

MADISON COUNTY BOARD OF SUPERVISORS
Meeting –Tuesday, June 12, 2012

The Board convened at 10:30 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Salka (54 votes).

Pledge of Allegiance.

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

COMMUNICATIONS

1. Copy of a resolution from Fulton County – Calling Upon the Governor’s Mandate Relief Council to Submit a Package of Mandate Relief Proposals to State Legislators.
2. Notification received from the New York State Office for the Aging announcing that the 2012-2016 Four Year Plan and the 2012-2013 Annual Implementation Plan for Madison County Office of the Aging has been approved.

REPORTS

1. Village of Wampsville Emergency Management Plan.
2. Madison County Occupancy Tax Receipts/Expenditures for Quarter 1/1/12 – 3/31/12.
3. Madison County Department of Health Annual Report for 2011.
4. County of Madison Financial Report for fiscal year ended December 31, 2011.
5. Madison County Mental Health Monthly Report for May 2012.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$1,371,854.81
Miscellaneous Accounts:	\$2,997,161.34

RESOLUTIONS

By Supervisor Degear:

RESOLUTION NO. 166-12

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

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

WHEREAS, recognition of the distinguished service of 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 Vicki Garrett upon her retirement.

Vicki V. Garrett

Mental Health

2003 - 2012

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

Mental Health Director Jim Yonai and Vicki Garrett were asked to step forward. Dr. Yonai stated that Vicki did a tremendous job in the Mental Health department and will be missed by all. She was then given a gift of appreciation on behalf of the County.

RESOLUTION NO. 167-12

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

WHEREAS, a Grievance Processing Training Program will be held in Atlantic City, NJ on June 15, 2012; and

WHEREAS, Eileen Zehr, Personnel Officer has requested that Ryan Aylward, Director of Labor Relations participate in said program; and

WHEREAS, his expenses are funded through appropriations in the 2012 Personnel/Civil Service Department budget; and

WHEREAS, this request has been reviewed and approved by the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that Ryan Aylward be and hereby is authorized to attend said program at County expense not to exceed \$450.00.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 168-12

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

WHEREAS, the 3rd National Urban Sustainability Leadership Academy will be held June 6 - 8, 2012 in Denver, Colorado; and

WHEREAS, Scott Ingmire, County Planning Director has requested that Jamie Hart, Senior Planner, attend the Academy; and

WHEREAS, her airfare and lodging are funded by the Institute for Sustainable Communities; and

WHEREAS, this request has been reviewed and approved by the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee, and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Jamie Hart be and hereby is authorized to attend said conference at a cost not to exceed \$198.00.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 169-12

AUTHORIZING SECTION 75 HEARING OFFICER

WHEREAS, this Board of Supervisors recognizes the need to retain a replacement hearing officer for a matter under Section 75 of the New York State Civil Service Law;

NOW, THEREFORE BE IT RESOLVED, that this Board of Supervisors hereby authorizes the retention of David T. Garvey, Esq. to serve as a hearing officer pursuant to Section 75 of the New York State Civil Service Law; and

BE IT FURTHER RESOLVED, that the Chairman of this Board of Supervisors be and hereby is authorized to execute, on behalf of this Board of Supervisors, a written designation of Mr. Garvey as the hearing officer for said matter pursuant to Section 75; and

BE IT FURTHER RESOLVED, that this Board of Supervisors authorizes payment to Hearing Officer Garvey for his professional services at a per diem rate of \$1,200 for hearing time, \$220 per hour for time spent in administration, study and preparation of his Section 75 report and recommendations, and reimbursement for reasonable travel related expenses including mileage for use of his personal automobile at the then prevailing IRS mileage rate.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 170-12

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER
INTO AN AGREEMENT WITH THE
NEW YORK STATE NURSES ASSOCIATION**

WHEREAS, the Legislature of the State of New York enacted Article 14 of the Civil Service Law, which is known as the Taylor Law; and

WHEREAS, pursuant to Section 202 of the Civil Service Law, employees in certain titles are represented by the New York State Nurses Association.; and

WHEREAS, the Board of Supervisors has recognized said employees' organization for the purpose of negotiating collectively in accordance with Section 204 of the Civil Service Law,

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and hereby is authorized and empowered to enter into the negotiated memorandum of agreement with the New York State Nurses Association.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 171-12

ESTABLISHING THE 2012 SALARY OF A LABOR RELATIONS TECHNICIAN

WHEREAS, due to a resignation, a permanent vacancy exists in the Personnel Department in the title of Labor Relations Technician; and

WHEREAS, the Government Operations Committee recommends a 2012 salary be established of \$48,153; and

NOW, THEREFORE BE IT RESOLVED that the Personnel Officer be and hereby is authorized to fill the Labor Relations Technician position at the 2012 salary of \$48,153 effective immediately.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 172-12

DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY

WHEREAS, in accordance with the Madison County disposal of Obsolete and/or Surplus County Personal Property Policy and Procedures, County Personal Property is required to be declared obsolete and/or surplus by the Board of Supervisors; and

WHEREAS, the current list of County Personal Property waiting obsolete and/or surplus designation is attached.

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

302	Wood Bookcase	Fair/Good
303	File Cabinet, 2 drawer, tan	Fair/Good
304	File/Storage Cabinet	Fair/Good
305	Bookcase	Fair/Good
306	Bookcase, Metal	Fair/Good
307	File Cabinet, Lateral, 3 drawer	Fair/Good
308	File Cabinet, 4 drawer	Fair/Good
309	Desk, double pedestal	Fair/Good
310	Desk, single pedestal	Fair/Good
311	Desk, single pedestal	Fair/Good
312	Telemonitoring Equipment	Excellent
313	Shredder, Shredmaster 5550X	Excellent
314	Shredder, Shredmaster 2250X	Good
315	Shredder, Shredmaster 5260X	Good
316	Shredder, Shredmaster 5200X	Good

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 173-12

DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY

WHEREAS, in accordance with the Madison County disposal of Obsolete and/or Surplus County Personal Property Policy and Procedures, County Personal Property is required to be declared obsolete and/or surplus by the Board of Supervisors; and

WHEREAS, the current list of County Personal Property waiting obsolete and/or surplus designation is attached.

