



MADISON COUNTY BOARD OF SUPERVISORS

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Chairman

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Administrative Assistant to the Chairman

CINDY URTZ

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January 2, 2013

MADISON COUNTY BOARD OF SUPERVISORS

Organization & Board Meeting

Agenda for January 8, 2013

Meeting Schedule

- 9:30 a.m. Social & Mental Health Services Committee – Large Conf. Room
Re: Resolution
- 10:00 a.m. Committee of the Whole – All Supervisors – Large Conf. Room
Re: Chairman and Admin. Asst. Updates
- 10:30 a.m. Organization & Board Meeting - Chambers
- 10:45 a.m. Public Hearing – Local Law No. 8 for 2012 (Weighted Voting)
- 11:00 a.m. Public Hearing – Local Law No. 9 for 2012 (Fixing Salaries – 2013)

STATE OF THE COUNTY ADDRESS – Chambers

Immediately Following Board Meeting

Joint Meeting – Finance, Ways & Means Committee with Social & Mental Health Services Committee and the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee – Large Conference Room

Resolutions

1. Resolution of Appreciation – Retiree Recognition.
2. Designating Disposal of Obsolete and/or Surplus County Personal Property.
3. Authorizing Agreement Extension for Dog Shelter Services.
4. Entering Into an Agreement to Transfer the Operation of Chemical Dependency Treatment Services to Family Counseling Services of Cortland County, Inc.
5. Adopting Local Law No. 8 for the year 2012. (Weighted Voting)
6. Approving the Issuance of Certain Obligations by Madison County Capital Resource Corporation to Finance a Certain Project for Colgate University.
7. Authorizing 5-year Solid Waste Disposal Agreements with Commercial Permit Holders.
8. Adopting Local Law No. 9 for the year 2012. Fixing Salaries for 2013)

**PUBLIC COMMENT PERIOD
ANY OTHER BUSINESS**

cc: WMCR Radio Station
Oneida Daily Dispatch
Madison County Courier

Cindy Urtz, Clerk

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RESOLUTION NO. _____

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 James Yonai upon his retirement.

Dr. James A. Yonai

Mental Health

1986 - 2012

DATED: January 8, 2013

Daniel S. Degear, Chairman
Government Operations Committee

RESOLUTION NO. _____

**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.

TAG #	ITEM	CONDITION
354	Keyboard Tray	Fair/Good
355	Cab inet	Fair/Good
356	Epson Perfection 4490 Photo Scanner	Good
357	Visioneer Scanner	Fair/Good
358	Sharp Calculator	Good
359	Brother Typewriter (needs repair)	Fair
360	Document Holder	Good
361	Document Holder	Good
362	Bookcase, Metal	Good
363	File Cabinet, Gray, 5 drawer w/lock	Good
364	Vehicle Emergency Light Bars	Very Good
365	Vehicle Partition Panels (cage) for Chevy Impala	Good
366	File Cabinet, Lateral, 3 drawer	Good
367	Storage Cabinet, Black, Metal	Good
368	Chair, gray tweed, needs new castors	Fair
369	Chair, Black, w/o arms	Good
370	Chair, Gunlocke brand, wood frame, w/arms	Very Good
371	Chair, high back w/arms, needs new castors	Fair
372	Chair, w/o arms	Good
373	Chair, blue, high back w/arms	Good
374	Green vinyl side chair, no arms	Good
375	Bookcase, Metal	Good
376	File Cabinet, 2 drawer, legal size	Good
377	Speakers, Realistic, tower style, set of 2	Unknown
378	Printer, Panasonic KXP1180	Unknown
379	Projector, Kodak Carousel 4600	Good
380	Chair, maroon, high back, lift lever needs repair	Fair
381	Computer Rack, under the desk model	Good
382	Trash Receptable, outdoor w/built in ashtray	Good
383	Table, oblong	Good
384	Bookcase, Metal, black	Fair
385	Small typewriter desk on wheels	Fair

