

MADISON COUNTY BOARD OF SUPERVISORS
2nd Day – Annual Session – Thursday, November 17, 2016

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), Supervisor Stepanski (45 votes) and Supervisor Henderson (65 votes).

Pledge of Allegiance.

COMMUNICATIONS

At 10:00 a.m. Chairman Becker announced the scheduled public hearing on the Madison County Sewer District budget for 2017. Supervisor Reinhardt made a motion to open the hearing, seconded by Supervisor Moses 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 Zupan, seconded by Supervisor Pinard and carried.

At 10:05 a.m. Chairman Becker announced the scheduled public hearing on the Cowaselon Watershed District budget for 2017. Supervisor Moses made a motion to open the hearing, seconded by Supervisor Shwartz 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 Bono, seconded by Supervisor Reinhardt and carried.

At 10:10 a.m. Chairman Becker announced the scheduled public hearing on the tentative County budget for 2017. Supervisor Reinhardt made a motion to open the hearing, seconded by Supervisor Moses and carried.

Speakers Corey Mosher, Chad Meggs, Paul O'Mara, Jenny Kelsey-Mills, and Lynda Lehr spoke in support of Cornell Cooperative Extension AED position remaining with CCE. Speakers Wanda Bruchis, Director of Mid York Library System, and Betsy Kennedy, Director of Cazenovia Public Library, thanked the Board for their ongoing support of Madison County libraries.

Chairman Becker called for a recess from the public hearing at 10:30 a.m. Supervisor Moses made a motion to recess the public hearing at 10:30 a.m., seconded by Supervisor Pinard and unanimously carried. A motion was immediately made by Supervisor Reinhardt to go into executive session to discuss the employment of a particular person, seconded by Supervisor Moses and unanimously carried. Paul O'Mara and Corey Mosher were invited into the Executive Session. Supervisor Walrod made a motion to come out of Executive Session at 11:05 a.m., seconded by Supervisor Moses and unanimously carried.

There being no further speakers, Chairman Becker then asked for a motion to close the hearing which was offered by Supervisor Reinhardt, seconded by Supervisor Walrod and carried.

UNFINISHED BUSINESS

RESOLUTION NO. 411-16

CREATING ONE FULL-TIME POSITION IN PLANNING DEPARTMENT

WHEREAS the creation of an Agricultural Economic Development Specialist position was a priority recommendation in Madison County's 2005 Agricultural and Farmland Protection plan; and

WHEREAS the creation of this position came about through a shared arrangement between Madison County and Cornell Cooperative Extension in such a way that salaries and program expenses were provided by Madison County funding and benefits and overhead were provided by Cornell Cooperative Extension; and

WHEREAS it has been deemed desirable for the position to be moved to and housed within the Madison County Planning Department and entirely funded thereby, with the goals and mission being the same as when the position was first created nearly 10 years ago; and

WHEREAS, this request has been reviewed and approved in accordance with the vacancy review procedure, Planning, Economic Development, Environmental and Intergovernmental Affairs Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Agricultural Economic Development Specialist position be and hereby is created; and

BE IT FURTHER RESOLVED that the County Planning Director be and hereby is authorized to fill said position at the 2016 hourly rate of up to \$24.86 in accordance with Civil Service Law and Rule and the contract between the County and the Civil Service Employees' Association, Inc. White Collar Unit effective immediately.

On motion by Supervisor Degear, seconded by Supervisor Moses, this Resolution was PULLED.

RESOLUTION NO. 420-16

AUTHORIZING THE MODIFICATION OF THE 2017 TENTATIVE COUNTY BUDGET

BE IT RESOLVED that the 2017 Tentative County budget be modified as follows:

General Fund

1990 Contingent Fund

Expense

	<u>From</u>	<u>To</u>
A199010 544441 Contingent-Cornell Cooperative Ext.	\$-0-	\$319,658

8020 Planning

Expense

A802080 511000 Personal Services Full Time	339,694	388,171
A802080 542750 Agricultural Economic Development	-0-	16,146
A802080 581100 State Retirement Expense	49,831	54,340
A802080 582100 Social Security & Medicare Expense	25,987	29,696
A802080 585100 Disability Expense	378	441
A802080 586100 Employee Health Insurance	91,503	111,688

8750 Agriculture & Livestock

Expense

A875080 540243 Ag & Farmland Grant Expense	10,000	-0-
A875080 542750 Agricultural Economic Development	93,089	-0-
A875080 542755 Cornell Cooperative Extension	309,658	-0-