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

ITEM		DEPARTM ENT	MILEAG E	CONDITION
2006	Ford	Sheriff	170,000	In overall fair
Taurus			(approx.)	condition

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 174-12

DIRECTING THE COUNTY ATTORNEY’S OFFICE TO CONTACT THE NEW YORK STATE LEGISLATURE TO DRAFT LEGISLATION GRANTING RETROACTIVE TIER IV MEMBERSHIP IN THE NEW YORK STATE AND LOCAL EMPLOYEES’ RETIREMENT SYSTEM TO SARAH FISH

WHEREAS, Sarah Fish is employed as a Staff Social Worker for the County of Madison, and has been so employed since December 28, 2009; and

WHEREAS, due to no fault of her own, her application for membership in the New York state and local employees’ retirement system was delayed until January 4, 2010; and

WHEREAS, this delay has caused Sarah Fish to be given Tier V status in that retirement system, rather than the Tier IV status she would have received had her application been filed when she commenced her employment; and

WHEREAS, the means by which to have Sarah Fish granted Tier IV status includes acts of the legislature exercising Home Rule authority; and

WHEREAS, the County Attorney’s Office is the office most appropriately equipped to address the issue with the legislature;

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney’s Office be and is hereby authorized to contact the New York State legislature to draft legislation granting retroactive Tier IV membership in the New York state and local employees’ retirement system to Sarah Fish.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisors Degear and Reinhardt:

RESOLUTION NO. 175-12

CREATING ONE TEMPORARY FULL-TIME POSITION IN THE PLANNING DEPARTMENT FOR THE AQUATIC VEGETATION HARVESTING PROGRAM AND MODIFYING THE 2012 COUNTY BUDGET

WHEREAS, Madison County owns a mechanical vegetation harvester and related equipment, which were purchased in 2003 with State grant funds; and

WHEREAS, numerous lakes within Madison County have expressed interest in benefiting from the weed harvester this summer; and

WHEREAS, Madison County can provide this service to lake associations at the very economical cost of \$31/hour; and

WHEREAS, this request has been reviewed and approved in accordance with the vacancy review procedure by the Planning Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one (1) temporary full-time Vegetation Harvester Operator position be and hereby is created for a period not to exceed twelve (12) weeks from date of appointment; and

BE IT FURTHER RESOLVED that the Planning Department be and hereby is authorized to fill said position at the 2012 hourly rate of \$16.69 in accordance with Civil Service Law and Rule and County policies and procedures effective immediately, and

BE IT FURTHER RESOLVED, that the 2012 Adopted County Budget be modified as follows:

General Fund
8020 Planning
Expense

A8020.1 Personal Services	\$232,702	\$240,213
A8020.4043 Aquatic Veg. Harvesting Expense	25,000	16,914
A8020.8130 Social Security Expense	<u>17,802</u>	<u>18,377</u>
Control Total	<u>\$275,504</u>	<u>\$275,504</u>

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisor Salka:

RESOLUTION NO. 176-12

**PUBLIC HEALTH DEPARTMENT CHARGES
APPROVED CHARGES AND FEE SCHEDULE**

WHEREAS, Madison County Public Health Department is approved as a Licensed Home Care Agency to provide Maternal Child Health visits and a Diagnostic and Treatment Center to administer vaccines; and

WHEREAS, the charges for providing home care services to Madison County residents is recouped through billing for services, based on a recommendation by the contracted certified public accountant; and

WHEREAS, a sliding fee scale based on the Federal Poverty level is required by regulation to charge a lesser fee for Private Pay Clients based on income; and

WHEREAS, both the Board of Health and The Public Health Services Committee agree to approve the attached fee scale for all services based on the latest Federal Poverty guidelines; and

WHEREAS, both The Board of Health and The Public Health Services Committee agree to the 2012 rate for skilled nursing for home visits and to add the Zostavax immunization and Polio Immunization rate as noted below.

	<u>2012 Rate</u>
Skilled Nursing	\$165/visit
Zostavax Immunization	\$185/immunization
IPOL (Polio) Immunization	Fee Scale

NOW, THEREFORE BE IT RESOLVED that the above charges are approved effective June 12, 2012.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

Family Size	*200% [*]	50% ²	00% ³	50% ³	00% ⁴
1	\$22,340	\$27,925	\$33,510	\$39,095	\$44,680
2	\$30,260	\$37,825	\$45,390	\$52,955	\$60,520
3	\$38,180	\$47,725	\$57,270	\$66,815	\$76,360
4	\$46,100	\$57,625	\$69,150	\$80,675	\$92,200
5	\$54,020	\$67,525	\$81,030	\$94,535	\$108,040
6	\$61,940	\$77,425	\$92,910	\$108,395	\$123,880
7	\$69,860	\$87,325	\$104,790	\$122,255	\$139,720
8	\$77,780	\$97,225	\$116,670	\$136,115	\$155,560
Each Additional Person	\$7,920	\$9,900	\$11,880	\$13,860	\$15,840

Immunizations

Hepatitis	\$31	\$37	\$43	\$49	\$55
MMR	\$53	\$59	\$65	\$71	\$77
Mantoux (TB)	\$6	\$12	\$18	\$24	\$30
Menactra	\$104	\$110	\$116	\$122	\$128
Adacel	\$35	\$41	\$47	\$53	\$59
Decavac	\$20	\$26	\$32	\$38	\$44
Varivax	\$81	\$87	\$93	\$99	\$105
Gardasil	\$126	\$132	\$138	\$144	\$150
Influenza	\$15	\$21	\$27	\$33	\$40
Pneumococcal	\$50	\$56	\$62	\$68	\$75
IPOL	\$26	\$32	\$38	\$44	\$50

Lead testing	\$12	\$24	\$36	\$48	\$60
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Car Seats	\$10	\$25	\$35	\$45	\$45
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The Following are Flat Fees

Post Rabies	Exposure	\$220
Zostavax		\$185

Note:** These percentages represent the Federal Poverty Level. If the monthly income, based on family size, falls between minimum and 1st column, fee scale amount is the minimum column or 200% of the federal poverty level. Use this same criteria across the columns. If the income is less than the minimum amount, special consideration must be made by addressing the issue with management.

