

MADISON COUNTY BOARD OF SUPERVISORS
2nd Day – Annual Session – Tuesday, November 17, 2015

The Board convened at 10:00 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for: Supervisor Salka (54 votes), Supervisor Ball (43 votes), Supervisor Bargabos (27 votes) and Supervisor Rafte (55 votes).

COMMUNICATIONS

1. Copy of a resolution from Yates County – Urging the Governor and Legislature to Gradually Restore the 50/50 State/County Sharing for the Safety Net Program and to Increase Shelter Grant Reimbursements to Counties.

At 10:00 a.m. Chairman Becker announced the scheduled public hearing on the Madison County Sewer District budget for 2016. Supervisor Reinhardt made a motion to open the hearing, seconded by Supervisor Carinci and carried. Chairman Becker asked for speakers, and there appeared to be no one wishing to speak. Chairman Becker then asked for a motion to close the hearing which was offered by Supervisor Moses, seconded by Supervisor Bono and carried.

At 10:05 a.m. Chairman Becker announced the scheduled public hearing on the Cowaselon Watershed District budget for 2016. Supervisor Jones made a motion to open the hearing, seconded by Supervisor Bradstreet and carried. Chairman Becker asked for speakers, and there appeared to be no one wishing to speak. Chairman Becker then asked for a motion to close the hearing which was offered by Supervisor Pinard, seconded by Supervisor Zupan and carried.

At 10:10 a.m. Chairman Becker announced the scheduled public hearing on the tentative County budget for 2016. Supervisor Stepanski made a motion to open the hearing, seconded by Supervisor Goldstein and carried. Chairman Becker asked for speakers, and there appeared to be no one wishing to speak. Chairman Becker then asked for a motion to close the hearing which was offered by Supervisor Degear, seconded by Supervisor Moses and carried.

RESOLUTIONS

By Supervisor Degear:

RESOLUTION NO. 468-15

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 Karolyn Sayles upon her retirement.

Karolyn M. Sayles

Mental Health

1999 - 2015

ADOPTED: AYES – 1321 NAYS – 0 ABSENT – 179 (Salka, Ball, Bargabos, Rafte)

RESOLUTION NO. 469-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(Empire Safety Training and Consulting, Inc.)**

WHEREAS, the County has a contract with Empire Safety Training and Consulting, Inc. of Chittenango, NY to provide required employee safety training and other related employee safety services; and

WHEREAS, the renewal agreement with Empire Safety Training and Consulting, Inc. of Chittenango, NY, maintains the 2015 rates and provides for a hourly rate of sixty-five dollars (\$65) per hour up to a maximum of \$38,000 in 2016; and

WHEREAS, the Government Operations Committee recommends the County retain the services of Empire Safety Training and Consulting to continue to bring about a positive impact on the health and safety of Madison County employees;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into an extension agreement with Empire Safety Training and Consulting, Inc., for the period January 1, 2016 through December 31, 2016 and said agreement is on file with the Clerk to the Board; and

BE IT FURTHER RESOLVED that the total cost for these employee safety services shall not exceed \$38,000 per year.

ADOPTED: AYES – 1321 NAYS – 0 ABSENT – 179 (Salka, Ball, Bargabos, Rafte)

RESOLUTION NO. 470-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(RIVERFRONT MEDICAL SERVICES, P.C.)**

WHEREAS, the Omnibus Transportation Employee Testing Act of 1991 requires drug and alcohol testing of employees who are required to have commercial driver's licenses (CDL) for the performance of their duties; and

WHEREAS, this federal law requires pre-employment, random, post accident and reasonable suspicion testing for CDL holders; and

WHEREAS, a written policy has been adopted that requires a pre-placement examination and controlled substances screening of an applicant who has been offered a permanent, full-time or permanent, part-time position in Madison County; and

WHEREAS, 2016 rates have been negotiated and Riverfront Medical Services, P.C. has agreed to provide these required services with no increases from the previous 2015 fee schedule; and

WHEREAS, the Government Operations Committee has reviewed and approved the agreement with Riverfront Medical Services, P.C. for the provision of these services,

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into the agreement with Riverfront Medical Services, P.C.

for the period January 1, 2016 through December 31, 2016, as is on file with the Clerk to the Board.

