ADMINISTRATION & OVERSIGHT COMMITTEE
Meeting Agenda – Thursday, February 19, 2015 – 3:00 p.m.
Supervisors Large Conference Room

Agenda:

3:00 p.m. **Call Meeting to Order**

Approval of Minutes:

- **January 22, 2015**

3:05 p.m. **Board of Elections - Resolutions**

1. **Authorizing the Chairman to Enter into an Agreement with the New York State Board of Elections in Regards to the Help America Vote Act State Grant - $40,509.**

2. **Authorizing the Chairman to Enter into an Agreement with the New York State Board of Elections in Regards to the Help America Vote Act State Grant - $20,254.**

3:15 p.m. **Sheriff's Office – Report on Audit Response**

3:30 p.m. **Discussion/Approval of Resolution – Local Law No. 1 of 2015**

3. **Acknowledging Introduction of Proposed Local Law No. 1 of 2015 and Calling for a Public Hearing. (Fireworks – Common Safe Items Excluded)**

3:45 p.m. **Discussion – Resolution Amending Rules of the Board**

4. **Amending Rule No. 6 of the Rules of the Madison County Board of Supervisors. (Changing Ad Hoc Committee on Public Utility Service to a Standing Committee)**

Any other business

Next Meeting

Adjourn

Administration and Oversight Committee Meeting

Minutes January 22, 2015

PRESENT: Chairman Scott Henderson
Supervisor Roger Bradstreet
Supervisor William Zupan
Supervisor Paul Walrod

OTHERS: County Administrator Mark Scimone
Elections Commissioner Kelley Hood
Elections Commissioner Laura Costello
Purchasing Agent Nicole Schafer-Farino

ABSENT: Vice Chairman James Rafte

Committee Chairman Scott Henderson called the meeting to order at 3:00 p.m. in the Atrium Conference Room.

Minutes: The minutes of the regular meetings of August 21, 2014 and October 23, 2014 were unanimously approved on the motion of Supervisor William Zupan and second of Supervisor Paul Walrod.

Board of Elections:

The Committee unanimously approved a resolution authorizing the Chairman to enter into an agreement with Phoenix Graphics, Inc. to purchase optical scan ballots on the motion of Supervisor William Zupan and second of Supervisor Paul Walrod.

Purchasing Updates:

Purchasing Agent Nicole Schafer-Farino informed the Committee that Tyler Technology's Munis financial software has been successfully rolled out and she has been providing training to end users. Nicole shared a sample purchase order with the Committee to review. She will be using commodity codes to aggregate purchases that can go out to bid for better pricing in the future; this would have been very difficult to do with our paper process.

Nicole provided a bid list identifying bids she has completed since starting in July 2014 and bids that are in progress. Two bids were put out for cell tower lease space, one for Fenner and one for the whole County. No responses were received. Supervisor Bradstreet stated that Erieville is desperate for better cell service. Nicole stated that she can reach out to vendors directly, expand the public advertisements outside of our usual papers, and put the bids out annually to solicit more business. She will also discuss further will Paul Hartnett.

Supervisor Bradstreet stated that security cameras for the main lobby of the County Office Building and other building entrances should be considered as discussed previously with the Criminal Justice, Public Safety and Emergency Communications Committee. Nicole will look into pricing and may be able to include it in the bid package for the Board of Elections renovation in the County Office Building.

The Committee thanked Nicole for all of her hard work.

Other Business:

Chairman Henderson asked if there were any other issues that need to be tackled by this Committee. Supervisor Bradstreet requested an update on the State audit of the jail regarding missing evidence. County Administrator Scimone stated that Sheriff Riley provided a response to the State and the State's report has not been received yet. Scimone will invite Sheriff Riley to the next Committee meeting to provide an update and controls that have been put in place in the evidence room.

Scimone stated that Ryan Moses of Park Strategies had a meeting with the State today and was informed that prior to the opening of the Chittenango casino, there will be a separate agreement for 25% of the slot machine revenue going to the host county. There will be no need to fight to get the same benefit as Oneida County.

Towns, villages and the City of Oneida will be made whole out of the $3.5 million received from the Oneida Nation in 2014; however, at Oneida's Common Council meeting, Ward 1 Councilor Brahim Zogby stated that he is tired of waiting for a decision from the County on how much money the City of Oneida will be receiving from the settlement. He believes the City should be receiving a percentage based on the City's population and, additionally, should be receiving the same percentage of the $11 million lump sum received by the County.

Scimone will be meeting with Onondaga County tomorrow to discuss the potential of a shared services agreement for Director of Real Property Director Services. The day-to-day operation would continue to be run by the County, with a qualified Director from Onondaga County to review and sign documents as required. Onondaga County would be reimbursed for their services.

Next Meeting: February 19, 2015 at 3 p.m. in the Supervisors Large Conference Room.

Motion to Adjourn: The Committee adjourned at 3:57 p.m. on the motion of Supervisor Roger Bradstreet and second of Supervisor William Zupan.

Respectfully submitted by Christine Coe for Chairman Scott Henderson.