9010 Retirement Expense

Expense

A901090 581100 State Retirement Expense	3,406,781	3,411,290
A901090 581201 Allocation Retirement Expense	(3,406,781)	(3,411,290)

9030 Social Security & Medicare Expense

Expense

A903090 581301 Allocation Social Security	(1,731,223)	(1,734,932)
A903090 582100 Social Security Expense	1,731,223	1,734,932

9056 Disability Insurance

Expense

A905690 584020 Disability Premium Expense	39,501	39,564
A905690 584021 Disability Allocation General	(32,445)	(32,508)

9061 Hospital & Medical Insurance

Expense

A906190 586001 Hosp/Med Allocation General	(6,406,191)	(6,426,378)
A906190 586050 Dental TPA Expense	14,494	14,528
A906190 586060 Dental Claims Expense	326,505	327,416
A906190 586110 Prescription Expense	1,494,438	1,497,219
A906190 586120 Medical Premiums	174,263	174,632
A906190 586135 PPO Claims Expense	4,469,324	4,484,662
A906190 586140 Stop Loss Insurance	248,500	249,250
A906190 586170 ACA Reinsurance Fee	<u>1,992</u>	<u>1,996</u>

Control Totals \$1,250,521 \$1,250,521

Net Increase/(Decrease) in Tax Levy \$-0-

On motion by Supervisor Reinhardt, seconded by Supervisor Moses, this Resolution was PULLED.

RESOLUTIONS

By Supervisor Bradstreet:

RESOLUTION NO. 424-16

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT

WHEREAS, Madison County has a grant through the Office of Child and Family Services titled "Multi-disciplinary Teams (MDT), Child Advocacy Centers (CAC) and Child Fatality Review Teams (CFRT)"; and

WHEREAS, the services of a Cyber Crimes Specialist are needed to facilitate the investigation of MDT cases and to educate MDT members on technology-related aspects of these cases; and

WHEREAS, Anjolen, Inc. has staff with the skills, expertise, education, training and licensing required to provide the services of a Cyber Crimes Specialist to this grant program; and

WHEREAS, the term of this agreement shall be from January 1, 2017 to December 31, 2017; and

WHEREAS, the County will compensate Anjolen, Inc. at an hourly rate of Thirty-five Dollars (\$35.00), the total amount of compensation not to exceed Thirty-Six Thousand Four Hundred dollars (\$36,400); and

WHEREAS, said compensation shall be wholly paid from grant monies;

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

ADOPTED: AYES – 1266 NAYS – 0 ABSENT – 234 (Salka, Ball, Bargabos, Stepanski, Henderson)

RESOLUTION NO. 425-16

AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT

WHEREAS, the Central New York Psychiatric Center Forensic Unit provides services at the Central New York Psychiatric Center in the Town of Marcy, County of Oneida; and

WHEREAS, the Forensic Unit has the capability of providing security services for the Sheriff's Office of surrounding counties which have inadequate facilities for treating mentally ill inmates; and

WHEREAS, the Madison County Sheriff's Office is in need of these services at a cost of \$185.00 per day, per inmate, which is a \$20 per day increase from the previous agreement; and

WHEREAS, this agreement shall become effective on January 1, 2017 and expire on December 31, 2019; and

WHEREAS, this agreement has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee; and

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

ADOPTED: AYES – 1266 NAYS – 0 ABSENT – 234 (Salka, Ball, Bargabos, Stepanski, Henderson)

RESOLUTION NO. 426-16

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND MODIFYING THE 2016
COUNTY BUDGET – VIDEO RECORDING OF STATEMENTS GRANT PROGRAM**

WHEREAS, Madison County has been awarded a grant for \$12,736 by the New York State Division of Criminal Justice Services (DCJS) from appropriations authorized by Congress under the FFY 2014 Byrne JAG funding, and

WHEREAS, these funds will provide 100% reimbursement of eligible costs incurred in the procurement and installation of video recording equipment for the Madison County Sheriff's Office; and this grant program is described as follows:

Awarding Agency: US Department of Justice, Bureau of Justice Assistance
 Pass Thru. Agency: NYS Division of Criminal Justice Services
 Catalogue #: CFDA# 16.738
 Program Name: Byrne Justice Assistance Grant – Video Recording of Statements Grant
 Grant Period: 10/1/16 to 9/30/17
 Contract #: ST16-1034-E00 (DCJS BJ14637406)
 Federal Funds: 100%
 Grant Total: \$12,736