386

Desk w/secretarial return

Fair/Good

DATED: January 8, 2013

Daniel S. Degear, Chairman
Government Operations Committee

RESOLUTION NO. _____

AUTHORIZING AGREEMENT EXTENSION FOR DOG SHELTER SERVICES

WHEREAS, the Public Health Services Committee has made the recommendation for the County to renew its agreement with Wanderer's Rest Humane Association for dog shelter and population control services; and

WHEREAS, Wanderer's Rest Humane Association possesses the facilities necessary for meeting the sheltering need's of those municipalities in Madison County responsible for such provisions as mandated by Article 7 of New York State Agriculture and Markets Law; and

WHEREAS, Wanderer's Rest Humane Association further possesses the special skills, experience and capability to implement and provide low-cost spay-neuter services, and the outreach and promotion of such services that constitute an Animal Population Control Program as described by the aforementioned Article 7 of NYS Agriculture and Market's Law; and

WHEREAS, The Board of Supervisors has previously resolved to enter an agreement through 12/31/12; and

WHEREAS, the amended agreement will cover the period of January 1, 2013 through December 31, 2013 in the amount of \$ 93,126.00;

NOW, THEREFORE BE IT RESOLVED, that The Chairman of The Board of Supervisors be and is hereby authorized to sign said agreement with Wanderer's Rest Humane Association, a copy of which is on file with The Clerk of The Board of Supervisors.

DATED: January 8, 2013

John Salka, Chairman
Public Health Services Committee

RESOLUTION NO. _____

**ENTERING INTO AN AGREEMENT TO TRANSFER
THE OPERATION OF CHEMICAL DEPENDENCY TREATMENT SERVICES TO FAMILY
COUNSELING SERVICES OF CORTLAND COUNTY, INC.**

WHEREAS, by Resolution Number 371-11 the Board of Supervisors directed the Administrative Assistant to the Chairman of the Board of Supervisors and the Director of the County Mental Health Department, in collaboration with the Madison County Community Services Board and the Social and Mental Health Services Committee, to begin a Due Diligence process to explore transferring the County operated ADAPT Program - a Part 822 Outpatient Chemical Dependency Treatment Program licensed by, and subject to approval by the New York State Office of Alcoholism and Substance Abuse Services (OASAS) to a not-for-profit agency; and, in the process to seriously consider measures to be incorporated that would minimize and mitigate negative impacts to employees; and

WHEREAS, the Task Force that was assembled to accomplish this action, after careful review and analysis, recommended that the application submitted by Family Counseling Services of Cortland County, Inc. was determined superior to the other applications, and recommended that agency to the Community Services Board and the Social and Mental Health Services Committee for their consideration; and

WHEREAS, by unanimous vote the Community Services Board has agreed with the intent of the Board of Supervisors to transfer the provision of chemical dependency treatment services to Family Counseling Services of Cortland County, Inc.; and

WHEREAS, by Resolution Number 307-12, the Board of Supervisors declared its intent to accept a proposal from Family Counseling Services of Cortland County, Inc. to provide chemical dependency treatment services in Madison County subject to further negotiation of the terms of this transfer and approval of the result of these negotiations by the Madison County Board of Supervisors and the New York State Office of Alcoholism and Substance Abuse Services; and

WHEREAS, negotiations of the transfer agreement for providing chemical dependency treatment services between the County and Family Counseling Services of Cortland County, Inc. have been finalized; and

WHEREAS, before the chemical dependency treatment services delivered by Madison County can be assumed by another agency, the transfer of these functions must be presented to and approved by OASAS in a process that may last several months; and

WHEREAS, the term of this Agreement shall commence the later of (i) January 1, 2013 or (ii) the receipt of authority to and the transfer of the County's Operating Certificate to Contractor to open a Certified Outpatient Chemical Dependency Treatment Program in Madison County, and shall continue through December 31, 2013; and

WHEREAS, Family Counseling Services of Cortland County agrees to provide the comprehensive array of chemical dependency treatment services as outlined in the agreement for a total not to exceed \$158,669 comprised of \$88,006 NYS OASAS State Aid and \$70,663 Madison County Local Share contribution with these amounts to be prorated based on the start date of the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into an agreement with Family Counseling Services of Cortland County, Inc., subject to approval by the New York State Office of Alcoholism and Substance Abuse Services, in the form as is on file with the Clerk of the Board.