RESOLUTION NO. 1

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

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

WHEREAS, these funds are scheduled to expire on March 31, 2015. The extension of this grant program is described as follows:

Awarding Agency:	New York State
Pass Thru. Agency:	New York State Board of Elections
Program Name:	Voter Education/Pollworker Training Program
Grant Period:	April 1, 2015 – March 31, 2016
Contract #	T002550
State Funds:	$ 40,509.00
Grant Total:	$ 40,509.00

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

Dated: March 10, 2015

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Scott Henderson, Chairman
Administration & Oversight Committee

RESOLUTION NO. 2

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

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

WHEREAS, these funds are scheduled to expire on March 31, 2015. The extension of this grant program is described as follows:

Awarding Agency:	New York State
Pass Thru. Agency:	New York State Board of Elections
Program Name:	New York State Voting Access for Individuals with Disabilities – Polling Place Access Improvement
Grant Period:	April 1, 2015 – March 31, 2016
Contract #	T002666
State Funds:	$ 20,254.00
Grant Total:	$ 20,254.00

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

Dated: March 10, 2015

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Scott Henderson, Chairman
Administration & Oversight Committee

RESOLUTION NO. 3

ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 1 OF 2015 AND CALLING FOR A PUBLIC HEARING

WHEREAS, Supervisor Henderson has duly introduced proposed Local Law No.1 for the year 2015, entitled "A LOCAL LAW OF THE COUNTY OF MADISON, NEW YORK, ALLOWING FOR COMMON SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(B)"; and

WHEREAS, a copy of said proposed local law has been furnished to each Supervisor;

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held on the proposed local law in the chambers of the Board of Supervisors at the Madison County Office Building in Wampsville, New York on April 14, 2015 at 2:15 p.m.; and

BE IT FURTHER RESOVLED, that the Clerk to the Board duly publish a notice of said hearing in the official newspapers of the County at least five days prior to the scheduled hearing date.

Dated: March 10, 2015

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Scott A. Henderson, Chairman
Administration and Oversight Committee

A LOCAL LAW OF THE COUNTY OF MADISON, NEW YORK, ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(B)

Be it enacted by the Board of Supervisors of the County of Madison as follows:

SECTION 1. LEGISLATIVE INTENT

A. Whereas on November 21, 2014, Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.788/A10141).
B. Whereas this state law amended the State Penal law, the Executive Law and the General Business law placing further restrictions on dangerous fireworks, while at the same time, recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
C. Whereas the Governor signed this version of the bill into law in part due to its strong home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405 this Board further finds and determines that "sparkler devices" may be sold and enjoyed, only in the manner described below, within Madison County.
E. This Board finds that allowing our residents the use of safe "sparkler devices" will benefit them and our local businesses.
F. This Board further finds that the same and use of "sparkler devices" is permitted with the following restrictions:
    1. Sales will only be permitted on or between June 1st through July 5th and December 26th and January 2nd of each calendar year.
    2. All distributors, manufacturers, and retailers must be licensed through the New York Department of State.
    3. Only those over the age of 18 may purchase said products.

SECTION 2. DEFINITIONS:

"Sparkling Devices" are defined as follows:

"Sparkling Devices" which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

1. Cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape, but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or

cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

2. Cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined this this subparagraph.

3. Wooden sparkler/dipped stick: those devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.

4. Novelties, which do not require approval from the United States Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:

    a. Party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may not contain more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.

    b. Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3. SEPARABILITY

If any part of or provision of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

SECTION 4. EFFECTIVE DATE

This law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 4

AMENDING RULE NO. 6 OF THE RULES OF THE MADISON COUNTY BOARD OF SUPERVISORS

WHEREAS, Rule No. 6 of the Rules of the Madison County Board of Supervisors sets forth the various committees of this Board and their respective responsibilities; and

WHEREAS, after review by Chairman of the Board of Supervisors and the Administration and Oversight Committee, it has been determined that the Ad Hoc Committee on Public Utility Service be changed to a standing committee; and

WHEREAS, the amendment to Rule No. 6 changing the Ad Hoc Committee on Public Utility Services to a standing committee is hereby proposed; and

WHEREAS, the proposed amendment has been made in writing, offered, and laid upon the table for more than 24 hours prior to adoption in accordance with Rule No. 25 of the Rules of the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that Rule No. 6 of the Madison County Board of Supervisors be and is hereby amended effective immediately, establishing a new standing committee.

Dated: March 10, 2015

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Scott A. Henderson, Chairwoman
Administration and Oversight Committee

Rule 6 (continued)

SOLID WASTE AND RECYCLING:

Responsible for solid waste disposal, landfill, resource recovery and recycling.

NATIVE AMERICAN AFFAIRS:

Responsible for coordination of relations with the Indian Nations of and affecting Madison County, including the Oneida and Stockbridge Munsee, purchases or other acquisitions of lands, provision of County services, real property assessment and taxation, and potential development initiatives.

Deleted: **

~~Delete~~ PUBLIC UTILITY SERVICE:

Responsible for examining, reviewing, and making recommendations to the Board of Supervisors on the development and implementation of Public Utility Service in Madison County.

**AD HOC COMMITTEE:

Each committee shall consist of not less than five nor more than nine members to be appointed annually by the Chairman of the Board for the duration of the calendar year of appointment. Each Board member shall be appointed to at least one committee.