Revised 5/4/12
Resolution 6/12/12

RESOLUTION NO. 177-12

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH
NEW YORK STATE DEPARTMENT OF HEALTH**

WHEREAS, the New York State Health Department Center for Environmental Health will continue funding to counties for the implementation of the provisions in Section 13-F of the Public Health Law(Section 1399-hh), dealing with Adolescent Tobacco Use Prevention Act (ATUPA); and

WHEREAS, the New York State Health Department recognizes that since implementation, there has been a decrease in the sale of tobacco products to minors through local education and regulation; and

WHEREAS, in an effort to enhance this initiative the State has agreed to fund \$29,351 for the period of April 1, 2012 through March 31, 2013; and

WHEREAS, this agreement has been reviewed and approved by the Public Health Services Committee;

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

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 178-12

**AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH
CORNELL COOPERATIVE EXTENSION OF ONEIDA COUNTY**

WHEREAS, Madison County Department of Social Services provides child care assistance to low-income families; and

WHEREAS, Madison County Department of Social Services receives monies through the New York State Child Care Development Block Grant to assist TANF recipients and low-income families with child care services; and

WHEREAS, the assistance contained in this program is 100 percent funded by these federal monies; and

WHEREAS, Madison County Department of Social Services, with the assistance of Cornell Cooperative Extension of Oneida County, is responsible for referrals for child care, recruitment of providers, and assisting providers in securing mandated licensing training and safety equipment; and

WHEREAS, Cornell Cooperative Extension of Oneida County has a demonstrated ability to provide these services onsite at the Department of Social Services, which allows for more TANF-eligible parents to secure employment; and

WHEREAS, Madison County Department of Social Services lacks the expertise and personnel to perform the functions of referrals, recruitment, and training; and

WHEREAS, Cornell Cooperative Extension of Oneida County as the child care resource and referral agent for Madison, Oneida, and Herkimer Counties, has the experience and resources to provide referrals, recruitment, and training and has offered to provide these services for the period October 1, 2011, to September 30, 2012, at a cost not to exceed \$33,218, the same amount as the 2010-2011 contract period; and

WHEREAS, upon the request of Cornell Cooperative Extension of Oneida County, the "Hold Harmless" clause diverges from the standard Madison County contract language to meet the needs of Cornell Cooperative Extension; and

WHEREAS, the liability insurance aggregate has increased from \$1,000,000 to \$2,000,000; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to amend an agreement on behalf of the County of Madison with Cornell Cooperative Extension of Oneida County, in the form as is on file with the Clerk of the Board..

ADOPTED: AYES – 1446 NAYS – 0 ABSENT- 54 (Salka)

RESOLUTION NO. 179-12

AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ENTER INTO AN AGREEMENT WITH MADISON-ONEIDA BOCES

WHEREAS, Madison-Oneida BOCES has identified a need for evaluation, consultation and treatment services for certain of its students who are exhibiting signs of mental problems; and

WHEREAS, the Madison County Mental Health Department has the resources to provide the services on a contractual basis to Madison-Oneida BOCES for the period July 1, 2012 through June 30, 2013 at the rate of \$105.00 per hour, with the total amount of the contract not to exceed \$8,400 per year ; and

WHEREAS, this request for the Mental Health Department to provide services to the Madison-Oneida BOCES has been approved by the Social and Mental Health Services Committee;

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

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 180-12

**AUTHORIZING THE COMMUNITY SERVICES BOARD
TO SPONSOR AN ANNUAL DINNER MEETING AND AWARDS CEREMONY**

WHEREAS, for over 45 years, Madison County has made a commitment to community-based systems of mental health care in which all residents can receive high-quality and consumer-responsive services; and

WHEREAS, under Article 41 of the New York State Mental Hygiene Law, the Madison County Board of Supervisors created the Community Services Board to oversee services to the mentally ill, the developmentally disabled, and those suffering from alcoholism and substance abuse; and

WHEREAS, since 1990 the Community Services Board has exercised its responsibility for promoting community and public understanding of mental disabilities and advocating for the cooperation with other human service agencies in advancing the provision of services by inviting representatives from county public and private agencies, certain elected officials, and other guests to participate in the Annual Dinner Meeting and Awards Ceremony; and

WHEREAS, at this event community volunteers and/or community professionals are recognized for their contributions in the service areas of Alcoholism and Substance Abuse, Mental Health, Developmental Disabilities, and Consumer Advocacy; and

WHEREAS, the Community Services Board also recognizes employees of the Mental Health Department with mementos for their dedicated service at five-year career milestones; and

WHEREAS, the Community Services Board moves the location of the Annual Dinner Meeting and Awards Ceremony to venues in different parts of Madison County with the 2012 event to be held at the Colgate Inn, Hamilton, New York;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Community Services Board to hold its Annual Dinner Meeting and Awards Ceremony at the Colgate Inn and purchase plaques and mementos from Malones Service, Inc.; and

BE IT FURTHER RESOLVED that payment for the dinner, plaques and mementos shall be approved from the appropriate line item - Mental Health Administration – Mental Health Board Expense, A4310.4035 in the Mental Health Department 2012 budget with the cost of the dinner not to exceed \$2000.00 and the plaques and mementos not to exceed \$900.00.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 181-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT AND MODIFY THE 2012 ADOPTED COUNTY BUDGET

WHEREAS, Madison County desires to contract with Onondaga-Cortland-Madison Board of Cooperative Educational Services (OCM BOCES) to provide school-based drug and alcohol prevention and counseling services for the Chittenango School District; and