DATED: December 27, 2012

John Salka, Chairman

Social and Mental Health Services Committee

RESOLUTION NO. _____

ADOPTING LOCAL LAW NO. 8 FOR THE YEAR 2012

WHEREAS, there has been duly introduced Local Law No. 8 for the year 2012 entitled "A LOCAL LAW AMENDING A LOCAL LAW TO PROVIDE FOR A MODIFIED WEIGHTED VOTING APPORTIONMENT PLAN FOR THE ELECTION OF REPRESENTATIVES TO THE BOARD OF SUPERVISORS"; and

WHEREAS, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on December 27, 2012;

NOW, THEREFORE BE IT RESOLVED, that Local Law No.8 for the year 2012 be and the same is hereby adopted.

DATED: January 8, 2013

**Priscilla Suits, Chairwoman
Administration & Oversight Committee**

RESOLUTION NO. _____

APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY MADISON COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A CERTAIN PROJECT FOR COLGATE UNIVERSITY

BE IT ENACTED by the Board of Supervisors of Madison County, New York, as follows:

WHEREAS, pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, as amended (the "Enabling Act"), Revenue Ruling 57-187 and Private Letter Ruling 200936012, the Board of Supervisors of Madison County, New York (the "County") adopted a resolution on July 14, 2009 (the "Sponsor Resolution") (1) authorizing the incorporation of Madison County Capital Resource Corporation (the "Issuer") under the Enabling Act and (2) appointing the initial members of the board of directors of the Issuer; and

WHEREAS, in August, 2009, a certificate of incorporation was filed with the New York Secretary of State's Office (the "Certificate of Incorporation") creating the Issuer as a public instrumentality of the County; and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the Enabling Act to acquire real and personal property; to borrow money and issue negotiable revenue bonds, notes and other obligations therefore; to lease, sell, mortgage or otherwise dispose of or encumber any of its real or personal property upon such terms as it may determine; and otherwise to carry out its corporate purposes in the territory in which the operations of the Issuer are principally to be conducted; and

WHEREAS, in December, 2012, Colgate University, a New York not-for-profit education corporation (the "Institution") submitted an application (the "Application") to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the Issuer consider undertaking a project (the "Project") for the benefit of the Institution, said Project consisting of the following: (A) the refinancing, in whole or in part, of the outstanding Tax-Exempt Civic Facility Revenue Bonds (Colgate University Project), Series 2004A in the original aggregate principal amount of \$45,905,000 (the "Prior Bonds") issued on or about April 2, 2004 by Madison County Industrial Development Agency (the "Prior Issuer"), the proceeds of which Prior Bonds provided financing for a project (the "Prior Project") consisting of following: (1) various capital projects located on the approximately 515 acre campus located at 13 Oak Drive in the Village of Hamilton, Madison County, New York (the "Initial Land"), including (a) the reconstruction and renovation to various academic buildings, (b)(i) the reconstruction and renovation of the Everett Needham Case Library (the "Library"), and (ii) the construction of an addition to the Library (the "Initial Addition") to contain approximately 53,000 gross square feet of space, (c) the acquisition, reconstruction and renovation of various student residences, (d) the reconstruction and renovation to various student life and administrative facilities, (e) the reconstruction and renovation to various athletic facilities (such academic buildings, the Library, the Initial Addition, student residences, and student life, administrative and athletic facilities are hereinafter collectively referred to as the "Initial Facility"), and (f) the acquisition and installation thereon and therein of various machinery and equipment (the "Initial Equipment") (the Initial Land, the Initial Facility and the Initial Equipment are hereinafter collectively referred to as the "Initial Project Facility"), all of the foregoing to constitute an educational facility and other directly and indirectly related activities for use by the Institution; and (2) payment of issuance costs relating to the Prior Bonds; (B) the financing of all or a portion of the costs of the foregoing by the issuance of revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, the maximum aggregate principal amount of which is presently estimated to not exceed \$46,500,000 and in any event not to exceed \$50,000,000 (the

