

MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Tuesday, February 10, 2015

The Board convened at 2:00 p.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Rafte (55 votes)

Pledge of Allegiance.

At 2:05 p.m. Chairman Becker announced the scheduled public hearing on the review of Agricultural District #3 and Agricultural District #4, and asked for a motion to open the hearing which was made by Supervisor Bono, seconded by Supervisor Stepanski and carried.

Planning Director, Scott Ingmire spoke to the hearing, explaining that as part of our Agricultural District consolidation process, district boundaries will now conform to municipal boundaries. The County has consolidated its Agricultural District down from 13 to 4 over the past few years and these two public hearings related to the final steps in that consolidation process. In general, we've seen an increase in the number of properties requesting to be in agricultural districts, which is indicative of other positive trends we are seeing with agriculture in the County.

There being no other speakers, Chairman Becker called for a motion to close the hearing, which was offered by Supervisor Moses, seconded by Supervisor Walrod and carried.

On motion by Supervisor Carinci, seconded by Supervisor Jones, the minutes from the previous two meetings were dispensed and adopted as filed.

COMMUNICATIONS

1. Copy of a resolution from Chemung County – Calling on the State of New York to Develop a 100% State-Funded Indigent Legal Defense System as a way to Provide Mandate Relief and Lower Property Taxes.
2. Letter received from the Center for Tobacco Products, Food and Drug Administration asking the Board to take action against tobacco products being displayed and sold at local stores near schools.

REPORTS

1. Madison County Corporate Compliance Program – Annual Work Plan 2015.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$ 6,560,552.69
Miscellaneous Accounts:	\$ 1,880,827.84

RESOLUTIONS

By Supervisor Degear:

RESOLUTION NO. 19-15

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 certain County employees 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 Cynthia Holdridge, Richard Marris and David Orlando upon their retirement.

Cynthia A. Holdridge	Public Health	1988 - 2015
Richard L. Marris	Solid Waste	2005 - 2015
David J. Orlando	Sheriff's	2006 - 2015

Director of Health, Eric Faisst was asked to step forward along with Cindy Holdridge. Cindy was given a gift for her dedicated service to the county. Cindy worked in the Environmental Health Division and dealt with her co-workers and residents with professionalism. She treated everyone with kindness and will be missed by all. Director of Solid Waste Jim Zecca and Richard Marris then stepped forward. Mr. Marris was given a gift for his hard work at the landfill and was thanked by all. Sheriff Riley then stepped forward to accept a gift on behalf of David Orlando, who could not attend today's meeting. He was thanked and wished the best of luck in his retirement.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 20-15

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

WHEREAS, the International Conference on Sexual Assault, Domestic Violence, and Campus Responses will be held April 7-9, 2015, in New Orleans, LA; and

WHEREAS, Michael Fitzgerald, DSS Commissioner, has requested that Amy Hilliker, CPS Caseworker, attend this conference; and

WHEREAS, her expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff's Office; and

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

NOW, THEREFORE BE IT RESOLVED that Amy Hilliker be and hereby is authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 21-15

AMENDING ATTACHMENT A TO LOCAL LAW #6 OF 1990

WHEREAS, the Madison County Board of Supervisors adopted Local Law #6 of 1990 entitled “A Local Law Relative to the Filing of Financial Disclosure Statements by Certain County Officials and Employees; To the Establishment of an Ethics Advisory Council and Ethics Board; and to Local Code of Ethics as Authorized by Article 18 of the General Municipal Law and the Municipal Home Rule Law” by Resolution No. 293 dated December 7, 1990; and

WHEREAS, Section 2. Definitions. Paragraph A. “Official or Employee” further provides that, “...a listing of Department Heads and Deputies; other managerial employees; statutory committee appointments; special appointments of the Board of Supervisors and its Chairman; ad hoc committee appointments, and individual appointments by the Board of Supervisors or by the Chairman of the Board of Supervisors hereby determined to be “officials or employees” is attached hereto as ATTACHMENT A; and

WHEREAS, Section 2. Definitions. Paragraph A. “Official or Employee” further provides that, “...In connection with the listing set forth in ATTACHMENT A. the board of Supervisors reserves the right by Resolution of such Board to add or delete new classes of officials or employees under this definition as deemed appropriate; and

WHEREAS, certain new titles must be added to ATTACHMENT A, and certain obsolete titles must be deleted from ATTACHMENT A in accordance with Section 2. Paragraph A. as stated above; and

NOW, THEREFORE, BE IT RESOLVED, in accordance with Section 2. Paragraph A. of Local Law #6 of 1990, the Madison County Board of Supervisors hereby adopts the amendments to ATTACHMENT A to Local Law #6 of 1990 as is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