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with the NYS Division of Criminal Justice Services a copy of which is on file with the Clerk of the Board, and

BE IT FURTHER RESOLVED, that the 2016 Adopted County Budget be modified as follows:

General Fund
3110-Sheriff Office

<u>Expense</u>		<u>From</u>	<u>To</u>
A311030 521063	Video Recording Equipment	\$0	\$12,736
<u>Revenue</u>			
A311030 433919	SA-FFY2014 Byrne JAG/Video Record Statements Grant	\$0	\$12,736
	Control Total		<u>\$12,736</u>

ADOPTED: AYES – 1266 NAYS – 0 ABSENT – 234 (Salka, Ball, Bargabos, Stepanski, Henderson)

RESOLUTION NO. 427-16

AUTHORIZING THE CHAIRMAN TO ACCEPT THE PROPOSAL FOR THE FEASIBILITY STUDY SERVICES FOR THE MADISON COUNTY PUBLIC SAFETY BUILDING RENOVATIONS

WHEREAS, the Public Safety Building is in need of renovations to the administration offices to improve areas to better serve the staff and public; and

WHEREAS, there is a need for a space study for the Public Safety Building improvements; and

WHEREAS, C&S Engineers Inc. has submitted a proposal for feasibility study services for the Public Safety Building; and

WHEREAS, after the field work commences, the feasibility study will be completed within an estimated six weeks; and

WHEREAS, the fee will be a Lump Sum Fee of \$15,000 including all expenses; and

WHEREAS, C&S Engineers Inc. will facilitate the Hazardous Material Survey for a Not-To-Exceed fee of \$5,000; and

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to accept on behalf of the County of Madison the proposal from C&S Engineers Inc., in form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1266 NAYS – 0 ABSENT – 234 (Salka, Ball, Bargabos, Stepanski, Henderson)

By Supervisor Bono:

RESOLUTION NO. 428-16

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH LABELLA ASSOCIATES, D.P.C. FOR COUNTY TREASURER’S OFFICE MODIFICATIONS

WHEREAS, the Madison County Office Building was constructed in 1969 and numerous departments are located within the building providing various services to County residents; and

WHEREAS, the County desires to maintain the high level of service to our residents and needs to relocate some departments within the office building; and

WHEREAS, the Madison County Board of Supervisors approved a resolution combining the County Treasurer’s Office and the Real Property Tax Department in order to consolidate services, make services more efficient for County residents and to create a cost savings for Madison County; and

WHEREAS, to improve function and efficiency in the County Treasurer/Real Property Tax Office the County will need to complete final design, bidding/negotiating and construction administration services to remodel portions of the second floor of the existing County Office Building; and

WHEREAS, Labella Associates, D.P.C has expertise in providing said services; and

WHEREAS, the Building and Grounds Committee recommends entering into an agreement with Labella Associates, D.P.C to provide complete final design phase services, bidding / negotiating and construction administration services for this proposed project; and

WHEREAS, the cost shall not exceed Fifty Nine Thousand dollars (\$59,000.00);

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement for professional services with Labella Associates, D.P.C in the form that is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1266 NAYS – 0 ABSENT – 234 (Salka, Ball, Bargabos, Stepanski, Henderson)

RESOLUTION NO. 429-16

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MYERS & CO., LLC, FOR FIRE EXTINGUISHER INSPECTION

WHEREAS, it is necessary to inspect all fire extinguishers located in the County Office Buildings on an annual basis; and

WHEREAS, it is also necessary to inspect all range hoods located in various County facilities; and

WHEREAS, quotes for said services were obtained by the Maintenance Supervisor and reviewed by the County Buildings and Grounds Committee; and

WHEREAS, the County Buildings and Grounds Committee recommend the County enter into an agreement with Myers & Co., LLC;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into an agreement with Myers & Co., LLC, commencing January 1, 2017, and expiring December 31, 2019, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1266 NAYS – 0 ABSENT – 234 (Salka, Ball, Bargabos, Stepanski, Henderson)

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

2nd DAY – ANNUAL SESSION CONTINUED – NOVEMBER 17, 2016 – 6:00 p.m.

The Board reconvened at 6:00 p.m. with all members present except for Supervisor Goldstein (28 votes), Supervisor Ball (43 votes), Supervisor Bargabos (27 votes), and Supervisor Henderson (65 votes).

