

**MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Tuesday, March 11, 2014**

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

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

COMMUNICATIONS

1. Letter received from Reality Check of Madison County asking for the board's continued support of tobacco prevention and tobacco control programs in New York State.
2. Copies of resolutions from Greene and Ontario Counties – Denying the use of the County Seal for any purpose Associated with the New York Safe Act.
3. Copy of a resolution from Schuyler County – Urging the State of New York to Establish a Residency Requirement in order to received Welfare Benefits – Social Services.
4. Copy of resolutions from Chemung and Seneca Counties – Urging Residents to Register as Organ Donors.
5. Copy of a resolution from St. Lawrence County – Requesting the NYS Legislature Reject the Proposal by Governor Cuomo to Provide Prison Inmates a College Education at Taxpayer Expense.
6. Copy of a resolution from Orleans County – Offering an Alternative to the Property Tax Freeze that will Lead to Permanent and Historic Property Tax Reductions by eliminating the Cost of State Mandated Spending Imposed on County Property Taxpayers.

REPORTS

1. Madison County Occupancy Tax Receipts/Expenditures for Quarter 10/1/13-12/31/13.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA And Madison County Sewer District:	\$ 2,027,000.61
Miscellaneous Accounts:	\$ 1,466,982.28

RESOLUTIONS

By Supervisor Degear:

RESOLUTION NO. 42-14

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE

WHEREAS, the 2014 National Highway Traffic Safety Association's Region 2 Child Passenger Safety Technical Conference will be held in State College, Pennsylvania on June 23-26, 2014; and

WHEREAS, Eric Faisst, Public Health Director has requested that Chrystal Johnson, Public Health Educator II attend said conference; and

WHEREAS, Allen Riley, Sheriff has requested that Darren Ladd, Deputy Sheriff attend said conference; and

WHEREAS, lodging will be paid 100% by Governor's Traffic Safety Committee (GTSC); and

WHEREAS, transportation, meals and registration will be reimbursed by the Car Seat Grant; and

WHEREAS, this request has been reviewed and approved by the Health and Human Services Committee, Criminal Justice, Public Safety and Emergency Communications Committee and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Chrystal Johnson and Darren Ladd be and hereby are authorized to attend said training at no cost to the County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 43-14

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE

WHEREAS, the 2014 Preparedness Summit – National Conference will be held in Atlanta, GA on March 31- April 4, 2014; and

WHEREAS, Eric Faisst, Public Health Director has requested that Jennifer McGohan, Public Health Educator II attend said conference; and

WHEREAS, all expenses will be paid 100% by Onondaga County Health Department Grant; and

WHEREAS, this request has been reviewed and approved by the Health and Human Services Committee and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that Jennifer McGohan be and hereby is authorized to attend said training at no cost to the County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 44-14

**ABOLISHING A CONFIDENTIAL SECRETARY TO
CLERK TO THE BOARD POSITION AND CREATING A
PURCHASING AGENT POSITION**

WHEREAS, the Clerk to the Board of Supervisors will be retiring from her full-time position in the summer of 2014 and will continue to serve in this function on a part-time basis; and

WHEREAS, the Clerk to the Board currently serves as the Purchasing Agent for the County as well; and

WHEREAS, the County will be moving from a decentralized purchasing model to a centralized one in order increase efficiencies and reduce costs; and

WHEREAS, in order to facilitate these changes, the Board has determined that there is a need for a full-time Purchasing Agent in the Office of the County Administrator; and

WHEREAS, as a result of the restructuring of the Clerk to the Board of Supervisors duties and the purchasing process, the Clerk to the Board is recommending that the Confidential Secretary to Clerk to the Board position be abolished; and

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

NOW, THEREFORE BE IT RESOLVED that one (1) part-time Confidential Secretary to the Clerk to the Board be abolished effective May 30, 2014; and

BE IT FURTHER RESOLVED that the incumbent in this position be and hereby is laid off from this position effective May 30, 2014, in accordance with New York State Civil Service Law and Rule; and

BE IT FURTHER RESOLVED that one (1) full-time Purchasing Agent position be and hereby is created and is allocated to Grade H of the Management Salary Plan with a starting salary not to exceed step g (\$46,737) effective immediately; and

BE IT FURTHER RESOLVED that the County Administrator be and hereby is authorized to fill the position in accordance with Civil Service Law and Rule and County policies and procedures effective immediately.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 45-14

AUTHORIZING THE CHAIRMAN TO ACCEPT SETTLEMENT

WHEREAS, Madison County entered into a retainer agreement with Kirby, McInerney & Squire in March of 2005, by Resolution 75; and

WHEREAS, Kirby McInerney & Squire were authorized to pursue claims on behalf of Madison County along with many other Counties throughout the State against pharmaceutical companies who had violated laws with regard to billing practices, and in turn had over charged Madison County on several drugs paid for by Medicaid; and

WHEREAS, Kirby McInerney & Squire has been negotiating settlements on behalf of Madison County and the many other Counties they represent; and

WHEREAS, they have recently reached a settlement with Actavis 3, in the amount of One Million Nine Hundred Nine Thousand Seven Hundred Twelve and 60/100 dollars

(\$1,909,712.60), Madison County's distribution after expenses being One Thousand Five Hundred Eighty-six and 51/100 dollars (\$1,586.51); and

WHEREAS, the Government Operations Committee has reviewed and approved the settlement of these matters;

NOW, THEREFORE, BE IT RESOLVED, that the County of Madison accept the settlement set forth above in full satisfaction of the claims against Actavis 3, and that the Chairman of the Board of Supervisors be and hereby is authorized to execute any necessary paperwork with regard to the acceptance of these amounts.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Degear and Reinhardt:

RESOLUTION NO. 46-14

AUTHORIZING STIPENDS FOR THE SECOND ASSISTANT DISTRICT ATTORNEY AND THE CONFIDENTIAL SECRETARY TO THE DISTRICT ATTORNEY FOR THE STOP DWI PROGRAM FOR 2014 AND MODIFYING THE 2014 ADOPTED BUDGET

WHEREAS, the Board of Supervisors has designated Sheriff Allen Riley as the STOP DWI Coordinator; and

WHEREAS, employees of the District Attorney's Office, provide training and assistance for the STOP-DWI Program as well; and

WHEREAS, the Criminal Justice, Public Safety and Emergency Communications, and the Government Operations Committee have reviewed and approved a request for stipends to be provided to the Second Assistant District Attorney and the Confidential Secretary to the District Attorney for their assistance; and

NOW, THEREFORE BE IT RESOLVED that stipends for 2014 be and hereby are established as follows:

Training:	
Second Assistant District Attorney	\$ 2,400.00
Fine Collection:	
Second Assistant District Attorney	\$ 2,400.00
Confidential Secretary to the District Attorney	\$ 2,400.00

BE IT FURTHER RESOLVED that said stipends shall be payable on a bi-weekly basis effective retroactively to January 1, 2014; and