“Obligations”); (C) paying of all or a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; and (D) the making of a loan (the “Loan”) of the proceeds of the Obligations to the Institution or such other person as may be designated by the Institution and agreed upon by the Issuer; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6NYCRR Part 617, as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), by resolution adopted by the members of the board of directors of the Issuer on December 20, 2012 (the “SEQR Resolution”), the Issuer determined that the Initial Project constituted a “Type II action” (as such quoted term is defined under SEQRA), and therefor that no further action with respect to the Initial Project was required under SEQRA; and

WHEREAS, the Institution has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 145(a) of the Code; and

WHEREAS, the Board of Supervisors of Madison County, New York (the “Board of Supervisors”) has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Obligations from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Obligations is approved by the “applicable elected representative” of Madison County, New York after the Issuer has held a public hearing on the nature and location of the Project Facility and the issuance of the Obligations; and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the board of directors of the Issuer on December 20, 2012 (the “Public Hearing Resolution”), the Chief Executive Officer of the Issuer (A) caused notice of a public hearing of the Issuer (the “Public Hearing”) pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) and, as provided in the Certificate of Incorporation, pursuant to the applicable provisions of Section 859-a and Section 859-b of the General Municipal Law of the State of New York (the “GML”), to hear all persons interested in the Initial Project and the financial assistance being contemplated by the Issuer with respect to the Initial Project, to be published on December 15, 2012 in the Oneida Daily Dispatch, a newspaper of general circulation available to the residents of the Village of Hamilton, New York, (B) caused notice of the Public Hearing to be posted on December 14, 2012 at the Village Courthouse located at 60 Montgomery Street in the Village of Hamilton, Madison County, New York, (C) caused notice of the Public Hearing to be mailed on December 17, 2012 to the chief executive officers of the county and of each city, town, village and school district in which the Initial Project Facility is (or will be) located, (D) conducted the Public Hearing on January 2, 2013 at 9:00 o’clock, a.m., local time at the Village Courthouse located at 60 Montgomery Street in the Village of Hamilton, Madison County, New York, and (E) prepared a report of the Public Hearing (the “Public Hearing Report”) which fairly summarized the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the board of directors of the Issuer and to the Board of Supervisors of Madison County, New York (the “Board of Supervisors”); and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Obligations to be treated as excludable from gross income for federal income tax purposes;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Madison County, New York, as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) and Section 103 of the Code, the Board of Supervisors, as the elected legislative body of Madison County, New York, hereby approves the issuance by the Issuer of the Obligations, provided that the Obligations, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, Madison County, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, Madison County, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

Dated: January 8, 2013

Ralph M. Monforte, Chairman
Planning, Economic Development, Environmental
and Intergovernmental Affairs Committee

The resolution was duly seconded by Supervisor _____ and the resolution was duly adopted by a vote on roll call.

RESOLUTION NO. _____

**AUTHORIZING 5-YEAR SOLID WASTE DISPOSAL AGREEMENTS 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; and

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. OAK SHADE NURSERY

DATED: January 8, 2013

James S. Goldstein, Chairman
Solid Waste / Recycling Committee

RESOLUTION NO. _____

ADOPTING LOCAL LAW NO. 9 FOR THE YEAR 2012

WHEREAS, there has been duly introduced Local Law No. 9 for the year 2012 entitled "FIXING THE SALARIES OF CERTAIN COUNTY OFFICIALS FOR 2013"; and

WHEREAS, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on December 27, 2012;

NOW, THEREFORE BE IT RESOLVED, that Local Law No.9 for the year 2012 be and the same is hereby adopted.

DATED: January 8, 2013

Daniel S. Degear, Chairman
Government Operations Committee