ADOPTED: AYES – 1321 NAYS – 0 ABSENT – 179 (Salka, Ball, Bargabos, Rafte)

RESOLUTION NO. 471-15

By Supervisor Reinhardt:

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR SDG (IMAGE MATE) SOFTWARE

WHEREAS, the Madison County Real Property Department has used Image Mate Software online for County and public access to assessment and tax records; and

WHEREAS, Madison County has used this software since 2005; and

WHEREAS, Madison County is in the process of switching software from Image Mate to GovPilot and does not intend to renew the contract next year; and

WHEREAS, Madison County is renewing this software in order to have redundancy until the GovPilot software is programmed and configured to Madison County's specifications, and

WHEREAS, the cost of the basic Image Mate software support is \$3,715 annually; and

WHEREAS, the cost of the software is included in the 2015 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors authorize the Chairman of the Board to enter into an agreement with SDG for software services for the fiscal year November 1, 2015 through October 31, 2016, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1321 NAYS – 0 ABSENT – 179 (Salka, Ball, Bargabos, Rafte)

By Supervisor Goldstein:

RESOLUTION NO. 472-15

AUTHORIZING LEASING OF APPROXIMATELY 84 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 84 acres of vacant, Madison County owned, land located on the east side of Buyea Road adjacent to the Madison County Landfill Site in the Town of Lincoln; and

WHEREAS, this condition is expected to remain for at least five (5) 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, Richard L Carrier Jr., ABC Dairy Farms, 7762 North Court Street, Canastota NY 13032 submitted the highest bid in the amount of \$7,266.00 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 84 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 five (5) years with **Richard L Carrier Jr., ABC Dairy Farms, 7762 North Court Street, Canastota NY 13032,**

ADOPTED: AYES – 1321 NAYS – 0 ABSENT – 179 (Salka, Ball, Bargabos, Rafte)

The Board stands recessed until 6:00 p.m.

2nd DAY – ANNUAL SESSION CONTINUED – NOVEMBER 17, 2015 – 6:00 p.m.

The Board reconvened at 6:00 p.m. with all members present except for Supervisor Walrod (21 votes), Supervisor Goldstein (28 votes), Supervisor Ball (43 votes), Supervisor Bargabos (27 votes), Supervisor Stepanski (45 votes) and Supervisor Rafte (55 votes).

Chairman Becker announced and called for a motion to open the scheduled public hearing on the 2016 Tentative County budget. Supervisor Reinhardt made a motion to open the hearing, seconded by Supervisor Henderson and carried. Chairman Becker asked for speakers, and the following was heard:

- 1. Mr. Joe Magliocca of Oneida, New York spoke and asked the Board to please consider using funds received from the Oneida Indian Nation for our local school districts.**

There being no further speakers, Supervisor Moses made a motion to close the hearing, seconded by Supervisor Salka and carried.

RESOLUTIONS

By Supervisor Degear:

RESOLUTION NO. 473-15

CREATING A TEMPORARY COUNTY FIRE COORDINATOR POSITION IN THE OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, a County Fire Coordinator will retire in January, 2016; and

WHEREAS, the Director of Emergency Management Services has requested the creation of a temporary County Fire Coordinator position to accomplish a successful transition following the retirement; and

WHEREAS, the salary for this position will be funded through appropriations in the Office of Emergency Management budget; and

WHEREAS, this request has been reviewed and approved in accordance with the vacancy review procedure by the Criminal Justice, Public Safety and Emergency Communications Committee and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that one (1) temporary full-time County Fire Coordinator position be and hereby is created effective immediately and be abolished upon the retirement of the current County Fire Coordinator; and

BE IT FURTHER RESOLVED that the Director of Emergency Management Services be and hereby is authorized to fill said position effective immediately at a rate between step "A" and "F", Grade 6 of the Management Salary Plan.

ADOPTED: AYES – 1281 NAYS – 0 ABSENT – 219 (Walrod, Goldstein, Ball, Bargabos, Stepanski, Rafte)

RESOLUTION NO. 474-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(Fitch and Associates)**

WHEREAS, the Public Safety Committee is aware of the importance of EMS to citizens of the County; and

WHEREAS, the shortage of EMS volunteers and the increasing costs to deliver EMS has created issues in the County; and

WHEREAS, the Public Safety Committee desires to gather the data to be able to make informed decisions and recommendations; and

WHEREAS, a request for proposal (RFP) was issued to examine EMS Countywide and two vendors submitted proposals; and

WHEREAS, an EMS RFP review committee comprised of several EMS providers, both volunteer and career, along with County Emergency Management, County Finance, and Board of Supervisors members reviewed the proposals and unanimously recommended Fitch and Associates to provide consulting services to study Emergency Medical Services; and

WHEREAS, the Public Safety Committee has reviewed the recommendation and approves entering into an agreement with Fitch and Associates; and

WHEREAS, the cost to provide said services by Fitch and Associates is Forty-nine Thousand, One Hundred dollars (\$49,100), which is included in the 2016 tentative budget;

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

ADOPTED: AYES – 1281 NAYS – 0 ABSENT – 219 (Walrod, Goldstein, Ball, Bargabos, Stepanski, Rafte)

By Supervisors Bono and Reinhardt:

RESOLUTION NO. 475-15

AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2015 Adopted County budget be modified as follows:

Capital Projects Fund

5197 Highway Road & Bridge Capital Projects

Expense

	<u>From</u>	<u>To</u>
H519750 529001 Eaton Road Bridge Expense	\$ <u>135,026</u>	\$ <u>147,088</u>
Control Total		\$ <u>12,062</u>

Revenue

H519750 435891 St. Aid Marchiselli Eaton Rd Bridge	\$ 20,254	\$ 22,063
H519750 445891 Fed Aid Eaton Rd Bridge	108,021	117,671
H519750 450315 Transfer from County Road	<u>1,612,452</u>	<u>1,613,055</u>
Total	<u>1,740,727</u>	<u>1,752,789</u>
Control Total		\$ <u>12,062</u>

County Road Fund

5110 Maintenance of Roads and Bridges

Expense

D511050 549105 Transfer to Capital Projects Fund	\$ <u>134,212</u>	\$ <u>134,815</u>
Control Total		\$ <u>603</u>

Fund Balance

D 300599 Budgetary Fund Balance Unreserved	\$ <u>1,425,899</u>	\$ <u>1,426,502</u>
Control Total		\$ <u>603</u>

ADOPTED: AYES – 1281 NAYS – 0 ABSENT – 219 (Walrod, Goldstein, Ball, Bargabos, Stepanski, Rafte)

RESOLUTION NO. 476-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AMENDMENT No. 1 AGREEMENT WITH CSX TRANSPORTATION, INC. AND MODIFYING THE 2015 ADOPTED BUDGET

WHEREAS, the Highway, Buildings and Grounds Committee met on November 17, 2015 and authorized the Revised Force Account Estimate and Amendment No. 1 Agreement between Madison County and CSX Transportation Inc., , for the North Court Street (BIN 3365930), over CSX RR, MP QC-267.31, DOT 507330K, Town of Lenox, Madison County, New York; and

WHEREAS, the CSX Transportation, Inc. requires an increase over the original Agreement of \$78,268 attributed to flagging cost; and

WHEREAS, an advanced payment made payable to CSX Transportation Inc. in the sum of \$56,348 has been appropriated in the County Road Fund, H519750 529003, and made available to cover the cost of participation in the Amended phase of this project;

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 CSX Transportation, Inc., in the form as is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the 2015 County budget be modified as follows:

Capital Projects Fund

5197 Highway Road & Bridge Capital Projects

Expense

	<u>From</u>	<u>To</u>
H519750 529003 North Court Street Bridge Expense	\$1,493,770	\$1,550,118
Control Total		<u>\$ 56,348</u>

Revenue

H519750 450315 Transfer from County Road	\$1,613,055	\$1,669,403
Control Total		<u>\$ 56,348</u>

County Road Fund

5110 Maintenance of Roads & Bridges

Expense

D511050 549105 Transfer to Capital Projects Fund	\$ 134,815	\$ 191,163
Control Total		\$ <u>56,348</u>

Fund Balance

D 300599 Budgetary Fund Balance Unreserved	\$1,426,502	\$1,482,850
Control Total		\$ <u>56,348</u>

ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafte) Supervisor Goldstein arriving at this time.

By Supervisor Reinhardt:

RESOLUTION NO. 477-15

AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET

RESOLVED, that the 2015 Adopted County Budget be modified as follows:

Modification No. 1

Modification/Grant No. 2

General Fund

A117010 Public Defender Grant

Revenue

	<u>From</u>	<u>To</u>
A117010 433891 St. Aid Indigent Legal Services	\$-0-	\$37,946

Control Total		<u>\$37,946</u>
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Expense

A117010 547470 ILSF Legal Defense	\$-0-	27,946
A117010 547480 ILSF Legal Defense CLE	-0-	6,500
A117010 547490 ILSF Fund Reimbursement	-0-	3,500

Control Total		<u>\$37,946</u>
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Modification No. 2

General Fund

1450 Board of Elections

Expense

	<u>From</u>	<u>To</u>
A145010 521100 Computer Equipment Capitalized	\$-0-	\$7,551
A145010 520040 Office Furniture Capitalized	-0-	37,282
A145010 540400 Office Equipment/Furniture	-0-	1,276

1990 Contingent Fund

Expense

A199010 544440 Contingent	<u>1,553,102</u>	<u>1,506,993</u>
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Control Totals	<u>\$1,553,102</u>	<u>\$1,553,102</u>
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Modification No. 3

General Fund

3410 Office of Emergency Management

Revenue

	<u>From</u>	<u>To</u>
A341030 433906 St. Aid Other Public Safety	\$-0-	\$10,000

Control Total		<u>\$10,000</u>
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Expense

A341030 541936 Haz Mat Equipment Calibration/Maint.	\$-0-	\$10,000
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Control Total		<u>\$10,000</u>
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Modification No. 4