WHEREAS, the Office of Alcoholism and Substance Abuse Services is making funds available in 100% State Aid for July 1, 2012 through December 31, 2012 in the amount of \$24,430 (There is no Madison County appropriation); and

WHEREAS, it is understood that any reduction in State funding will result in a commensurate reduction in agency funding;

NOW, THEREFORE, BE IT RESOLVED that the 2012 Adopted County Budget be modified as follows:

General Fund

4251 – Mental Health -OCM BOCES

Revenue

A3490.1010 St. Aid OCM BOCES

From

\$0

To

\$24,430

Expense

A4251.4271 OCM BOCES

\$0

\$24,430

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors be hereby authorized to enter into an agreement on behalf of the County of Madison with Onondaga-Cortland-Madison Board of Cooperative Educational Services in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisors Salka and Ball:

RESOLUTION NO. 182-12

AUTHORIZING COUNTY PARTICIPATION IN A STATE FORENSIC CASE MANAGEMENT GRANT

WHEREAS, the County of Madison has been awarded a State Grant for its Forensic Case Management Program which the Mental Health Department is the lead agency in a consortium of departments including Probation and Social Services; and

WHEREAS, the participating County Departments will administer this grant in the amount of \$22,338 per year for one year beginning July 1, 2012 ending June 30, 2013 to facilitate effective service coordination for individuals involved with the criminal justice system who are mentally ill and thereby promote community safety;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services, a copy of which is on file with the Clerk to the Board.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisor Ball:

RESOLUTION NO. 183-12

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(Aid To Prosecution Grant)**

WHEREAS, the Madison County District Attorney's Office has been awarded additional grant funds from New York State through the NYS Division of Criminal Justice Services; and

WHEREAS, the State grant award is identified as follows:

Awarding Agency:	NYS Division of Criminal Justice Services
Program Name:	Aid to Prosecution Program
Award Year:	04/01/12 – 03/31/13
Contract Number:	AP12-1026-D00
Total Grant Amount:	\$29,200.00

Previous New York State Fiscal Year Grant amount: \$29,200.00

WHEREAS, the initial budget for this grant was established in the 2013 budget,

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into the agreement to accept the Aid to Prosecution grant as is on file with the Clerk to the Board

On motion by Supervisor Ball, seconded by Supervisor Stepanski and carried, the following amendment was offered, adding additional budget information to this resolution:

RESOLUTION NO. 183-12

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT AND MODIFYING THE
2012 ADOPTED BUDGET
(Aid To Prosecution Grant)**

WHEREAS, the Madison County District Attorney's Office has been awarded additional grant funds from New York State through the NYS Division of Criminal Justice Services; and

WHEREAS, the State grant award is identified as follows:

Awarding Agency:	NYS Division of Criminal Justice Services
Program Name:	Aid to Prosecution Program
Award Year:	04/01/12 – 03/31/13
Contract Number:	AP12-1026-D00
Total Grant Amount:	\$29,200.00

Previous New York State Fiscal Year Grant amount: \$29,200.00

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into the agreement to accept the Aid to Prosecution grant as is on file with the Clerk to the Board; and

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

General Fund

<u>1167 District Attorney-Aid to Prosecution Grant</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A3032 St. Aid DA Aid to Prosecution Grant	<u>\$8,760</u>	<u>\$37,960</u>
Control Total		<u>\$29,200</u>
<u>Expense</u>		
A1167.1 Personal Services	<u>\$8,760</u>	<u>\$37,960</u>
Control Total		<u>\$29,200</u>

A final vote with amendment included was taken as follows:

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisor Degear:

RESOLUTION NO. 184-12

**ESTABLISHING STIPENDS FOR 2012-2013 FOR EMPLOYEES IN
THE DISTRICT ATTORNEY’S OFFICE
(Aid to Prosecution Grant)**

WHEREAS, the County has been awarded Aid to Prosecution grant funding by the New York State Division of Criminal Justice Services; and

WHEREAS, the District Attorney has requested to see a portion of the grant funding to establish stipends for employees in the office who will perform duties related to felony prosecutions; and

WHEREAS, the Board previously approved stipends for the New York State fiscal year of 2011-2012 as follow:

First Assistant District Attorney	\$ 13,775.00
Second Assistant District Attorney	\$ 9,000.00
Fourth Assistant District Attorney	\$ 2,475.00
Confidential Secretary to the District Attorney	\$ 3,950.00

WHEREAS, said stipends will cease if said grant funding is abolished or decreases; and

WHEREAS, the recommendations of the District Attorney for the award of these stipends have been reviewed and positively endorsed by the Criminal Justice, Public Safety and Telecommunications Committee; and

WHEREAS, this request has been reviewed and approved by the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that stipends for 2012-2013 be and hereby are established as follow:

First Assistant District Attorney	\$13,775.00
Second Assistant District Attorney	\$ 9,000.00
Fourth Assistant District Attorney	\$ 2,475.00
Confidential Secretary to the District Attorney	\$ 3,950.00

BE IT FURTHER RESOLVED that said 2012-2013 stipends shall be payable in the second pay period of each month effective in June 2012 through March 2013; and

BE IT FURTHER RESOLVED that said stipend will be reevaluated subject to continued Aid to Prosecution grant funding in the next State budget.