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

<u>General Fund</u>		
<u>1165 District Attorney</u>	<u>From</u>	<u>To</u>

<u>Expense</u>		
A1165.1 Personal Services	\$542,001	\$549,201
A1165.8110 Retirement Expense	102,476	103,950
A1165.8130 Social Security Expense	41,463	42,014

9010 Retirement Expense

<u>Expense</u>		
A9010.8010 Retirement Expense	\$3,830,149	\$3,831,623
A9010.8020 Allocation Retirement Expense	(3,830,149)	(3,831,623)

9030 Social Security & Medicare Expense

<u>Expense</u>		
A9030.8200 Social Security Expense	\$1,541,121	\$1,541,672
A9030.8210 Allocation FICA Expense	(1,541,121)	(1,541,672)

Totals	<u>\$685,940</u>	<u>\$695,165</u>
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Control Total		<u>\$9,225</u>
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1165 District Attorney

<u>Revenue</u>		
A2801.2015 STOP DWI Training Services	<u>\$-0-</u>	<u>\$9,225</u>

Control Total		<u>\$9,225</u>
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3315 Special Traffic Programs - STOP DWI

<u>Expense</u>		
A3315.410221 DA Training Services	<u>\$2,481</u>	<u>\$11,706</u>

Control Total		<u>\$9,225</u>
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<u>Revenue</u>		
A880.4010 Appropriation of STOP DWI Reserves	<u>\$12,972</u>	<u>\$22,197</u>

Control Total		<u>\$9,225</u>
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ADOTPED: AYES – 1500 NAYS – 0

By Supervisor Degear:

RESOLUTION NO. 47-14

DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY

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

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

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

TAG #	ITEM	CONDITION
515	Folding Table	Fair
516	Chairs w/arms, wheels	Fair
517	Chairs w/arms, wheels	Fair
518	Secretarial Chair (orange)	Fair
519	Secretarial Chair (burgundy)	Fair
510	Chairs, plastic (set of 8)	Fair
521	File Cabinet (card file type)	Fair
522	File Cabinet (card file type)	Fair
523	Camera, 35mm	Good
524	Camera, 35mm	Good
525	Fax Machine, Brother	Unknown
526	Desk, small w/2 drawers	Good
527	Card File, 2 drawer	Fair
528	Desk, 5 drawer	Fair
529	File Cabinet, Vertical, 4 drawer, tan	Fair/Good
530	Landscape Panels (16)	Very Good
531	Cubicle Panels (12 sections)	Good
532	Shelf Unit, metal	Good
533	Cabinet, 2 drawer	Good
534	Credenza, wood	Good
535	Shredder (small)	Unknown
536	File Cabinet, 22 drawer	Good
537	File Cabinet, 4 drawer	Fair
538	Desk, wood, 5 drawer	Fair
539	Utility Cart w/wheels, metal, 2 shelf, brown	Good
540	Utility Cart w/wheels, metal 3 shelf, gray	Good
541	File Cabinet, 3 drawer, lateral, black	Good
542	File Cabinet, 3 drawer, vertical	Good
543	File Cabinet, 4 drawer, lateral	Good
544	File Cabinet, 4 drawer, lateral	Good
545	File Cabinet, 4 drawer, lateral	Good
546	File Cabinet, 4 drawer, lateral	Good
547	File Cabinet, 2 drawer, vertical	Good
548	File Cabinet, 2 drawer, vertical	Good
549	Door w/frame & side panels	Good
550	Cubicle Setup (8 pieces)	Good

ADOTPED: AYES – 1500 NAYS – 0

RESOLUTION NO. 48-14

OFFERING AN ALTERNATIVE TO THE PROPERTY TAX FREEZE THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTIONS BY ELIMINATING THE COST OF STATE-MANDATED SPENDING IMPOSED ON COUNTY PROPERTY TAXPAYERS

WHEREAS, the Governor and State Legislature have prioritized property tax relief as necessary to help improve New York’s economic competitiveness, especially in struggling upstate areas where the high property tax burden has contributed to a loss of economic opportunity, industrial and business decline, and flat or negative population growth over the last two decades; and

WHEREAS, the Governor has proposed a two-year property tax freeze in these same economically burdened areas that includes a state-financed rebate for any increase in property taxes in municipalities that stay within the state imposed property tax cap over the next two years, while also pursuing shared services or consolidation of functions with other local governments in the second year; and

WHEREAS, the proposed property tax freeze would create a new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which have not been adequately analyzed, calculated, and publicly discussed; and

WHEREAS, county government has a demonstrated track record of being a strong proponent of increasing cooperation, sharing services and consolidating major governmental functions across multiple jurisdictions as highlighted in the 2013 Cornell University study, “Shared Services in New York: A Reform That Works”; and

WHEREAS, recent legislative reforms enacted by the Governor and State Legislature to cap the growth in county Medicaid costs and the creation of another pension tier will help reduce pressure on future county property tax levy growth, especially in 2020 and beyond; and

WHEREAS, county elected leaders strongly support meaningful state and county efforts to lower the property tax burden for homeowners and businesses across the state; and

WHEREAS, the levying of county property taxes is directly linked to state-mandated spending as county governments act as the state’s administrative arm through the delivery and financing of state programs; and

WHEREAS, county officials believe the best way to improve New York’s economic climate and competitiveness is to reduce property taxes through fundamental reform of state mandates that directly result in high property taxes and not simply the symptoms (not just slow the rate of growth); and

WHEREAS, recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, aligning the cost of the state’s human services programs with the government obligated to provide them will result in a historic and

sustainable reduction in county property taxes and a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS, the cost of paying for the state Medicaid program in Madison County is \$11,375,963 or approximately 35% of our tax levy; and

WHEREAS, the benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with state resources, therefore transferring a significant cost burden to local property taxpayers that contributes greatly to the disparity between property taxes in New York State and those in other states; and

WHEREAS, New York City tax payers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program; and

WHEREAS, if the Medicaid burden was removed the average Madison County property taxpayer would realize a permanent reduction in real property taxes of \$265 per year; and

WHEREAS, if the tax freeze proposal was enacted the rebate check distributed for the average Madison County resident's county portion of their real property tax would be \$6.85;

NOW, THEREFORE IT BE RESOLVED, that counties find no quantifiable evidence that the property tax freeze would result in significant property tax relief, while a phased state takeover of the costs of its own mandated human services, starting with Medicaid, would provide immediate, permanent and measurable property tax reduction; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the sixty-two counties of New York State, encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the Clerk of the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator David Valesky, Assemblyman William Magee; Madison County Towns, Villages and School Districts; the New York State Associations of Counties and Towns and all others deemed necessary and proper.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Stepanski:

RESOLUTION NO. 49-14

AUTHORIZING THE CHAIRMAN TO ENTER AGREEMENTS WITH SUNY DELHI, SUNY IT, AND UTICA COLLEGE NURSING PROGRAMS

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

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

WHEREAS, SUNY Delhi, SUNY IT, and Utica College desire to have nursing students receive clinical field work experience with Madison County registered nurses; and