General Fund

6510 Veteran's Agency

Expense

	<u>From</u>	<u>To</u>
A651060 541097 Burial Expense	\$30,000	\$35,000
A651060 541098 Outreach Supplies & Materials	250	3,250

1990 Contingent Fund

Expense

A199010 544440 Contingent	<u>1,506,993</u>	<u>1,498,993</u>
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Control Totals	<u>\$1,537,243</u>	<u>\$1,537,243</u>
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Modification No. 5

General Fund

3021 E-911 Communications

Expense

<u>From</u>	<u>To</u>
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A302130 529026 UPS System	\$27,981	\$35,368
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1990 Contingent Fund

Expense

A199010 544440 Contingent Fund	<u>1,498,993</u>	<u>1,491,606</u>
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Control Total	<u>\$1,526,974</u>	<u>\$1,526,97</u>
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Modification No. 6

Capital Projects Fund

5197 Highway Road & Bridge Capital Projects

Expense

	<u>From</u>	<u>To</u>
H519750 529003 North Court Street Bridge Expense	<u>\$1,550,118</u>	<u>\$1,710,118</u>

Control Total		\$ <u>160,000</u>
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Revenue

H519750 450315 Transfer from County Road	<u>\$1,669,403</u>	<u>\$1,829,403</u>
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Control Total		<u>\$ 160,000</u>
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County Road Fund

5110 Maintenance of Roads & Bridges

Expense

D511050 549105 Transfer to Capital Projects Fund	\$ <u>191,163</u>	\$ <u>351,163</u>
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Control Total		\$ <u>160,000</u>
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Fund Balance

D 300599 Budgetary Fund Balance Unreserved	<u>\$1,482,850</u>	<u>\$1,642,850</u>
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Control Total		\$ <u>160,000</u>
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ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafte)

PREFERRED AGENDA ITEMS

By Supervisor Bono:

RESOLUTION NO. 478-15

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH
CHEM-AQUA FOR COMPLIANCE WITH LEGIONELLA REGULATIONS**

WHEREAS, the County recently was notified by New York State it must begin cleaning, inspection and testing its cooling towers for Legionella; and

WHEREAS, the County operates and maintains four cooling towers on the Wampsville campus; and

WHEREAS, the County was given little notice, having to complete the first round of inspections by September 16, 2015, there was inadequate time to solicit quotes for the service; and

WHEREAS, that testing must now be done quarterly, with the next inspection due on or before December 15; and

WHEREAS, Chem-Aqua will perform these services for \$1,465.00 per quarter; and

WHEREAS, the County is currently contracting with Chem-Aqua for professional services for water testing through March 31, 2016; and

WHEREAS, the County Buildings and Grounds Committee has reviewed the proposal and recommends approval by the Board of Supervisors; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to sign the agreement with Chem-Aqua, a copy of which is on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafte)

RESOLUTION NO. 479-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH UPSTATE TEMPERATURE CONTROL, INC.

RESOLVED, that the Chairman of the Board be and he hereby is authorized to renew an agreement for professionals services with Upstate Temperature Control, Inc., of Skaneateles, New York, for the maintenance of thermostat controls and all other control system components for the Emergency Communications Towers, Public Safety Building, Veterans Memorial Building, Public Health Building, County Office Building, Social Services Building and Courthouse; and

BE IT FURTHER RESOLVED, that the term of this agreement shall be for three (3) years, effective January 1, 2016, and expiring December 31, 2018, at an amount of \$25,020.00 for 2016 with annual escalations of less than 2 percent; and

BE IT FURTHER RESOLVED, that a copy of said agreement is on file with the Clerk of the Board.

ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafte)

RESOLUTION NO. 480-15

AUTHORIZING THE CHAIRMAN TO EXTEND AN AGREEMENT WITH MJ DAKOTA FOR INSTALLATION OF THE OPERABLE PARTITION AT THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, Madison County entered into an agreement with M.J. Dakota for general contracting services May 12, 2015 for renovation of the Department of Social Service building in preparation of relocating the Employment and Training Center from Oneida; and

WHEREAS, the contract requires completion of work December 1, 2015; and

WHEREAS, all construction with the exception of a operable partition in the large conference room of the Employment and Training Center will be completed by the December 1, 2015 deadline; and

WHEREAS, the fabrication and installation of the operable partition will be completed by January 5, 2016; and

WHEREAS, the County Building and Grounds Committee recommends extending the agreement with M.J. Dakota to complete the work;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to extend the contract with M.J. Dakota until January 5, 2016, for the purpose of the fabrication and installation of the operable partition, a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafte)

RESOLUTION NO. 481-15

AUTHORIZING CHAIRMAN TO ENTER INTO AN NJPA LOCAL TERM RENTAL WITH PITNEY BOWES FOR MAIL PROCESSING EQUIPMENT

WHEREAS, the County Central Services Department is in need of new mail processing equipment; and

