$ 530</u>
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Control Totals		<u>\$ 530</u>
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**Modification No. 4**

**General Fund**

**4308 Mental Health- Clinic Program**

Expense

	<u>From</u>	<u>To</u>
A4308.1 Personal Services	\$1,298,510	\$ 1,341,830

A4308.811 Employee Health Insurance	311,858	352,120
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A4308.8110 State Retirement Expense	242,189	250,983
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A4308.8130 Social Security Expense	99,336	102,650
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A4308.8140 Workers Compensation Expense	7,597	7,718
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A4308.8155 Disability Expense	453	507
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**4310 Mental Health- Administration**

<u>From</u>	<u>To</u>
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<u>Expense</u>			
A4310.1	Personal Services	\$344,802	\$ 301,482
A4310.811	Employee Health Insurance	133,836	93,574
A4310.8110	State Retirement Expense	65,520	56,726
A4310.8130	Social Security Expense	26,377	23,063
A4310.8140	Workers Compensation Expense	1,310	1,189
A4310.8155	Disability Expense	<u>118</u>	<u>64</u>
	Control Totals	<u>\$2,531,906</u>	<u>\$2,531,906</u>

**Modification No. 5**

**General Fund**

**6010 Social Services Administration**

<u>Expense</u>			<u>From</u>	<u>To</u>
A6010.1	Personal Services	\$5,086,409		\$5,049,252
A6010.2106	Task Management System	\$ 105,000		\$ 145,000
A6010.8130	Social Security Expense	\$ <u>389,110</u>		\$ <u>386,267</u>

**9030 Social Security Expense**

<u>Expense</u>				
A9030.8200	Social Security Expense	\$1,543,312		\$1,540,469
A9030.8210	Allocation of FICA Expense	<u>\$(1,543,312)</u>		<u>\$(1,540,469)</u>
	Control Total	<u>\$5,580,519</u>		<u>\$5,580,519</u>

**Modification No. 6**

**General Fund**

**7110 Madison County Parks**

<u>Expense</u>			<u>From</u>	<u>To</u>
A7110.4041	Maintenance and Development	\$43,900		\$35,900
A7110.2970	Pavilion at Nichols Pond Park	<u>-0-</u>		<u>8,000</u>
	Control Total	<u>\$43,900</u>		<u>\$43,900</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Henderson:**

**RESOLUTION NO. 267-14**

**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 and 24-A are hereby waived only for the purpose of authorizing 2014-2015 school district municipal grants.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 268-14**

**AUTHORIZING 2014-2015 SCHOOL DISTRICT MUNICIPAL GRANTS**

**WHEREAS**, New York State negotiated and structured a settlement of various Oneida Indian Nation of New York (“OIN”) related litigation and contested matters, which settlement has taken the form of a Settlement Agreement among the OIN, the State of New York, the County of Madison, & the County of Oneida (“Settlement Agreement”) as approved by Resolution No. 157-13 of the Madison County Board of Supervisors on May 30, 2013, and as approved by the other parties to that Agreement, with Madison County acting pursuant to the related state legislation implementing the Settlement Agreement (Chapters 174 and 175 of the Laws of 2013, Executive Law Section 11 and Indian Law Section 16).

**WHEREAS**, Section V(E) of the Settlement Agreement, labeled “Nation Land Not Taxable,” provides in subsection (1), in pertinent part, as follows:

Without regard to whether land has been (or has not been) and is now (or is not now) exempt from property taxation or otherwise non-taxable, Nation Land shall be non-taxable, and the Nation shall not be liable to the State or any municipal subdivision of the State for any past, present or future property tax payment with regard to Nation Land, and no bill for such tax shall be issued....

**WHEREAS**, the Settlement Agreement and implementing state legislation have effected a change in the taxable status of Nation Land (as defined in the Settlement Agreement), rendering the properties not subject to property tax retroactively and prospectively.

**WHEREAS**, pursuant to the Settlement Agreement Madison County is to receive certain annual payments from the State of New York.

**WHEREAS**, it is the desire of this Board of Supervisors to provide a share of such payments for the school districts’ 2014-2015 fiscal year to mitigate the impact on the local school districts of the newly tax exempt status of certain properties owned by the OIN.

**WHEREAS**, to that end the Madison County intends to make grants, namely a one-time payment essentially equal to the lost property taxes for current OIN titled parcels in each district (calculated based on the assessed value of the parcels at the tax rate in effect on the Effective Date of the Settlement Agreement, March 4, 2014), more specifically as provided in the attached Schedule of Parcels and Payments.

**WHEREAS**, a one time payment will be made on or about March 31, 2015; and will be intended to mitigate the 2014-2015 school district year only and is to be used solely to support the educational programs and mission of the schools.

**WHEREAS**, while the Board does not commit to payments in future years, it presently intends to evaluate the prospect of future payments annually. Among the considerations in future determinations will be any gaming revenues allocated by the State to the school districts.

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors hereby authorizes the Madison County Treasurer to disburse as a grant to each of the school districts the sums set forth and described on the attached Schedule of Parcels and Payments; and be it

**FURTHER RESOLVED**, that the Madison County Budget Officer is hereby directed to include appropriations in the amount of \$805,311.09 in the 2015 Tentative County Budget to provide for the distribution of these 2014-2015 School District Municipal Grants.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 269-14**

**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**

**Speakers:**

- 1. Mr. Gary Padula of Canastota, New York spoke on Oneida Indian Nation issues.**
- 2. Warren Babcock of Georgetown, New York handed out an invitation to all Supervisors, inviting them to an information meeting on the Georgetown proposed Compression Station being held in DeRuyter tonight.**
- 3. Christopher Spelman of Bridgeport, New York spoke of the issue of medical marijuana, stressing to all to ask the right questions to the right people, making sure this issue is handled correctly and in the right order.**

On motion by Supervisor Henderson, seconded by Supervisor Stepanski, the Board adjourned.