Chairman Becker announced and called for a motion to open the scheduled public hearing on the 2017 Tentative County budget. Supervisor Zupan made a motion to open the hearing, seconded by Supervisor Salka 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 Stepanski and carried.

RESOLUTIONS

By Supervisor Reinhardt:

RESOLUTION NO. 430-16

DIRECTING THE COUNTY ATTORNEY’S OFFICE TO DRAFT LEGISLATION FOR REAUTHORIZATION OF MADISON COUNTY’S LOCAL 1 PERCENT SALES AND COMPENSATING USE TAX

WHEREAS, in 2004 New York State authorized Madison County to raise its local sales tax from 3 percent to 4 percent; and

WHEREAS, that New York State has by legislation extended that authorization to expire on November 30, 2017; and

WHEREAS, Madison County has determined that in the current fiscal environment and considering the decline in State assistance it is necessary to continue the local sales tax at 4 percent in order that Madison County and its jurisdictions are able to maintain their current level of services without unduly impacting property taxes; and

WHEREAS, the Finance Ways and Means Committee recommends that the Board of Supervisors continue to allow the City of Oneida to pre-empt one-half of 1 percent of the proposed tax on sales within the City of Oneida; and

WHEREAS, the Board of Supervisors recognize that it is the New York State Department of Taxation that will write the legislation necessary to allow Madison County to continue the 1 percent sales tax;

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors directs the County Attorney's office to work with the New York State Department of Taxation and Finance to draft legislation to reauthorize the 1 percent sales tax; and

BE IT FURTHER RESOLVED, that in so far as the State is willing and able to do so, the proposed legislation should incorporate the following:

1. The 1 percent sales tax be re-authorized and set to expire on November 30, 2019;
2. The City of Oneida be allowed to pre-empt one half of the proposed reauthorized 1 percent tax on sales within the City;
3. The County be authorized to distribute by assessment the entire 1 percent sales tax collected outside the City.

ADOPTED: AYES – 1337 NAYS – 0 ABSENT – 163 (Goldstein, Ball, Bargabos, Henderson)

RESOLUTION NO. 431-16

APPROVAL – MORTGAGE TAX REPORT

WHEREAS, this Board is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each tax district of the County of the money collected during the preceding six months ending September 30, 2016;

NOW, THEREFORE BE IT RESOLVED, that pursuant to Section 261 of the Tax Law, this Board issue tax warrants for the payment of the respective tax districts of the amounts so credited, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report:

Town of Brookfield	\$10,992.81
Town of Cazenovia	\$95,113.79
Village of Cazenovia	\$18,184.37
Town of DeRuyter	\$7,536.71
Village of DeRuyter	\$684.35
Town of Eaton	\$11,957.42
Village of Hamilton	\$2.15
Village of Morrisville	\$3,191.45
Town of Fenner	\$16,889.69
Town of Georgetown	\$4,681.74
Town of Hamilton	\$17,885.31
Village of Earlville	\$496.29
Village of Hamilton	\$10,308.81
Town of Lebanon	\$5,842.00
Town of Lenox	\$31,267.53
Village of Canastota	\$8,766.07
Village of Wampsville	\$1,880.47
Town of Lincoln	\$13,396.66
Town of Madison	\$21,047.56
Village of Hamilton	\$265.05
Village of Madison	\$772.96
Town of Nelson	\$28,975.02
Town of Smithfield	\$4,144.94
Town of Stockbridge	\$8,724.15
Village of Munnsville	\$852.15
Town of Sullivan	\$113,690.26
Village of	\$17,004.67
Chittenango	
City of Oneida	\$62,767.85
TOTAL	\$517,322.23

ADOPTED: AYES – 1337 NAYS – 0 ABSENT – 163 (Goldstein, Ball, Bargabos, Henderson)

RESOLUTION NO. 432-16

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH EFPR GROUP, CPAs, PLLC

WHEREAS, pursuant to the standards and guidelines contained in the Single Audit Act, as amended, and Office of Management and Budget Super Circular (formerly OMB Circular A-133), the County is required to engage an independent auditor for the purpose of annually performing a Federal Single Audit of financial assistance awards; and

WHEREAS, the County is required to engage an independent auditor for the purpose of annually auditing the County's basic financial statements, to include auditing Madison County's Soil and Water Conservation District component unit; and

WHEREAS, the County is required to engage an independent auditor for the purpose of annually performing agreed-upon procedures relative to the financial assurance requirements of the Department of Mental Hygiene; and

WHEREAS, the County is required to engage an independent auditor for the purpose of annually performing agreed-upon procedures relative to financial assurance requirements for the County's municipal solid waste landfill; and

WHEREAS, the County is also required to engage an independent auditor for the purpose of annually performing a New York State Department of Transportation Single Audit; and

WHEREAS, EFPR Group, CPAs, PLLC, has provided a proposal for the aforementioned auditing services for the County's fiscal year ending 2016, for a fee of \$61,000; and

WHEREAS, this represents no increase in cost compared with the fee for these same auditing services for the County's fiscal year ending 2015.