WHEREAS, Pitney Bowes offers to upgrade our mail processor to a Connect+ 3000 Series Wow system through an NJPA State and Local Term Rental, Contract No. 0403012-PIT; and

WHEREAS, the new equipment will cost \$39,188.64 over four years, billed quarterly at \$2,449.29; and

WHEREAS, the Highway,. Buildings and Grounds Committee have reviewed and recommend that the Board of Supervisors approve of this renewal program;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into the NJPA State and Local Term Rental with Pitney Bowes effective January 1, 2016, a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafte)

By Supervisor Reinhardt:

RESOLUTION NO. 482-15

AUTHORIZING SPECIAL DISTRICT GRANTS

WHEREAS, New York State negotiated and structured a settlement of various Oneida Indian Nation of New York (“OIN”) related litigation and contested matters, which settlement has taken the form of a Settlement Agreement among the OIN, the State of New York, the County of Madison, & the County of Oneida (“Settlement Agreement”) as approved by Resolution No. 157-

13 of the Madison County Board of Supervisors on May 30, 2013, and as approved by the other parties to that Agreement, with Madison County acting pursuant to the related state legislation implementing the Settlement Agreement (Chapters 174 and 175 of the Laws of 2013, Executive Law Section 11 and Indian Law Section 16).

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

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

WHEREAS, the Settlement Agreement and implementing state legislation have effected a change in the taxable status of Nation Land (as defined in the Settlement Agreement).

WHEREAS, the full scope and effect of the Settlement Agreement remains to be determined, particularly with regard to charges relating to special districts benefiting properties directly.

WHEREAS, pursuant to the Settlement Agreement Madison County is to receive certain annual payments from the State of New York, the Settlement Agreement Section III (B) providing in part as follows:

The Counties share of all these payments is...in full satisfaction of tax revenues of any kind that the *Counties* will not receive from the Nation... [*emphasis added*].

WHEREAS, nevertheless, given the current uncertainty and the adverse circumstances to the special districts if their charges remain unpaid, it is the desire of this Board of Supervisors to provide a share of the County’s payments to certain affected special districts’ for their 2016 fiscal years, to mitigate the impact on such districts of the potentially exempt status of certain properties owned by the OIN.

WHEREAS, to that end Madison County intends to make grants, namely a one-time payment, more specifically as provided in the attached Schedule of Parcels and Payments.

WHEREAS, a one-time payment will be made on or about March 31, 2016; and will be intended to mitigate the above referenced current fiscal year only and is to be used solely to support the infrastructure of and the municipal services provided to the taxpayers of such districts.

WHEREAS, the Board does not commit to payments in future years and it presently intends to evaluate the prospect of future payments annually.

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby authorizes the Madison County Treasurer to disburse as a grant the sums set forth and described on the attached Schedule of Parcels and Payments to each of the districts set forth therein totaling \$76,397.12, which amounts are included in the 2016 Tentative Budget.

ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafta)

Madison County
2016 Special District Municipal Grants
Schedule of Parcels and Payments

Municipality/ Tax Map #	Assessment	Hydrant Tax	Library Tax	Fire District Tax	Totals
City of Oneida					
30.47-1-1.1	326,000	31.10	144.87		175.97
30.81-1-69	90,000	8.59	39.99		48.58
30.81-1-70	241,000	22.99	107.10		130.09
37.44-1-1	48,000		21.33	-	21.33
37.44-1-1.1	12,400		5.51	-	5.51
37.44-1-3	310,400	29.62	137.94	-	167.56
37.44-2-1	3,800	-	1.69		1.69
37.44-2-2	466,000	44.46	207.08		251.54
38.29-1-2	46,500		20.66		20.66
38.29-1-3	140,800	13.43	62.57	-	76.00
38.29-1-36	10,500		4.67		4.67
38.49-1-65	23,100	2.20	10.27		12.47
38.49-1-67	161,700	15.43	71.86		87.29
38.49-1-69	106,100	10.12	47.15	..	57.27
38.57-1-15	445,000	42.46	197.75		240.21
38.57-1-15.2	158,900	15.16	70.61		85.77
38.57-1-15.3	211,000	20.13	93.77	-	113.90
38.57-1,-19	268,300	25.60	119.23		144.83
38.62-1-3	162,800	15.53	72.35		87.88
38.65-1-14	508,000	48.47	225.75	-	274.22
46.-1-4.1	15,900	-	7.07	-	7.07
46.-1-5.11	94,800	66.04	42.13		108.17
46.-2-62.2	72,100	-	32.04	-	32.04
47.-2-43	101,300	9.67	45.02	273.62	328.31
47.-2-46	5,800	0.55	2.58		3.13
47.-2-50	7,141,500	681.37	3,173.58	20,019.67	23,874.62
47.-2-50.1	10,743,400	1,025.03	4,774.22	30,989.39	36,788.64
47.-2-50.2	182,000	17.36	80.88	473.21	571.45
47.-2-63	126,500	12.07	56.21	328.11	396.39
54.-1-14.2	19,100	1.82	8.49		10.31
54.-1-29.1	94,000	8.97	41.77	229.79	280.53
54.-1-29	74,600	7.12	33.15	116.08	156.35
54.-1-30	84,600	8.07		23.69	31.76
54.-1-31	72,600	6.93	-	126.15	133.08
54.-1-32.1	123,800	11.81		283.39	295.20