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

WHEREAS, these joint projects has been reviewed and approved by the Health and Human Services Committee;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter the agreements between Madison County Department of Health and SUNY Delhi, SUNY IT, and Utica College effective March 1, 2014 through March 1, 2017, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 50-14

ENTERING AN AGREEMENT WITH MADISON COUNTY RURAL HEALTH COUNCIL (MCRHC) FOR CAPACITY BUILDING SERVICES AND ACTIVITES

WHEREAS, the Madison County approved Resolution #409-12 to accept the Health Foundation for Western & Central New York's Ready or Not Grant on December 7, 2012, to conduct a community health assessment and develop the County's Health Improvement Plan and laying the foundation for a Madison County Health Care Council; and

WHEREAS, the Madison County Rural Health Council (MCRHC) has been established; and

WHEREAS, the MCRHC will utilize the funds to provide continued capacity building services and activities; and

WHEREAS, the Health Foundation for Western & Central New York has approved the use of these funds for the MCRHC; and

WHEREAS, funds for this project are available in the Ready or Not Grant budget; and

WHEREAS, the Board of Health and Health and Human Services Committee believes it is appropriate and in the best interest of Madison County to enter an agreement with Madison County Rural Health Council; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with the Madison County Rural Health Council not to exceed \$9,500 as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 51-14

ENTERING AN AGREEMENT WITH MADISON COUNTY RURAL HEALTH COUNCIL (MCRHC)

WHEREAS, the Madison County Rural Health Council (MCRHC) has been established; and

WHEREAS, MCRHC will catalyze information sharing, access to healthcare and linkages among providers to improve the health of people in Central New York; and

WHEREAS, the County was awarded funds from the NYS Local Government Performance Efficiency Program (LGPEP) to provide initial funds for the Madison County Rural Health Council; and

WHEREAS, the County has included \$120,000 in appropriations in the 2014 budget for these services; and

WHEREAS, the Board of Health and Health and Human Services Committee believes it is appropriate and in the best interest of Madison County to enter an agreement with Madison County Rural Health Council; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with the Madison County Rural Health Council not to exceed \$120,000 as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 52-14

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH VETERINARIANS FOR RABIES CLINIC

WHEREAS, the Rabies Program is a Public Health Department program; and

WHEREAS, the Department conducts immunization clinics at various locations and times throughout the year to protect residents domestic pets from rabies; and

WHEREAS, the services of veterinarian professionals are necessary to conduct said rabies immunization clinics; and

WHEREAS, a number of veterinarian professionals have provided such services to the Department, and the Department desires to enter into contracts with said veterinarian professionals to renew agreements to provide veterinarian services for the year 2014; and

WHEREAS, the minimum professional liability insurance for these contracts shall be \$100,000 for single occurrence and \$100,000 in aggregate; and

WHEREAS, the Health and Human Services Committee thinks it most expeditious to enter into new agreements with independent contractors for these services; and

WHEREAS, the Health and Human Services Committee has approved this proposal to provide these services at the same rate(s) as 2013 and as further stated to be:

Veterinarian	\$30.00/Hour
Veterinarian Technician	\$15.00/Hour

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements with all rabies clinic program contractors effective March 1, 2014 through December 31, 2014, as is on file with the Clerk of The Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 53-14

**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, 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, the vaccine and administrative costs have increased as noted below; and

2014 Sliding Fee Scale effective 4/1/14

Family Size	**200%	250%	300%	350%	400%
1	\$23,340	\$29,175	\$35,010	\$40,845	\$46,680
2	\$31,460	\$39,325	\$47,190	\$55,055	\$62,920
3	\$39,580	\$49,475	\$59,370	\$69,265	\$79,160
4	\$47,700	\$59,625	\$71,550	\$83,475	\$95,400
5	\$55,820	\$69,775	\$83,730	\$97,685	\$111,640
6	\$63,940	\$79,925	\$95,910	\$111,895	\$127,880
7	\$72,060	\$90,075	\$108,090	\$126,105	\$144,120
8	\$80,180	\$100,225	\$120,270	\$140,315	\$160,360
Each Additional Person	\$8,120	\$10,150	\$12,180	\$14,210	\$16,240

Immunizations

DTap	\$21	\$28	\$35	\$42	\$49
HPV/Gardasil	\$136	\$143	\$150	\$157	\$164
Hepatitis B Adult	\$36	\$43	\$50	\$57	\$64
Hepatitis B Child up to 19 yrs	\$14	\$21	\$28	\$35	\$42
Hepatitis A Adult	\$27	\$34	\$41	\$48	\$55
Hepatitis A Child up to 19 yrs	\$19	\$26	\$33	\$40	\$47

Twinrix (Hep A & B)	\$59	\$66	\$73	\$80	\$87
HIB	\$19	\$26	\$33	\$40	\$47
IPOL	\$27	\$34	\$41	\$48	\$55
Mantoux (TB)	\$6	\$13	\$20	\$27	\$34
Menactra/Meningococcal	\$110	\$117	\$124	\$131	\$138
MMR	\$55	\$62	\$69	\$76	\$83
Pneumococcal- Pneumovax 23	\$67	\$74	\$81	\$88	\$95
Pneumococcal- Prevnar 13	\$145	\$152	\$159	\$166	\$173
Tdap-Boostrix/Adacel	\$36	\$43	\$50	\$57	\$64
Varicella/Varivax	\$94	\$101	\$108	\$115	\$122

Lead testing	\$12	\$24	\$36	\$48	\$60
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Car Seats	\$10	\$25	\$35	\$45	\$45
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Admin Fee - VFC Vaccine	\$0	\$11.20	\$16.80	\$22.40	\$28.00
Multishot Admin Fee (each additional shot)	\$0	\$5.60	\$8.40	\$11.20	\$14.00

The Following are Flat Fees

Post Exposure Rabies	\$237
Zostavax (Shingles)	\$190
Flu	\$40

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.

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

NOW, THEREFORE BE IT RESOLVED that the proposed full fee charges are approved effective April 1, 2014.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 54-14

AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES TO MANAGE TRANSPORTATION SERVICES WITH VMC CONSULTANTS, LP.