BE IT FURTHER RESOLVED that such stipends are conditioned on the approval by this Board and entry into the Aid to Prosecution Grant.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 185-12

AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT

WHEREAS, the Madison County Probation Department collects and manages a considerable amount of data while conducting their daily business; and

WHEREAS, the department is mandated to send much of this information to the NYS Division of Criminal Justice Services, Office of Probation and Correctional Alternatives; and

WHEREAS, this state agency recommends each county probation department utilize the Caseload Explorer computer program offered by AutoMon, LLC for the collection, management and dissemination of their probation data; and

WHEREAS, the cost to the Madison County Probation Department will be \$42,626.00, which includes the Site License for the Caseload Explorer Software, installation, training and one year of maintenance beginning six months after the installation of Caseload Explorer on the Probation Department's server; the department will be able to more succinctly collect and manage their data; and

WHEREAS, these funds have been accounted for in the 2012 Probation Department's budget; and

WHEREAS, the Criminal Justice, Public Safety and Telecommunications Committee have reviewed and approve of this agreement;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board be and is hereby authorized to enter into an agreement with AutoMon, LLC for the period June 1, 2012 to November 30, 2013, a copy of which is on file with the Clerk to the Board.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 186-12

AUTHORIZING THE CHAIRMAN TO APPLY FOR A NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES (DHSES) - OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS (OIEC) - FY 2012 ROUND 2 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT (Round 2 SICG)

WHEREAS, the County of Madison is eligible to apply for a New York State Division of Homeland Security and Emergency Services (DHSES) - Office of Interoperable and Emergency Communications (OIEC) - FY 2012 - 2013 Statewide Interoperable Communications Grant (SICG) in an amount not to exceed \$6,000,000; and

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

WHEREAS, a grant award requested under this program is intended to aid the county public safety organizations in enhancing emergency response and improving capability and performance results from National Emergency Communications Plan (NECP) Goal 2, improvements in governance structures, operating procedures, infrastructure development, and addressing SAFECOM guidance from the U.S. Department of Homeland Security Office of Emergency Communications (OEC).

WHEREAS, a grant award requested under this program is to implement a program to facilitate the development, consolidation and/or operation of public safety communications to support statewide interoperable communications for first responders; and

WHEREAS, the total cost of the equipment and services under this program is not to exceed \$6,000,000; and the grant will provide for 100% of the project total cost, the county agrees is not responsible for a cost share under this program; and

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman of the Board to sign any and all necessary contract documents for a New York State Division of Homeland Security and Emergency Services (DHSES) - Office of Interoperable and Emergency Communications (OIEC) - FY 2012 - 2013 Statewide Interoperable Communications Grant (SICG) in an amount not to exceed \$6,000,000.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 187-12

AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO IMPLEMENT A INTEROPERABLE COMMUNICATIONS SYSTEM AGREEMENT FOR ALL COUNTY FIRST RESPONDERS TO ADHERE TO WHILE USING THE COUNTY'S PUBLIC SAFETY RADIO COMMUNICATION SYSTEM

WHEREAS, Madison County operates a Department of Emergency Communications, which is headed by the Director of E-911, who, among other things, is responsible for administering the operation of a county-wide emergency communications center; and

WHEREAS, the Madison County Interoperable Communications System ("MCICS") is an integrated system of equipment and facilities necessary for the provision of county-wide emergency communication services; and

WHEREAS, to provide for the safety and protection of the public and public safety responders, and to maintain the integrity of the MCICS, it is necessary to establish procedures for the use of the MCICS;

NOW, THEREFORE, in consideration of the benefits conferred and obligations incurred herein, the parties do mutually agree as follows to:

Ownership –

- County Equipment that provided access to the old radio (LMR) for First Responders will be returned to the County when replaced with new equipment. This equipment will be collected by the Director of E-911.
- County Maintains ownership for a period of twenty years
- User can't transfer ownership without Madison County Board approval

Equipment Maintenance –

- User shall, at its own cost and expense, maintain all such equipment in proper working order in accordance with factory and MCICS specifications and cause all replacements, hardware or software upgrades or modifications, and repairs to be timely made to any such equipment that interfaces with the MCICS.
- User shall use only a factory-authorized radio service shop(s), approved by the Director E-911, to perform the maintenance, upgrading, modification, or repair of such equipment.

Equipment Programming -

- The Director E-911 must approve in writing any programming or reprogramming to include the addition of non-MCICS licensed frequencies on such equipment, and such programming or reprogramming must be done by a County-approved vendor or technician.

System Use –

- User agrees to use the MCICS and maintain its County-assigned or User-owned radio equipment in accordance with FCC rules and regulations and in accordance with MCICS policies and procedures.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chairman of the Board be and hereby is authorized to execute this Interoperable Communication System Agreement.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT- 54 (Salka)

RESOLUTION NO. 188-12

AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT

WHEREAS, the Sheriff's Office owns a Datacard CP80 Plus Duplex Printer with IDCentre Gold v6.5 from Linstar, Inc., for printing of ID cards; and

WHEREAS, the agreement includes a preventative maintenance trip and on –call remedial maintenance service; and

WHEREAS, the charges for the basic principal maintenance is One Thousand Six Hundred Fifteen Dollars (\$1,615.00); and

WHEREAS, the term of this agreement shall begin on June 17, 2012 and end June 16, 2013; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and he is hereby authorized to enter into agreement with Linstar, Inc., in the form as is on file with the Clerk of the Board; and

ADOPTED: AYES – 1446 NAYS – 0 ABSENT- 54 (Salka)

By Supervisors Ball and Reinhardt:

RESOLUTION NO. 189-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENT WITH BRIDGES AND MODIFYING THE 2012 COUNTY BUDGET

WHEREAS, the Sheriff's Office has received \$10,020 from BRiDGES through a 2011 NYS Enforcing Underage Drinking Laws College Community Coalition Subgrant as stated on Resolution No. 356-11; and

WHEREAS, the Sheriff's Office will conduct off and on-premise compliance checks of licensed establishments and any details related to underage drinking targeted at the Morrisville College area and surrounding communities and the Route 20 Corridor; and

WHEREAS, BRiDGES has offered to pay an additional \$1,328 to the Madison County Sheriff's Office for the above mentioned services; and

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

Awarding Agency: Office of Juvenile Justice and Delinquency Prevention
Pass-through Agency: NYS Office of Alcoholism and Substance Abuse Services
Catalog #: 16.727
Program Name: 2011 NYS Enforcing Underage Drinking Laws College Community Coalition Subgrant
Award Period: August 2011 – May 2012
Federal Funds %: 100%
Total Grant Amount: \$11,528; and