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

ADOPTED: AYES – 1337 NAYS – 0 ABSENT – 163 (Goldstein, Ball, Bargabos, Henderson)

RESOLUTION NO. 433-16

AUTHORIZING THE MODIFICATION OF THE 2016 ADOPTED COUNTY BUDGET

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

Modification No. 1

General Fund

1165 District Attorney

Expense

	<u>From</u>	<u>To</u>
A116510 521100 Computer Equipment	<u>\$-0-</u>	<u>\$3,769</u>
Control Total		<u>\$3,769</u>

Revenue

A116510 488007 Appropriation of Jeep Reserve	<u>\$-0-</u>	<u>\$3,769</u>
Control Total		<u>\$3,769</u>

Modification No. 2

General Fund

6420 Promotion of Tourism

Expense

	<u>From</u>	<u>To</u>
A642060 540380 Treasurer Admin Occupancy Tax	\$26,000	\$29,120
A642060 542715 Tourism Administration	<u>234,000</u>	<u>262,080</u>

Totals	<u>\$260,000</u>	<u>\$291,200</u>
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Control Total		<u>\$31,200</u>
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Revenue

A642060 411130 Hotel/Motel Room Occupancy Tax	<u>\$260,000</u>	<u>\$291,200</u>
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Control Total		<u>\$31,200</u>
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ADOPTED: AYES – 1337 NAYS – 0 ABSENT – 163 (Goldstein, Ball, Bargabos, Henderson)

By Supervisor Degear:

RESOLUTION NO. 434-16

**APPOINTING AN ADMINISTRATOR OF THE PLAN
TO PROVIDE COUNSEL FOR INDIGENT DEFENDANTS AND
ESTABLISHING THE 2017 COMPENSATION RATE**

WHEREAS, by resolution of the Madison County Bar Association the Madison County Attorney's office has been designated to provide the administration of the plan to provide legal representation for indigent defendants in criminal actions during 2017; and

WHEREAS, this designation is made on an annual basis in accordance with the 1965 plan adopted by the Board of Supervisors to provide counsel for indigent defendants; and

WHEREAS, the Government Operations Committee has reviewed the action of the Madison County Bar Association and recommends Tina Wayland-Smith for appointment to this position; and

WHEREAS, the Government Operations Committee has reviewed the compensation rate for this position and recommends the 2017 annual rate be \$7,040;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby appoints Tina Wayland-Smith as Administrator of Assigned Counsel for Indigent Defendants at the 2017 annual rate of \$7,040; and

BE IT FURTHER RESOLVED, that this appointment is effective January 1, 2017 through December 31, 2017.

ADOPTED: AYES – 1337 NAYS – 0 ABSENT – 163 (Goldstein, Ball, Bargabos, Henderson)

RESOLUTION NO. 435-16

RENEWING A STIPEND FOR THE ADMINISTRATIVE ASSISTANT TO THE COUNTY ATTORNEY TO PROVIDE ADMINISTRATIVE ASSISTANCE FOR THE ASSIGNED COUNSEL PROGRAM FOR 2017

WHEREAS, the Board of Supervisors has appointed Tina Wayland-Smith, Assistant County Attorney as the Administrator of the plan to provide counsel for indigent defendants; and

WHEREAS, the Administrative Assistant to the County Attorney provides administrative and clerical assistance for the assigned counsel programs as well; and

WHEREAS, the Government Operations committee has reviewed and approved a request for a stipend to be provided to the Administrative Assistant to the County Attorney to perform these responsibilities,

NOW, THEREFORE BE IT RESOLVED that a stipend of \$5,000 be and hereby is established for the Administrative Assistant to the County Attorney for 2017, payable on a monthly basis.

ADOPTED: AYES – 1337 NAYS – 0 ABSENT – 163 (Goldstein, Ball, Bargabos, Henderson)

PUBLIC COMMENT PERIOD (No Speakers)

There being no further business, the Board stands recessed until Tuesday, December 6, 2016.