WHEREAS, the Public Health Department currently has an agreement with VMC Consultants, LP to provide administrative and technical services for managing transportation services for Preschool and Early Intervention transportation; and

WHEREAS, VMC has helped the County manage the cost of transportation services by working with transporters to maximize the routing, invoice assistance, bid specifications and evaluation, field inspections of buses and point of contact; and

WHEREAS, the current contract expires on April 30, 2014, and

WHEREAS, the County wishes to enter a new contract with VMC Consultant's, LP to continue to provide transportation management services; and

WHEREAS, the Health Department agreement includes services for the management of transportation services for the Preschool and Early Intervention program and the compensation for this agreement will not exceed \$5,416 per month; and

WHEREAS, the Health and Human Services Committee recommends approval of the this agreement;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to sign an agreement with VMC Consultants, LP as is on file with The Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 55-14

FIXING FOSTER BOARDING HOME RATES

WHEREAS, when children are in need of care outside of their family home, it is best for them to be cared for by a foster family within their home community rather than in an institution or foster care by agencies outside of Madison County; and

WHEREAS, the foster and adoptive families certified by Madison County Department of Social Services have done an excellent job caring for our children over the past several years, helping the Department to exceed many of the outcome guidelines set by New York State Office of Children and Family Services (OCFS); and

WHEREAS, the cost of caring for a child has increased steadily over the past several years due to the increase in costs for such items as food and fuel; and

WHEREAS, the rate of payments made to foster parents and adoptive parents, which is meant to help cover the cost of such items, has not increased in Madison County in six years; and

WHEREAS, the rate of payments made to foster parents and adoptive parents in Madison County is below the average paid by neighboring counties and well below the maximum rate set by OCFS; and

WHEREAS, foster parent and adoptive parent payments are included as part of the state reimbursement methodology;

NOW, THEREFORE, BE IT RESOLVED that effective April 1, 2014, the foster care boarding home payment rates be and are hereby established as follows:

Infants-through-five years of age:	\$13.70 per day
Six-through-eleven years:	\$15.96 per day
Twelve years and over:	\$18.27 per day
Special:	\$31.05 per day
Exceptional:	\$38.50 per day

So long as these rates do not result in a decrease in payment for any adoptive parent already approved at a higher rate; and

BE IT FURTHER RESOLVED that the annual clothing allowance continues to be established as follows:

Infants-through-five years of age:	\$359
Six-through-eleven years:	\$502
Twelve-through-fifteen years:	\$778
Sixteen years and over:	\$952
Diapers:	\$660

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 56-14

APPOINTING A MEMBER OF THE COMMUNITY SERVICES BOARD

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

WHEREAS, there is a vacancy on the board due to resignation; and

WHEREAS, the Membership Committee has favorably reviewed an application for membership from a qualified individual and has voted in favor of his appointment; and

WHEREAS, the Health & Human Services Committee has reviewed the application and has recommended the person be appointed by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that following individual shall be appointed to the Community Services Board:

<u>Name</u>	<u>Term</u>	<u>Address</u>
G. Richard Kinsella	1/1/14 – 12/31/17	452 Main St, Oneida, NY 13421

ADOPTED: AYES – 900 NAYS – 600 (Salka, Zupan, Degear, Ball, Bradstreet, Becker)

By Supervisors Stepanski and Reinhardt:

RESOLUTION NO. 57-14

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH AGENCIES TO PROVIDE YOUTH SERVICES AND TO MODIFY THE 2014 ADOPTED COUNTY BUDGET

WHEREAS, the following agencies have submitted proposals to the Madison County Youth Bureau to provide services to the youth of Madison County during the period of January 1, 2014 – December 31, 2014; and

WHEREAS, the Madison County Youth Board has evaluated the proposals and has recommended the following allocation of funds to these programs, and the Health & Human Services Committee has approved the allocations;

<u>AGENCY</u>	<u>PROGRAM</u>	<u>AMOUNT</u>
Madison County Council on Alcoholism (dba BRiDGES)	INROADS – School-based Substance Abuse Prevention	\$ 6,000.00
Community Action Program	Mentoring Partnership	\$ 9,200.00
Church on the Rock	Youth Center	\$ 7,000.00
Earlville Opera House	Children's Performing Arts	\$ 3,800.00
Catholic Charities	At-Risk Youth Case Management	\$ 15,000.00

and

WHEREAS, these costs are reimbursed 100% by State Aid;

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

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

GENERAL FUND

Youth Programs

7146 Youth Programs - Agencies

Expense	From	To
A7146.41007 Anticipated Agency Allocation	\$ 38,000	\$ 0
A7146.42723 MCCASA – INROADS	0	6,000
A7146.42724 Partnership Mentoring (CAP)	0	9,200
A7146. 42725 Church on the Rock Youth Center	0	7,000
A7146.42729 Child Performing Arts (Earlville)	0	3,800
A7146.42732 At-Risk Case Management (CC)	<u>0</u>	<u>15,000</u>
Totals	<u>\$38,000</u>	<u>\$41,000</u>

Control Total		<u>\$ 3,000</u>
<u>Revenues</u>	<u>From</u>	<u>To</u>
A3820.2001 St Aid Anticipated Youth Programs	\$ 40,000	\$ 0
A3820.2020 St Aid-MCCASA-INROADS	0	6,000
A3820.2031 St Aid-Partnership Mentoring (CAP)	0	9,200
A3820.2006 St Aid-Church on the Rock Youth Center	0	7,000
A3820.2086 St Aid-Children's Performing Arts	0	3,800
A3820.2090 St Aid-At-Risk Case Management (CC)	0	15,000
A3820.2002 St Aid-RHYA (CC)	<u>25,000</u>	<u>27,000</u>
Totals	<u>\$65,000</u>	<u>\$68,000</u>
Control Total		<u>\$ 3,000</u>

ADOPTED: AYES – 1500 NAYS - 0

By Supervisor Bradstreet:

RESOLUTION NO. 58-14

OPPOSING USE OF MADISON COUNTY SEALS BY STATE OF NEW YORK

WHEREAS, the State of New York has passed a gun control law referred to as the New York SAFE Act; and

WHEREAS, this Act clearly indicates that the enforcement of this law is the responsibility of New York State; and

WHEREAS, in recent discussions the State has indicated an interest in using the Madison County Seal and the names of the offices of Madison County Sheriff and Madison County Clerk in pistol permit recertification notices, and

WHEREAS, the Madison County Sheriff and the Madison County Clerk have voiced their strong objection to this request and suggestion;

NOW THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors denies the State of New York permission to use the name, seal of the County, letter head or address for purposes of corresponding with legal and registered gun owners regarding permit recertification for any other purpose associated with the SAFE Act; and

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to the office of the Governor of New York State, the Superintendent of Police, NYS Senator David Valesky and NYS Assemblyman William Magee.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 59-14

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
NYS DIVISION OF CRIMINAL JUSTICE SERVICES**

WHEREAS, it is necessary to enter into an agreement with the NYS Division of Criminal Justice Services for Ignition Interlock Monitoring Services from the Governor's Traffic Safety Committee Grant; and

WHEREAS, the agreement will reimburse the County a total of \$15,208.00; paid as \$110.21 one-time payment for each individual who receives ignition interlock monitoring services through the Probation and District Attorney's offices; and

WHEREAS, the Criminal Justice Committee has reviewed and approved the signing of this contract; and

WHEREAS, this contract covers the fourth full fiscal year for this program (October 2013 – September 2014); and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to enter into a contract with the NYS Division of Criminal Justice Services, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 60-14

**AUTHORIZING THE CHAIRMAN TO MODIFY AN AGREEMENT
WITH THE MADISON COUNTY COUNCIL ON ALCOHOLISM AND
SUBSTANCE ABUSE, INC., KNOWN AS BRIDGES**