Municipality/ Tax Map #	Assessment	Hydrant Tax	Library Tax	Fire District Tax	Totals
55.-1-3	516,000	49.23		1,431.18	1,480.41
55.-1-4.1	127,800	12.19		327.81	340.00
Total City of Oneida	23,336,100	2,263.52	9,959.29	54,622.09	66,844.90
Town of Fenner					
70.-1-17	14,200			6.33	6.33
Total Town of Fenner	14,200			6.33	6.33
Town of Lenox					
7.79-1-61.1	10,400			5.50	5.50
7.79-1-61.2	2,900		-	1.53	1.53
12.-2-25.12	69,200			36.61	36.61
13.-1-37	90,000		39.99	47.61	87.60
13.-2-1.11	106,900			56.55	56.55
13.-2-1.13	33,400			17.67	17.67
13.-2-1.14	32,800		-	17.35	17.35
13.6-1-10	1,550,000	-		819.91	819.91
13.6-1-12	91,000			48.14	48.14
13.22-1-3	78,200			41.37	41.37
13.22-1-6	138,000			73.00	73.00
13.22-1-7	128,000	-		67.71	67.71
13.22-1-8	228,200			120.71	120.71
13.22-1-9	11,000	-		5.82	5.82
13.22-1-11	27,300			14.44	14.44
13.22-1-12	86,700			45.86	45.86
13.23-1-5	218,900			115.79	115.79
13.23-1-6	678,200		-	358.75	358.75
13.23-1-7	9,900	-		5.24	5.24
19.-1-25	196,300			103.84	103.84
19.-1-27	178,500			94.42	94.42
27.-3-20	193,000		-	102.09	102.09
27.-3-21	23,200		-	12.27	12.27
27.-3-22	10,200	-	-	5.40	5.40
27.-3-23	4,900			2.59	2.59
28.-2-13.2	27,400			14.49	14.49
28.-2-13.11	43,500	-		23.01	23.01
28.-2-13.12	150,100			79.40	79.40
28.-2-14	32,700	-		17.30	17.30
28.-3-77.1	158,400	-		83.79	83.79

Municipality/ Tax Map #	Assessment	Hydrant Tax	Library Tax	Fire District Tax	Totals
28,-3-77.2	157,000			83.05	83.05
35.-1-26	145,500	-		76.97	76.97
35.-1-28.1	129,000	-		68.24	68,24
36.-3-2	69,000			36.50	36.50
Total Town of Lenox	5,109,700		39.99	2,702.92	2,742.91
Town of Lincoln					
54.-3-4	24,500			33.96	33.96
54.-3-5.11	122,300			169.54	169.54
54.-3-8	458,200			635.19	635.19
54.-3-11	9,300			12.89	12.89
61,-1-10.2	264,000		-	365.97	365.97
61.-1-27	27,300	-		37,85	37.85
61.-1-28	79,700			110.49	110.49
63.-2-2	83,200			115.34	115.34
Total Town of Lincoln	1,068,500			1,481.23	1,481.23
Town of Smithfield					
72.-1-1,21	1,700		-	1.50	1.50
72.-1-1.22	21,800			19.28	19.28
72.-1-38	48,100			42.54	42.54
89.-1-5	118,900			105.16	105.16
Total Town of Smithfield	190,500			168.48	168.48
Town of Stockbridge					
54.-2-2	105,000			85.24	85.24
54.-2-3.12	212,000			172.10	172.10
54.-2-3.13	8,300		-	6.74	6.74
54.-2-3.62	4,500			3.65	3.65
54.-2-5	42,200			34.26	34.26
54.-2-6.1	54,600		-	44.32	44.32
54.-2-6.22	48,300			39.21	39.21
54,-2-8.12	41,200	-	-	33.44	33.44
55.-2-5.11	591,000	-	-	479.76	479.76
55.-2-5.12	13,000		-	10.55	10.55
55.-2-7	180,700			146.69	146.69
55.-2-8.1	84,300			68.43	68.43
55.-2-9	16,700			13.56	13.56
55.-2-21.11	334,000			271.13	271.13