WHEREAS, the funding agencies have approved the following budget for this project during the project period of August 2011 – May 2012; and

<u>General Fund</u>		
<u>3110 Sheriff's Department</u>		
<u>Expense</u>	From	To
A3110.41030 Enforcing Underage Drinking Laws-College	<u>\$10,020</u>	<u>\$11,528</u>
Control Total		<u>\$11,528</u>
<u>Revenue</u>		
A4389.6030 Fed Aid-Enforcing Underage Drinking Laws-College	<u>\$10,020</u>	<u>\$11,528</u>
Control Total		<u>\$11,528</u>

WHEREAS, this agreement has been reviewed and approved by the Criminal Justice, Public Safety, and Telecommunications Committee and also the Finance, Ways and Means Committee; and

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

ADOPTED: AYES – 1446 NAYS – 0 ABSENT- 54 (Salka)

By Supervisor Monforte:

RESOLUTION NO. 190-12

**APPOINTING A MEMBER TO THE WORKFORCE INVESTMENT BOARD OF
HERKIMER-MADISON-ONEIDA COUNTIES**

WHEREAS, In accordance with the Tri-County Consortium Agreement of the Herkimer-Madison-Oneida Local Workforce Investment Area, the Madison County Chief Elected Official appoints several members to the Workforce Investment Board from the private sector, and

WHEREAS, Ms. Holly B. Wright, Human Relations Manager for Manth Brownell, Inc., Kirkville, NY, has expressed an interest in serving on the Workforce Investment Board; and

NOW, THEREFORE BE IT RESOLVED, that Ms. Wright be hereby appointed to the Workforce Investment Board of Herkimer-Madison-Oneida Counties for a three-year term, commencing on July 1, 2012.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 191-12

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN AN UPDATED NEW
YORK STATE REQUIRED “LEASE DISCLOSURE SHEET”**

WHEREAS, the County of Madison has a sublease agreement with the State of New York for office space at the Madison County “Career Center” located at 1006 Oneida Plaza Drive, Oneida, NY 13421; and

WHEREAS, the State of New York requires all Landlords of property leased to New York State, or any of it’s Agencies or Departments, complete and sign the “Lease Disclosure Sheet”; and

WHEREAS, the “Lease Disclosure Sheet” is a tool for gathering information about the landlord and the building proposed for lease; and

WHEREAS, this Board previously authorized the Chairman to sign this agreement on September 14, 2010 in Resolution 293-10, and again on August 9, 2011 in Resolution 283-11; and

WHEREAS, the County of Madison has been notified by the New York State Department of Labor that the signed forms are now older than six months and must be re-signed and resubmitted, and

WHEREAS, a completed updated “Lease Disclosure Sheet” is now on file with the Clerk of the Board;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors for the County of Madison be and hereby is authorized to sign the document entitled “Lease Disclosure Sheet” on behalf of the County of Madison.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 192-12

AUTHORIZING AN AGREEMENT FOR THE SOLARIZE MADISON PROJECT

WHEREAS, Madison County presently contracts with the Central New York Regional Planning and Development Board (Regional Planning) for a \$30,000 Climate Change Innovation Program (C2IP) demonstration grant, and

WHEREAS, Madison County has partnered with Regional Planning and Morrisville State College to create the Solarize Madison Program, the first such project in the State of New York, and

WHEREAS, it is the goal of Solarize Madison to apply group pricing to the installation of numerous solar projects in Madison County benefitting residents by lowering the price, making the process easier, and providing educational assistance along the way, and

WHEREAS, the County embarked on a Request for Proposals (RFP) process for Solarize Madison County, in which we received over 9 responses from companies in the northeast U.S., and

WHEREAS, an RFP selection committee has chosen ETM Solar Works (Endicott, NY) for leased residential installations and Arista Power (Rochester, NY) for purchased residential, commercial, and agricultural installations, and

WHEREAS, Madison County will use its \$30,000 C2IP grant funds to provide an additional \$2,000 solar incentive to the first 15 residential customers who sign a contract with Arista Power for a purchased solar installation, thereby generating a far greater impact on the community and greenhouse gas emissions than doing a single demonstration project , and

WHEREAS, it is necessary to sign a contract with Arista Power to allow for funding this \$30,000 solar incentive as part of the Solarize Madison program;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman of the Board to sign a contract with Arista Power for the Solarize Madison program.

Before a vote was taken, Chairman Becker called on Director of Planning, Scott Ingmire to explain the Madison Solarize Project. Scott distributed some informational materials to the Supervisors and proceeded to explain about the project. A grant in the amount of \$30,000 was received with the help of Morrisville Student Jan Myers and CNY Regional Planning. RFP’s were sent out to 98 vendors with experience in this type of work. Two vendors were selected; ETM Solar Works and Arista Power. The first residential customers who apply will receive \$2,000 for solar energy improvements.

Chairman Becker then asked for a vote on the resolution:

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 193-12

AUTHORIZING THE COUNTY TO PROVIDE AQUATIC VEGETATION HARVESTING SERVICES TO MADISON COUNTY LAKES

WHEREAS, Madison County presently contracts with the Finger Lakes Association, Inc. to receive a Finger Lakes-Lake Ontario Watershed Protection Alliance (FL-LOWPA) grant from the New York State Environmental Protection Fund; and

WHEREAS, Madison County has received \$15,000 in FL-LOWPA funding for the operation of the aquatic weed harvester; and

WHEREAS, Madison County owns a mechanical vegetation harvester and related equipment, which were purchased in 2003 with State grant funds; and

WHEREAS, numerous lakes (DeRuyter, Moraine, Eaton Brook, Gorton, Lebanon, and Leland's Pond) within Madison have expressed initial interest in benefiting from the weed harvester this summer;

WHEREAS, Madison County can provide this service to lake associations at the very economical cost of \$31/hour; and

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman to sign MOU's (copies of which are on file with the Clerk of this Board) with the above mentioned Lake Associations to operate the harvester in the summer of 2012.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 194-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR AUCTIONEER SERVICES