WHEREAS, the County and Contractor entered into a service agreement, for the provision of certain services to the County to administer the public information and education component of the STOP-DWI Program for Madison County for the period August 1, 2013 to December 31, 2014, which Agreement was authorized by Resolution No. 285-2013; and

WHEREAS, the parties hereto are now desirous of entering into an addendum thereto to clarify the financial terms and to provide an additional term with respect to equipment to be utilized by Contractor in the performance thereof ("Addendum #1 to Services Agreement"); and

WHEREAS, the fee for the contract term August 1, 2013 through December 31, 2014 is confirmed to be the sum of \$57,593.00 (provided the full contract term is fulfilled, which compensation shall be reduced pro-rata in the event of early termination); and

WHEREAS, the County shall provide one (1) personal computer for the use of Contractor during the term of the contract. Such equipment shall be used in the provision of the services required to be performed by Contractor under this Agreement and there shall be no other material use of such equipment for any other purpose. Title to such equipment shall remain in the County, which equipment shall be returned at the termination of the Agreement, in the same condition as when provided excepting for reasonable and ordinary wear and tear; and

WHEREAS, all of the other terms, conditions and provisions of the Agreement, shall remain unchanged and in full force and effect;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to execute Addendum #1 to Services Agreement with the Madison County Council on Alcoholism and Substance Abuse, Inc., known as BRiDGES, as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 61-14

**AUTHORIZING THE CHAIRMAN TO MODIFY AN AGREEMENT
WITH HEALTH DIRECT INSTITUTIONAL PHARMACY SERVICES, DIVISION OF KINNEY
DRUGS, INC.**

WHEREAS, the County and Contractor entered into an agreement, for the provision of prescription and non-prescription medications to inmates at the Madison County Jail for the period April 1, 2012 to March 31, 2014, renewing automatically for successive one (1) year terms unless terminated by either party; which Agreement was authorized by Resolution No. 148-2012; and

WHEREAS, the parties hereto are now desirous of entering into an addendum thereto to document Madison County legal compliance requirements regarding Corporate Compliance Program and Iranian Divestment Act language (“Addendum #1 to Agreement”); and

WHEREAS, the County Attorney’s Office has reviewed this Addendum; and

WHEREAS, all of the other terms, conditions and provisions of the Agreement, shall remain unchanged and in full force and effect;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to execute Addendum #1 to the Agreement with Health Direct Institutional Pharmacy Services, Division of Kinney Drugs, Inc., as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 62-14

**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) - 2013-14 Public Safety
Answering Points Grant**

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) - 2013-14 Public Safety Answering Points Grant; and

WHEREAS, the County of Madison will ensure progress towards the goals and milestones described in the Statewide Communications Interoperability Plan (SCIP); implement regional solutions via consortiums among local governments, State agencies and other public safety organizations; upgrade, expand, consolidate or replace existing communications systems

through which statewide interoperable communication can be achieved for response to large-scale man-made or natural disasters; and

WHEREAS, this grant is comprised of two grants; PSAP Consolidation, Improvements and Enhancements Grant (\$7 million) and PSAP Sustainment Grant (\$2 million); and

WHEREAS, the PSAP Consolidation, Improvements and Enhancement Grant which cannot exceed \$500,000 is for the provision of reimbursement to counties for prospective or retrospective costs (going back to April 1, 2010) leading to consolidation in public safety answering points operations (physical or virtual consolidation), to implement new technologies in PSAP(s) that facilitate interoperability and create operating efficiencies, and to promote the development and implementation of cross-jurisdictional SOPs that foster regional consolidation; and

WHEREAS, the PSAP Sustainment Grant which cannot exceed \$100,000 is for reimbursement to counties for operating expenses in a PSAP, other than personal services; 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) - 2013-14 Public Safety Answering Points Grant.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Bradstreet and Reinhardt:

RESOLUTION NO. 63-14

AUTHORIZING MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET

WHEREAS, the Madison County Sheriff's Office received a Child Fatality Review Team Grant from the New York State Office of Children and Family Services for \$34,301 to support a Madison County Child Fatality Review Team; and

WHEREAS, by Resolution No. 286-13, the County Board of Supervisors, approved acceptance of this award amount and revised the 2013 County budget accordingly; and

WHEREAS, a budget for the Madison County Child Fatality Review Team has been established, with specific allocations of this grant award, which requires the addition of expense accounts to the County budget.

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

General Fund
3116 Grant-Child Fatality Review Team

Expense

From To

A3116.1	Personal Services	\$ 0	\$ 3,000
A3116.4234	Contracted/Consultant Services – Multidisciplinary Grant	\$ 0	\$ 15,160
A3116.41	Travel Expense (Mileage)	\$ 0	\$ 5,143
A3116.4911	Office Supplies (outside)	\$ 0	\$ 4,886
A3116.4100	Child Fatality Review Team	\$ 34,301	\$ 5,013
A3116.810	Allocation of Fringe Benefits	\$ 0	\$ 1,099
	Control Total	<u>\$34,301</u>	<u>\$ 34,301</u>

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 64-14

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH THE NEW YORK STATE OFFICE OF HOMELAND SECURITY
FOR A STATE HOMELAND SECURITY GRANT
AND MODIFYING THE 2014 COUNTY BUDGET**

WHEREAS, The Madison County Emergency Preparedness office has been awarded a grant for \$82,500 by the Office of Homeland Security from appropriations authorized by Congress under the FFY 2013 State Homeland Security Program (SHSP); and

WHEREAS, these funds will provide 100% federal reimbursement of eligible costs incurred in the effort to support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction, and this grant program is described as follows:

Awarding Agency:	Federal Department of Homeland Security
Pass Thru Agency:	NYS Office of Homeland Security
Catalogue #	CFDA# 97.067
Program Name:	State Homeland Security Grant Program (SHSGP)
Grant Period:	09/01/2013 to 08/31/2015
Contract #	C971410
Federal Funds:	100%
Grant Total:	\$82,500

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with the New York State Office of Homeland Security, a copy of which is on file with the Clerk of the Board; and

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

General Fund

Homeland Security- Department 3645

<u>Revenue</u>	<u>From</u>	<u>To</u>
A4306.1013 Fed. Aid; FFY13 State Homeland Security Grant Program	-0-	\$82,500
Control Total		<u>\$82,500</u>

<u>Expense</u>			
A3645.4013	FFY 2013 SHSGP	-0-	\$82,500
	Control Total		<u>\$82,500</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Bradstreet:

RESOLUTION NO. 65-14

APPOINTING MADISON COUNTY FIRE ADVISORY BOARD MEMBERS AND DEPUTY COORDINATORS FOR 2014

WHEREAS, the duly appointed officers and members of the Madison County Fire Advisory Board met at their Spring session on Thursday, January 30, 2014 and

WHEREAS, the following individuals were selected to represent the interests of each of the County's various townships , and