Municipality/ Tax Map #	Assessment	Hydrant Libr	Fire District Tax	Totals
55.-2-21.12	360,800		292.89	292.89
55.-2-22	600		0.49	0.49
63.-1-2.1	330,000	-	267.88	267.88
63.-1-2.2	131,000		106.34	106.34
63.-1-3	96,000	-	77.93	77.93
64.-1-1	228,900	-	185.81	185.81
64.-1-2	125,400		101.80	101.80
64.-1-3.1	35,600		28.90	28.90
64.-1-3.2	33,200		26.95	26.95
64.-1-6	78,300	-	63.56	63.56
64.-1-13.1	70,800		57.47	57.47
64.-1-15.2	224,500		182.24	182.24
64-1-17	38,000	-	30.85	30.85
64.-1-18	327,000	-	265.45	265.45
64.-1-24.1	45,900	-	37.26	37.26
64.-2-24.31	9,700	-	7.87	7.87
64.-2-35	6,400		5.20	5.20
65.-1-6	76,100		61.78	61.78
65.-1-10	111,000		137.19	137.19
73.-1-4	169,000	-	137.19	137.19
74.-1-9	83,000	-	67.38	67.38
74.-1-16.1	540,000	-	438.36	438.36
74.-1-16.5	9,000		7.31	7.31
74.-1-17	44,900		36.45	36.45
74.-1-18	39,700	-	32.23	32.23
74.-1-19	109,100	-	88.56	88.56
74.-1-26	25,600		20.78	20.78
83.-1-6.1	36,000	-	29.22	29.22
83.-1-10	130,000		105.53	105.53
83.-1-14.1	41,800		33.93	33.93
83.-1-18	88,000		71.44	71.44
91.-1-51	251,200		203.92	203.92
92.-1-15.1	12,000	-	9.74	9.74
92.-1-15.2	240,500	-	195.23	195.23
92.-1-16	158,000		113.89	113.89
Total Town of Stockbridge	6,042,800		4,938.10	4,938.10

Town of Sullivan

18.-1-9.1	33,300		26.73	26.73
18.-1-14	18,600		14.93	14.93

Municipality/ Tax Map #	Assessment	Hydrant Tax	Library Tax	Fire District Tax	Totals
18.-2-1	3,500			2.81	2.81
18.-2-4	212,700			170.70	170.70
Total Town of ...	268,100			215.17	215.17

Grand Totals	<u>\$30,920,200</u>	<u>\$ 2,263.52</u>	<u>\$ 9,999.28</u>	<u>\$ 64,134.32</u>	<u>\$ 76,397.12</u>
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RESOLUTION NO. 483-15

AUTHORIZING THE MODIFICATION OF THE 2016 TENTATIVE COUNTY BUDGET

BE IT RESOLVED that the 2016 Tentative County budget be modified as follows:

General Fund

1990 Contingent Fund

<u>Expense</u>	<u>From</u>	<u>To</u>
A199010 544440 Contingent Fund	\$1,483,000	\$1,508,000

4250 Mental Health MCCASA

<u>Expense</u>	<u>From</u>	<u>To</u>
A425040 542710 Council on Alcohol/Drug Abuse	\$293,445	\$303,445

6988 Community Action Program

<u>Expense</u>	<u>From</u>	<u>To</u>
A698860 540404 Community Action Program	\$45,063	\$45,964

7410 Libraries-Mid York System

<u>Expense</u>	<u>From</u>	<u>To</u>
A741070 542739 Mid-York Library Contract	\$25,313	\$25,820
A741070 542735 Local Library Contracts	\$70,714	\$72,129
A741070 542741 Telecommunications Terminal	\$21,964	\$22,404

7550 Madison County Fair

<u>Expense</u>	<u>From</u>	<u>To</u>
A755070 542744 Attractions & Promotions	\$17,500	\$-0-
A755070 542753 General Fair Expenses	\$7,500	\$-0-

7989 Madison County Children Camp

<u>Expense</u>	<u>From</u>	<u>To</u>
A798970 542749 Madison County Children Camp	\$-0-	\$10,000

8020 Planning

<u>Expense</u>	<u>From</u>	<u>To</u>
A802080 547240 Economic Development Contract	\$169,555	\$172,946

8750 Agriculture & Livestock

<u>Expense</u>	<u>From</u>	<u>To</u>
A875080 542750 Agricultural Economic Development	\$91,264	\$93,089
A875080 542755 Cornell Cooperative Extension	<u>\$313,390</u>	<u>\$319,658</u>

Totals	<u>\$2,538,708</u>	<u>\$2,573,455</u>
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Control Total		<u>\$34,747</u>
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Appropriated Fund Balance \$3,600,000 \$3,634,747

Control Total \$34,747

ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafte)

By Supervisors Degear and Reinhardt:

RESOLUTION NO. 484-15

AUTHORIZING THE MODIFICATION OF THE 2016 TENTATIVE COUNTY BUDGET

BE IT RESOLVED that the 2016 Tentative County budget be modified as follows:

General Fund

1170 Public Defender Service

Expense

	<u>From</u>	<u>To</u>
A117010 547150 Legal Defense Bureau	\$453,304	\$490,304

1990 Contingent Fund

Expense

A199010 544440 Contingent Fund	<u>\$1,520,000</u>	<u>\$1,483,000</u>
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Control Totals	<u>\$1,973,304</u>	<u>\$1,973,304</u>
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ADOPTED: AYES – 1309 NAYS – 0 ABSENT – 191 (Walrod, Ball, Bargabos, Stepanski, Rafte)

By Supervisor Reinhardt:

RESOLUTION NO. 485-15

**AUTHORIZING THE ASSISTANCE IN DEFENSE
OF ASSESSMENT REVIEW PROCEEDINGS**

WHEREAS, by Local Law #5 of the year 1984 the County Board of Supervisors provided a mechanism to assist towns and cities financially in the defense of assessment review proceedings and appeals; and

WHEREAS, the Local Law provides for the annual appropriation of \$15,000.00 for such legal expenses involved in the defense of assessment review proceedings and appeals; and

WHEREAS, the Local Law further provides that by two thirds majority of the Board of Supervisors that the County will assist any town and city up to 25% of the total cost of any expense in the defense of any such proceedings whereby the assessment review proceedings is seeking a reduction of more than one hundred thousand dollars in assessed value; and

WHEREAS, the Town of Eaton has requested the County assist them in a defense of assessment review proceedings brought by various commercial entities from the years 2012-2014, all of which were seeking a reduction in assessment of more than \$6,000,000 and;

WHEREAS, the Town of Eaton has submitted proper documentation of specialized legal counsel fees to the Madison County Treasurer for Hacker Murphy, LLP services for these defenses;

NOW, THEREFORE, BE IT RESOLVED, by at least a two thirds majority vote of the Madison County Board of Supervisors that the County will in accordance with Local Law #5 of the year 1984 assist the Town of Eaton in the defense of the assessment proceedings brought by the various parties in the amount not to exceed 25% of the total cost and expense actually incurred in the defense of the Town of Eaton; and

BE IT FURTHER RESOLVED, that the County Treasurer is authorized to reimburse the Town of Eaton 25% of the legal fees incurred for the certiorari proceedings that the Town of Eaton defended in the amount of \$260.

Please note that this resolution requires a 2/3's majority vote.

ADOPTED: AYES – 1215 NAYS – 0 ABSTAIN – 104 (Moses) ABSENT – 181 (Walrod, Ball, Bargabos, Stepanski, Raffte)

By Supervisor Henderson:

RESOLUTION NO. 486-15

AUTHORIZING THE MODIFICATION OF THE 2016 TENTATIVE COUNTY BUDGET

BE IT RESOLVED that the 2016 Tentative County budget be modified as follows:

General Fund		
<u>1010 Legislative Board</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A101010 511000 Personal Services	\$487,458	\$471,808
A101010 581100 State Retirement Expense	64,897	63,032
A101010 582100 Social Security Expense	<u>\$37,673</u>	<u>\$36,476</u>
Totals	<u>\$590,028</u>	<u>\$571,316</u>
Net Decrease in Tax Levy		<u>(\$18,712)</u>
Percentage Decrease in Tax Levy		<u>(0.053%)</u>

DEFEATED:

NAYS: 664 (Zupan, Degear, Shwartz, Bono, Becker)

ABSENT: 191 (Walrod, Ball, Bargabos, Stepanski, Raffte)

AYES : 645 (Salka, Moses, Jones, Goldstein, Pinard, Bradstreet, Henderson, Reinhardt, Carinci)

By Supervisor Pinard:

RESOLUTION NO. 487-15

AUTHORIZING THE MODIFICATION OF THE 2016 TENTATIVE COUNTY BUDGET

BE IT RESOLVED that the 2016 Tentative County budget be modified as follows:

General Fund

7450 Chittenango Canal Museum

Expense

A745070 541118 Chittenango Canal Museum

From

To

\$30,000

\$10,000

Net Decrease in Tax Levy

(\$20,000)

Percentage Decrease in Tax Levy

(0.056%)

DEFEATED:

NAYS: 890 (Salka, Zupan, Degear, Moses, Goldstein, Bono, Bradstreet, Becker, Henderson, Reinhardt)

ABSENT: 191 (Walrod, Ball, Bargabos, Stepanski, Rafte)

AYES: 419 (Jones, Shwartz, Pinard, Carinci)

PUBLIC COMMENT PERIOD (No Speakers)

There being no further business, the Board stands recessed until Tuesday, December 8, 2015.