WHEREAS, Madison County acquires parcels of land as a result of non-payment of real property taxes levied on such parcels; and

WHEREAS, the County typically disposes of these parcels at a public land sale on an annual basis; and

WHEREAS, it has been the County's practice to utilize the services of an auctioneer in order to secure the highest possible bids; and

WHEREAS, the County has solicited proposals from Haroff Auction & Realty, Inc. in partnership with Absolute Auctions & Realty, Inc., Auctions International, Farm and Land Agency, and PV Realty to provide auctioneer services for the 2012 public land sale; and

WHEREAS, the Planning, Economic Development and Environmental Affairs Committee has reviewed the four proposals and has recommended the County enter into an agreement with Haroff Auction & Realty, Inc. and Absolute Auctions & Realty, Inc. for auctioneer services; 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 Haroff Auction & Realty, Inc. and Absolute Auctions & Realty, Inc. for auctioneer services for the 2012 public land sale, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1383 NAYS – 0 ABSTAIN – 63 (Bono) ABSENT – 54 (Salka)

By Supervisor Bono:

RESOLUTION NO. 195-12

AGREEMENT FOR ENGINEERING SERVICES WITH BARTON & LOGUIDICE

WHEREAS, the Public Works Committee met on April 17, 2012 and authorized the Madison County Highway Department to proceed with Engineering Service for a bridge rehabilitation project identified as the North Court Street Bridge over CSX (BIN 3365930) in the Town of Lenox, Madison County; and

WHEREAS, the firm Barton & Loguidice, P.C. has provided a lump sum fee for Engineering Services at Forty-five thousand five hundred dollars and no cents (\$45,500.00); and

WHEREAS, the cost for Engineering Services will be for both design and construction phase provided in the County Road Fund 2012 Budget line item D5110.46000;

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

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisor Goldstein:

RESOLUTION NO. 196-12

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT THE RESCUE MISSION TO ESTABLISH A REUSE CENTER LOCATED AT THE COUNTY RECYCLIYING CENTER

WHEREAS, The Rescue Mission Alliance of Syracuse, N. Y. (hereinafter "Rescue Mission") is a not-for-profit corporation devoted to providing services to meet the spiritual and practical needs of the poor which includes the establishment and operation of attended donation centers that will accept and take ownership of certain textile and clothing product donations ("Donation Center") as well as attended retail operations where items donated or saved from the landfill will be sold to the public ("Retail Operation") including a book depository and swap system; and

WHEREAS, Madison County and the Rescue Mission have negotiated a 3 year agreement (the "Agreement") providing for the placement of a Donation Center at the County landfill and recycling center as well as the operation of the County's existing reuse store and

Book Depository located at the landfill site as a Retail Operation staffed initially with one attendant three days per week; and

WHEREAS, the Agreement provides that the Rescue Mission shall pay the County a monthly fee equal to 5% of its net income from the Retail Operation as well as provide employment opportunities to Madison County residents through the County's social services program;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute the Agreement a copy of which is on file in the office of the Clerk of the Board of Supervisors; and

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

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisor Reinhardt:

RESOLUTION NO. 197-12

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS
FOR LIEN/TITLE AND BANKRUPTCY SEARCH SERVICES**

WHEREAS, pursuant to Article 11 of the New York State Real Property Tax Law In Rem Foreclosure Proceeding, the Madison County Treasurer is required to serve Petitions and Notices of Foreclosure to lien holders of record; and

WHEREAS, Allied American Abstract Corporation and Leatherstocking Abstract Corporation successfully completed the required lien/title and bankruptcy search services during 2011; and

WHEREAS, Allied American Abstract Corporation and Leatherstocking Abstract Corporation wish to continue providing these services in 2012 at the foregoing rates, which represent no increase in compensation from the previous year: \$75.00 for each complete lien/title search; \$37.50 for each lien/title search completed but not typed; and \$5.00 per parcel for each bankruptcy search; and

WHEREAS, appropriations for these services have been included in the 2012 Adopted County Budget account A1325.4710; and

WHEREAS, these agreements have been reviewed and approved by the Finance, Ways and Means Committee.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be, and hereby is, authorized to enter into agreements with Allied American Abstract Corporation and Leatherstocking Abstract Corporation, in the forms as are on file with the Clerk of the Board.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

RESOLUTION NO. 198-12

AUTHORIZING THE MODIFICATION OF THE 2012 ADOTPED COUNTY BUDGET

RESOLVED, that the 2012 Adopted County Budget be modified as follows:

Modification No. 1

General Fund

1619 County Buildings-Veteran's Memorial

Expense

	<u>From</u>	<u>To</u>
A1619.403 Misc. Bldg Expense & Repairs	\$ 12,000	\$ 17,000

1990 Contingent Fund

Expense

A1990.4444 Contingent Fund	<u>994,404</u>	<u>989,404</u>
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Control Totals	<u>\$1,006,404</u>	<u>\$1,006,404</u>
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Modification No.2

Information Technology

Department 1680

General Fund

	<u>From</u>	<u>To</u>
A1680.2110 Computer Equipment	\$ 6,000	\$ 4,033

A1680.402 Miscellaneous Expense	2,000	3,500
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A1680.4045 County Software License Renewals	18,650	18,817
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A1680.2101 Network Equipment	<u>12,000</u>	<u>12,300</u>
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Control Totals:	<u>\$ 38,650</u>	<u>\$ 38,650</u>
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Modification No. 3

General Fund

3110 Sheriff Department

Expense

	<u>From</u>	<u>To</u>
A3110.40104 Maintenance/Software Support	\$ 1,500	\$ 1,644

A3110.4911 Office Supply & Expense (Outside)	<u>5,500</u>	<u>5,356</u>
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Control Totals:	<u>\$ 7,000</u>	<u>\$ 7,000</u>
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3150 Sheriff-Correctional Facility