WHEREAS, the following individuals have agreed to serve without compensation as an advisory body to the Board of Supervisors and the County Fire Coordinator in matters relating to fire service activities;

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be appointed to the Madison County Fire Advisory Board for 2014:

Fire Advisory Board 2014

James McFadden.....Brookfield	Richard Stagnitti.....Lenox
Terry Austin..... Cazenovia	Robert Sturdevant Jr.....Lincoln
David Vredenburgh..... Cazenovia	Steven Johnson.....Madison
Edwin Coons..... DeRuyter	Patrick Massett.....Nelson
Richard Stoddard Sr..... Eaton	Kevin SalernoOneida
Michael Bischoff Eaton	Chester Reeves.....Smithfield
Ralph Tallett..... Fenner	Roland Shea.....Stockbridge
Dale Burgess..... Georgetown	Joseph Watkins..... Sullivan
Jason Murray..... Hamilton	Paul Haynes..... Sullivan
David Bensley..... Lebanon	Robert Freunscht.....Sullivan
Alex Brown.... Lenox	

BE IT FURTHER RESOLVED, that the following individuals be appointed to the staff of Deputy Fire Coordinators for 2013

Lyle Mason.....County Car 3
James McFadden..... County Car 4
Robert Freunscht..... County Car 5
Robert Sturdevant Jr... County Car 6
David Vredenburgh..... County Car 8
Jeffrey Cardinalli.....County Car 9

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Henderson:

RESOLUTION NO. 66-14

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, 2014. 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, 2014 – March 31, 2015
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.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 67-14

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, 2014. 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, 2014 – March 31, 2015
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.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 68-14

AUTHORIZING THE CHAIRMAN TO ENTER INTO A VOTING SYSTEM MAINTENANCE AGREEMENT WITH DOMINION VOTING SYSTEMS CORPORATION

WHEREAS, the Madison County Board of Elections purchased ImageCast voting systems and the Election Management System (EMS) with a five year warranty from Dominion Voting Systems Corporation; and

WHEREAS, the warranty expires on 39 ImageCast BMD (Ballot Marking Device) voting machines and the EMS ballot/machine programming system in 2013/2014; and

WHEREAS, the annual warranty cost is \$240.00 for each BMD voting machine and \$12,500 for the EMS programming station; and

WHEREAS, the annual maintenance agreement provided by the Office of General Services (OGS) includes machine repairs, phone support and all certified software and firmware upgrades that are only available through Dominion; and

WHEREAS, Dominion has agreed to a three year contract at a 20% discount totaling \$58,251.67 to be paid on March 1, 2014 covering;

39 ImageCast BMD voting systems: Hardware Warranty, Firmware and License
from September 10, 2013 through December 31, 2016

One EMS (Election Management System): Software Maintenance and License
From September 1, 2014 through December 31, 2017

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into the agreement with Dominion Voting Systems Corporation on behalf of the Board of Elections in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Salka:

RESOLUTION NO. 69-14

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, Mr. Robert Hulchanski, Owner, Lakeside Innovative Technology, Chittenango, NY has expressed an interest in serving on the Workforce Investment Board; and

WHEREAS, Mr. Mike Fifield, Vice President, Human Resources for Oneida Healthcare, Oneida, NY has also expressed an interest in serving on the Workforce Investment Board;

NOW, THEREFORE BE IT RESOLVED, that Mr. Hulchanski and Mr. Fifield be and they are hereby appointed to the Workforce Investment Board of Herkimer-Madison-Oneida Counties for three-year terms commencing on March 11, 2014.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 70-14

AMENDING A CONTRACT WITH NYS DEC FOR ENVIRONMENTAL RESTORATION PROJECT

WHEREAS, Madison County, through a tax foreclosure, owns the former Jerry's Service Station in the Village of Hamilton; and

WHEREAS, prior to the County's ownership, the NYS DEC investigated the site and found it to have a subsurface release of petroleum; and

WHEREAS, prior to the County's ownership, the NYS DEC undertook certain remedial actions to clean the site; and

WHEREAS, the County applied for and received an Environmental Restoration Grant to undertake the clean-up of the site; and

WHEREAS, on May 26, 2005, Madison County contracted with the DEC for State Assistance on the project;

WHEREAS, the original contract was modified by the parties by Amendment No. 1 dated September 13, 2006; and

WHEREAS, the original contract was modified by the parties by Amendment No. 2 dated December 14, 2007; and

WHEREAS, a subsequent Amendment No. 3 to the original contract, approved by the Board Resolution 40-10 and extended the term of the contract to February 28, 2011; and

WHEREAS, the contract was again modified by the parties by Amendment No. 4 dated June 8, 2010; and

WHEREAS, the contract was again modified by the parties by Amendment No. 5 dated October 11, 2011; and

WHEREAS, the contract was again modified by the parties by Amendment No. 6 dated November 27, 2012; and

WHEREAS, there are circumstances necessitating a **final** cost and time extension (Amendment #7) of the Original Contract creating a new and final end date of December 31, 2015 for costs not to exceed \$109,000;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is authorized to sign the extension amendment to our existing State Assistance Contract with the NYS Department of Environmental Conservation, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 71-14

AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT BETWEEN THE OSWEGO COUNTY SOIL AND WATER DISTRICT AND MADISON COUNTY

WHEREAS, Madison County presently contracts with the Oswego County Soil and Water Conservation District (District) to receive a Finger Lakes-Lake Ontario Watershed Protection Alliance (formerly the Finger Lakes Aquatic Vegetation Control Program) grant from the New York State Environmental Protection Fund; and

WHEREAS, Madison County uses these funds for a number of water quality improvement projects throughout the County; and

WHEREAS, Madison County is presently one of 25 Counties that will be receiving a New York State Environmental Protection Fund Grant; and

WHEREAS, in order for Madison County to receive its 2013-2014 allocation of \$49,920, it is necessary to sign a contract with the District;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman to enter into an Agreement with the District, copies of which are on file with the Clerk of this Board; and

BE IT FURTHER RESOLVED that the Madison County Treasurer is authorized to make the necessary arrangements to receive and disburse the funds.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 72-14

AUTHORIZING AN ECONOMIC DEVELOPMENT PAYMENT

WHEREAS, Madison County maintains an economic development loan fund to assist in job creation and job retention; and

WHEREAS, the City of Oneida, Madison County, and the Madison County IDA have been working together to create a shovel ready Elm Street Development Site on nearly 420 acres of land along the CSX rail line in the Oneida/Wampsville area; and

WHEREAS, the extension of water and sewer to this site is critical to its future potential as an industrial/commercial shovel ready site;

WHEREAS, the City of Oneida has recently committed \$200,000 from its loan development fund for the provision of sewer and water infrastructure to this site;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby approves the provision of \$200,000 from its loan fund, contingent on the IDA obtaining the right of first refusal on the property, thereby matching the City of Oneida's commitment; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors authorize the Treasurer of Madison County to disperse these funds on behalf of Madison County.

On motion by Supervisor Bargabos, seconded by Supervisor Schwartz, this resolution is TABLED.

RESOLUTION NO. 73-14

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR CLEANING SERVICES (KLOSTER CLEANING)

WHEREAS, the Employment & Training Department is in need of cleaning services for the cleaning of the Career Center located at 1006 Oneida Plaza Drive, Oneida, NY 13421; and

WHEREAS, Kloster Cleaning, P.O. Box 53, Durhamville, NY 13054 has submitted a responsible quotation of \$523.00 per month, not to exceed the amount of \$6,276.00 per year; and

WHEREAS, Kloster Cleaning has been providing this service since April 2008 at the same rate and the services of Kloster Cleaning have been acceptable to Employment & Training; and

WHEREAS, the above cost is paid for by the Career Center partners using Federal and State money with no County funds involved;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to renew this Agreement with Kloster Cleaning for a period commencing on April 15, 2014 and expiring on April 14, 2016, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Bono:

RESOLUTION NO. 74-14

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE UNIFIED COURT SYSTEM FOR COURT CLEANING AND MINOR REPAIRS FOR 2013 – 2018

WHEREAS, counties and cities are required by law to furnish and maintain adequate court facilities for use by trial courts in the State of New York; and

WHEREAS, Madison County is responsible for furnishing and maintaining the Madison County Courthouse; and

WHEREAS, this agreement (No. C300324) shall be effective beginning April 1, 2013, and shall terminate March 31, 2018; and

WHEREAS, the proposed budget for services to be rendered to this agreement shall be \$129,228; and

WHEREAS, pursuant to the provisions of Chapter 686 of the laws of 1996, as amended to date, the maximum compensation for the 2013-2018 period shall be 100% of the total amount;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into a renewal agreement with the Unified Court System, as is on file with the Clerk to the Board of Supervisors.

On motion by Supervisor Becker, seconded by Supervisor Degear, this resolution is TABLED.

By Supervisor Goldstein:

RESOLUTION NO. 75-14

AUTHORIZING THE CHAIRMAN TO TERMINATE AGRICULTURAL PLASTICS RECYCLING CONTRACT WITH JBI, INC.

WHEREAS, Madison County has identified a need to manage certain waste streams generated by agricultural operations such as plastic feed storage bags and agricultural films for which no viable commercial recycling markets currently exist; and

WHEREAS, pursuant to Resolution 399-12 dated November 27, 2012 Madison County entered into a short term agreement with JBI, Inc. to ship, without cost, agricultural plastics to the JBI facility in Niagara Falls, New York for conversion into diesel fuel using an experimental pyrolysis process trademarked Plastic2Oil®; and

WHEREAS, the contract established that agricultural plastics can be successfully recycled by conversion to high quality motor fuels, however JBI recently communicated its decision to cease accepting agricultural plastic shipments for reasons unrelated to Madison County; and

WHEREAS, the County in connection with Cornell Cooperative Extension, the Central New York Regional Planning Board and others is exploring various options for recycling agricultural wastes including establishing a plastic to oil conversion facility in the ARE Park; and

WHEREAS, JBI, Inc. has breached the agreement by refusing to accept any shipments of agricultural plastics and the County desires to be free of any further obligations with respect to JBI, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes and directs the Chairman to terminate the Contract with JBI, Inc. for cause.

BE IT FURTHER RESOLVED, this resolution shall take effect immediately.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 76-14

CALLING UPON NEW YORK STATE TO RESTORE CHANNELS FOR RECYCLING OF (CRT'S) CATHODE RAY TUBE DEVICES

WHEREAS, the New York State Electronic Equipment Recycling and Reuse Act implemented a framework for recycling E-Waste generated in New York State. The New York State Department of Environmental Conservation (“DEC”) was empowered by law to administer the new Program. Beginning April 1, 2011 equipment manufacturers were required to accept E-Waste for recycling or pay a surcharge to DEC based upon their respective market share of electronics sold in the State for the purpose of funding the E-Waste program; and

WHEREAS, the Madison County Department of Solid Waste and Recycling (“Department”) entered into an agreement with the Madison Cortland Chapter of NYSARC, Inc. (“ARC”) to receive E-Waste at its LOJO’s facility in Oneida without fee to the public to implement the new E-Waste recycling program; and

WHEREAS, the Department and ARC have been informed that cathode ray tube televisions and computer monitors (collectively “CRT’s”) no longer have a zero cost channel for recycling and some recyclers are now forced to charge for CRT’s generated in New York State due to financial infirmities in the program structure currently administered by DEC and an apparent lack of market options for recycling hazardous CRT’s; and

WHEREAS, the County and ARC have been forced to restructure the local E-Waste program making CRT recycling no longer a free service that must be subsidized by Madison County again;

NOW, THEREFORE, BE IT RESOLVED, that the County of Madison calls upon New York State and DEC to restore the recycling channel for CRT’s as a no cost service to residents thereby ending this unfunded mandate upon the citizens; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to forward copies of this Resolution to Governor Andrew Cuomo , Senator David Valesky and Assemblyman William Magee.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 77-14

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT TO ACCEPT ALTERNATIVE LANDFILL COVER MATERIAL (ACM)

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

WHEREAS, Regional Waste Solutions, LLC, a corporation located in the State of New York is possessed with a supply of Alternative Landfill Cover Material (Auto Shredder Material) which such material may be used according to the New York State Department of Environmental Conservation; and

WHEREAS, Regional Waste Solutions, LLC is willing to provide such material and it is in the best interest of Madison County to receive same upon payment to Madison County of an agreed upon price of \$10.50 per ton for each ton of the Auto Shredder Material received;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board be and is hereby authorized and directed to enter into a one year Agreement (Commencing on March 11, 2014 and ending March 11, 2015) with Regional Waste Solutions, LLC., a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 78-14

AUTHORIZING THE CHAIRMAN TO ENTER INTO A CONTRACT TO ACCEPT COVER

WHEREAS, Meloon Foundries, Inc. in the County of Onondaga is possessed with a surplus of “foundry sand”, which such sand has been used for daily landfill cover in accordance with the New York State Department of Environmental Conservation rules and regulations; and

WHEREAS, the County of Madison has received written approval from the New York State Department of Conservation indicating that foundry sand is acceptable for the purpose of daily landfill cover; and

WHEREAS, Meloon Foundries, Inc. is willing to continue to provide such cover, and it is in the best interest of Madison County to receive same upon payment to Madison County of an agreed upon price; and

WHEREAS, a Contract has been drafted whereby such arrangement may be formalized with Meloon Foundries, Inc. interested in continuing to provide such material to the County;

NOW, THEREFORE, BE IT RESOLVED, that Madison County enter into a Contract with such foundry willing to provide foundry sand as daily landfill cover consistent with the provisions of the Contract for providing cover, a copy of which is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the Chairman of this Board be is hereby authorized and directed to enter into a two (2) year Contract with such Meloon Foundries, Inc. beginning May 15, 2014 and that the County accept the price of Thirty Five Dollars (\$35.00) per ton for each ton received.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 79-14