Expense

	<u>From</u>	<u>To</u>
A3150.40104 Maintenance/Software Support	\$ 1,500	\$ 1,644

A3150.451 Dental Expense	10,000	16,000
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A3150.452 Medical & Personal Care Expense	110,000	104,000
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A3150.4911 Office Supply & Expense (Outside)	<u>3,500</u>	<u>3,356</u>
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Control Totals:	<u>\$ 125,000</u>	<u>\$ 125,000</u>
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Modification No. 4

General Fund

3410 Fire Control - Emergency Preparedness

Expense

	<u>From</u>	<u>To</u>
A3410.41005 AED Replacement Parts Expense	\$ -0-	\$ 4,094

1990 Contingent Fund

Expense

A1990.4444 Contingent Fund	<u>989,404</u>	<u>985,310</u>
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Control Totals	\$ <u>989,404</u>	\$ <u>989,404</u>
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Modification No. 5

General Fund

4013 Public Health Home Care

Expense

	<u>From</u>	<u>To</u>
A4013.4200 Consultant	\$ 200	\$ 417
A4013.4723 CHHA Services Contract	20,000	10,000

4010 Public Health Administration

Expense

A4010.4206 Computer Software Maintenance	\$ 10,000	\$ 19,783
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Control Totals	\$ <u>30,200</u>	\$ <u>30,200</u>
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Modification No. 6

General Fund

6010 Social Services Administration

Expense

	<u>From</u>	<u>To</u>
A6010.4204 Medicaid Eligibility Assessment Contract	\$ -0-	\$ 16,200

Control Total		\$ <u>16,200</u>
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Revenue

A4610.1010 Fed. Aid Social Services	2,363,515	2,371,615
A3610.1010 St. Aid Social Service	<u>2,232,917</u>	<u>2,241,017</u>
Total	\$4,596,432	\$4,612,632

Control Total		\$ <u>16,200</u>
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ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisor Suits:

RESOLUTION NO. 199-12

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 for the purpose of approving a settlement agreement and supporting bills amending NYS Law to Reaffirm the meaning of “Qualified Indian Reservation” and “Indian Reservation” .

ADOPTED: AYES – 1446 NAYS – 0 ABSENT- 54 (Salka)

By Supervisor Degear:

RESOLUTION NO. 200-12

APPROVING SETTLEMENT AGREEMENT

WHEREAS, an employment dispute has arisen between the County of Madison, the Madison County Sheriff's Office, and a former correction officer within the Sheriff's Office; and

WHEREAS, the parties have determined to enter into a settlement agreement in the interest of avoiding the expense, inconvenience, and uncertainty of further legal proceedings in connection with said dispute;

NOW, THEREFORE BE IT RESOLVED, that this Board of Supervisors has reviewed and hereby approves the aforesaid settlement agreement; and

BE IT FURTHER RESOLVED, that the Chairman of this Board of Supervisors and the Sheriff be and hereby are authorized to execute said agreement on behalf of the County and the Sheriff's Office.

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisor DiVeronica:

RESOLUTION NO. 201-12

RESOLUTION TO SUPPORT BILLS AMENDING NEW YORK STATE LAW TO REAFFIRM THE MEANING OF "QUALIFIED INDIAN RESERVATION" AND "INDIAN RESERVATION"

WHEREAS, bills have been introduced in the New York State Senate and Assembly (S3866-C/A5151-B) to amend the definition of a "qualified (Indian) reservation in New York State law," and to reaffirm that a "qualified reservation" and an "Indian reservation" must be "Lands within the State over which an Indian nation or tribe lawfully exercises tribal sovereignty;" and

WHEREAS, in 2005, the Supreme Court of the United States held in City of Sherrill v. Oneida Indian Nation of New York that the Oneida may not exercise sovereignty in whole or in part over parcels they recently purchased on the open market and that these parcels are subject to real property taxes; and

WHEREAS, the holding in Sherrill applies not only to the specific parcels within the City of Sherrill at issue but also to over 17,000 acres recently purchased by the Oneida within their historic reservation (but, nevertheless, the Oneida have refused to pay real property taxes and have argued that these parcels are exempt from such taxes under Section 6 of the Indian Law and Section 454 of the Real Property Tax Law because, they assert, the historic reservation is "not disestablished"); and

WHEREAS, the principle of Sherrill applies equally to lands purchased by other New York tribes; and

WHEREAS, Section 470 of the Tax Law, Section 6 of the Indian Law, and Section 454 of Real Property Tax Law should be amended so that the definition of a “qualified reservation” and an “Indian reservation” in those laws is consistent with each other; and

WHEREAS, New York State law should be amended accordingly in this session of the New York State Legislature;

NOW THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors respectfully requests the Senate Committee on Investigations and Government Operations and the Ways and Means Committee of the Assembly to pass and forward for floor action in the current session of the Legislature, S3866-C and A5151-B, respectively; and

BE IT FURTHER RESOLVED, this Board respectfully requests the Legislature to immediately enact and the Governor immediately sign such bills into law; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent by overnight mail to:

Senator Michael Nozzolio, Sponsor
Senator Carl Marcellino, Chair, Investigations and Government Operations Committee
Senator David Valesky
Assemblyman William Magee
Assembly Minority Leader Brian Kolb
Assemblyman Herman Farrell, Jr., Chair, Ways and Means Committee
Senate Majority Leader Dean Skelos
Assembly Speaker Sheldon Silver
Governor Andrew Cuomo

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

By Supervisor Reinhardt:

RESOLUTION NO. 202-12

APPROVING THE PAYMENT OF CLAIMS

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

ADOPTED: AYES – 1446 NAYS – 0 ABSENT – 54 (Salka)

PUBLIC COMMENT PERIOD

- 1. Mr. Bill Allen of Cazenovia, New York addressed the Board about the Assigned Counsel Program for Madison County, stating that it has failed him over the years and would like something done about it.**

There being no further speakers Chairman Becker asked for a motion to adjourn the meeting. Supervisor Rafte made that motion, seconded by Supervisor Carinci and carried.