AUTHORIZING LEASING OF APPROXIMATELY 69 ACRES OF COUNTY OWNED LAND IN THE TOWN OF LINCOLN

WHEREAS, Madison County and the Madison County Department of Solid Waste have no immediate use for approximately 69 acres of vacant, Madison County owned, land located on the east side of Tuttle Road adjacent to the Madison County Landfill Site in the Town of Lincoln; and

WHEREAS, this condition is expected to remain for at least three (3) years; and

WHEREAS, sealed bids for the Lease of this land for agricultural production were received and opened after advertisement in the officially designated Madison County newspaper(s); and

WHEREAS, E. James Mason, Springwater Farms, 7338 Oxbow Road, Canastota NY 13032 submitted the highest bid in the amount of \$8,694.00.00 per annum for Lease of said land; and

WHEREAS, Lease of said land is in consonance with Madison County's officially declared policy of supporting agricultural production in the County; and

WHEREAS, a copy of the proposed Lease Agreement has been filed with and is available for review in the office of the Clerk of the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby determines that the aforementioned 69 acres of vacant land is presently not required for public use; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an Agreement for Lease of said land for three (3) years with E. James Mason, Springwater Farms, 7338 Oxbow Road, Canastota NY 13032, beginning March 11, 2014.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Reinhardt:

RESOLUTION NO. 80-14

**APPROVAL OF DEMAND FOR REFUND
OF REAL PROPERTY TAXES IN ACCORDANCE WITH
SECTION 726 (2) OF THE REAL PROPERTY TAX LAW**

WHEREAS, Tracy Street Property Management LLC commenced a tax certiorari proceeding against the Assessor of the City of Oneida, the City of Oneida and Madison County for a parcel of property in the City of Oneida identified by MAP# 30.54-1-2.12 located at 1049 Northside Shopping Center; and

WHEREAS, the Madison County Treasurer has received a Demand for Refund from Gilberti Stinziano Heintz and Smith, PC, attorney for the Petitioner, dated February 10, 2014; and

WHEREAS, Honorable Eugene D Faughnah signed a Stipulation and Order of Settlement on January 28, 2014 prescribing the agreement by all parties to reduce the assessment for the taxable status dates of May 1, 2010 thru May 1, 2012 from \$316,800 to \$158,400 and to reduce the assessment for the taxable status date of May 1, 2013 from \$316,800 to \$200,000; and

WHEREAS, Madison County is ordered to issue refunds to Gilberti Stinziano Heintz and Smith, PC on behalf of the petitioner for the County portion of the taxes only;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Treasurer be and is hereby directed to refund \$1,198.37 for the 2011 County tax; \$1,189.39 for the 2012 County tax, \$1,233.88 for the 2013 County tax and \$375.21 for the 2014 County tax for a total amount of \$3,996.85 in accordance with the Stipulation and Order of the Madison County Supreme Court.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 81-14

**APPROVAL OF DEMAND FOR REFUND
OF REAL PROPERTY TAXES IN ACCORDANCE WITH
SECTION 726 (2) OF THE REAL PROPERTY TAX LAW**

WHEREAS, Breakthrough to Glory Ministry commenced a tax certiorari proceeding against the Town of Georgetown Assessor, the Town of Georgetown, Otselic Valley Central School District and Madison County for a parcel of property in the Town of Georgetown identified by MAP# 163.-1-29 located at 2011 Firetower Road; and

WHEREAS, the Madison County Treasurer has received a Demand for Refund from William R Bookhout, attorney for the Petitioner, dated January 20, 2014; and

WHEREAS, Honorable Donald F Cerio, Jr., Acting Supreme Court Justice, signed a Stipulation of Settlement Order on July 6, 2013, prescribing the agreement by all parties to grant a 10% exemption for the taxable status dates of May 1, 2010 through May 1, 2013 reducing the taxable value from \$530,000 to \$477,000; and

WHEREAS, Madison County is ordered to issue refunds to William H Bookhout, Esq. on behalf of the petitioner for the difference in taxes, interest and penalties; and

WHEREAS, Madison County must make payment within 30 days of the receipt of the Demand for Refund to avoid accruing interest on the refunded amount.

NOW, THEREFORE, BE IT RESOLVED that the Madison County Treasurer be and is hereby directed to refund \$1,484.67 for the 2011 County tax which includes a relieved school tax and was paid on November 11, 2011; \$2,290.74 for the 2012 County tax which includes a relieved school tax and was paid on May 20, 2013, and \$2,091.57 for the 2013 County tax which includes a school relevy and was paid on May 20, 2013 for a total amount of \$5,866.98 in accordance with the Stipulation of Settlement and Order of the Madison County Supreme Court.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 82-14

AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET

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

Modification No. 1

General Fund

1450 Board of Elections

Expense

	<u>From</u>	<u>To</u>
A1450.4026 Outside Printing Expense	\$ 55,976	\$ 37,271
A1450.4881 ImageCast Warranty & Support	<u>25,595</u>	<u>44,300</u>
Control Totals	<u>\$ 81,571</u>	<u>\$ 81,571</u>

Modification No. 2

General Fund

1670 Central Printing, Supplies & Mailing

Expense

	<u>From</u>	<u>To</u>
A1670.1 Personal Services	\$ 62,736	\$ 65,736
A1670.8130 Social Security Expense	<u>4,799</u>	<u>5,029</u>

9030 Social Security & Medicare Expense

Expense

A9030.8200 Social Security Expense	1,541,121	1,541,351
A9030.810 Allocation FICA Expense	(1,541,121)	(1,541,351)

1990 Contingent Fund

Expense

A1990.4444 Contingent Fund	<u>529,380</u>	<u>526,150</u>
Control Totals	\$ <u>596,915</u>	\$ <u>596,915</u>

Modification No. 3

General Fund

1410 County Clerk

Expense

	<u>From</u>	<u>To</u>
A1410.405 Records Room Construction	\$ -0-	\$ 1,250

1990 Contingent Fund

Expense

A1990.4444 Contingent Fund	<u>526,150</u>	<u>524,900</u>
Control Totals	\$ <u>526,150</u>	\$ <u>526,150</u>

Modification No. 4

General Fund

1930 Liability & Fleet Insurance

Expense

	<u>From</u>	<u>To</u>
A1930.44001 Excess Liability Insurance Premium	\$ 633,957	\$ 593,957
A1930.4228 Claims Administrator Expense	<u>-0-</u>	<u>40,000</u>

Control Totals \$ 633,957 \$ 633,957

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 83-14

APPROVING THE PAYMENT OF CLAIMS

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

ADOPTED: AYES – 1500 NAYS – 0

PUBLIC COMMENT PERIOD

Speakers:

1. Gary Padula, Canastota, New York spoke on Indian Land Claim issues.

On motion by Supervisor Rafte, seconded by Supervisor Carinci, the Board adjourned.