ATTACHMENT A TO LOCAL LAW #6 OF 1990

OFFICERS AND EMPLOYEES OF MADISON COUNTY SUBJECT TO THE APPLICATION OF ETHICS LEGISLATION

Department Heads/Elected Officials

Board of Supervisors, member, Madison County

Building Maintenance Supervisor

Clerk to the Board of Supervisors

Commissioner of Social Services

County Administrator (Add)

County Attorney

County Coroner

County Clerk

County Highway Superintendent

County Planning Director

County Treasurer/Budget Officer

County Youth Bureau Director

Director of Community Mental Health Services

Director of Data Processing (Delete)

Director of Emergency Management Services (Add)

Director of Real Property Tax Services

Director of Solid Waste Management
Director of Veterans Service Agency
District Attorney
E911 Director
Election Commissioner
Employment & Training Director (Delete)
Personnel Officer
Probation Director II
Public Health Director
Sheriff
Supervisor of Central Services
STOP DWI Coordinator (Delete)

Deputies

Deputy Commissioner for Administrative Services
Deputy Commissioner for Family Services (Add)
Deputy Commissioner for Financial Assistance (Add)
Deputy Coroner
Deputy County Clerk
Deputy County Highway Superintendent Deputy County
Treasurer
Deputy Director for Administrative Services-Mental Health
Deputy Elections Commissioner (Add)

Other Officers and Employees

Addictive Substance Director (Delete)
Administrator-Assigned Counsel Program
Assistant Director of Administrative Services-Mental
Health
Assistant Director of Administrative Services-Public Health
Assistant E911 Director (Add)
Assistant Director of Environmental Health (Add)
Assistant Director of Patient Services (Delete)
Assistant Director of Solid Waste Management (Delete)
Assistant Director of Planning (Add)
Assistant District Attorney-Fraud Prevention (Add)
Assistant District Attorney - STOP DWI
Associate Planner (Add)
Chief Wastewater Treatment Plant Operator (Delete)
Child Advocacy Center Director (Add)
Children with Special Needs Program Coordinator (Delete)
County Historian
Criminal Investigator
Director of Administrative Services-Dept. of Social Services
Director of Administrative Services-Public Health
Director of Children with Special Needs Program (Add)
Director of Community Health Services (Add)
Director of Economic Security-Dept. of Social Services (Delete)
Director of Environmental Health

Director of Financial Assistance
Director of Labor Relations (Add)
Director of Patient Services (Delete)
Director of Staff Development/WMS-Dept, of Social Services (Delete)
Director of Weights and Measures
Executive Director, County Sewer District
Fire Coordinator/Director of Emergency Preparedness
First Assistant County Attorney
First Assistant District Attorney
Fifth Assistant District Attorney (Add)
Fourth Assistant District Attorney (Add)
Highway Operations Manager (Add)
Landfill Operations Manager (Add)
Planner
Purchasing Agent (Add)
Recycling Coordinator (Add)
Second Assistant County Attorney (Add)
Second Assistant District Attorney
Senior Planner
Senior Public Health Sanitarian (Delete)

Other Officers and Employees continued

Social Services Attorney
Social Services Attorney II
Supervising Psychologist (Delete)
Supervising Social Services Attorney
Traffic Safety Coordinator (Add)
Undersheriff
Workforce Development Supervisor (Add)

Boards and Committees

Industrial Development Agency
Madison County Board of Health
Madison County Ethics Advisory Council
Madison County Ethics Board
Madison County Sewer District
Madison County Youth Board
Mental Health & Community Services Board

Revised: 12/28/93

Revised: 10/14/97

Revised: 2/10/15

RESOLUTION NO. 22-15

AMENDING PURCHASING POLICY AND PROCEDURES

WHEREAS, Madison County is implementing “Munis”, a Tyler Technologies Software program to provide a county wide electronic system for financial management, payroll and purchasing; and

WHEREAS, the Madison County Board of Supervisors has previously adopted a revised Purchasing Policy and Procedure; and

WHEREAS, due to the implementation of the new software, the current policy requires a few additional amendments to comply with required procedural changes; and

WHEREAS, the Government Operations Committee has reviewed the amendments to the procedures and recommends adoption by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby adopts Madison County’s Purchasing Policy and Procedures as amended.

On motion by Supervisor Degear, seconded by Supervisor Bradstreet, an amendment was made to the end of the last paragraph of this resolution adding “on file with the Clerk to the Board of Supervisors.” The amendment was carried.

ADOPTED: AYES – 1445 NAY – 0 ABSENT – 55 (Rafte)

MADISON COUNTY PURCHASING POLICY AND PROCEDURES AS AMENDED

vii. If the Purchasing Agent, with the assistance of the Treasurer, believes that the total cost of the commodities or non-professional services will exceed the minimum monetary threshold established by G.M.L. §103, then the Purchasing Agent shall advise the Department Head of the situation and require the Department Head, in conjunction with other appropriate County personnel if appropriate, to follow the bidding procedures detailed herein.

viii. All awards from quotes shall be made to the lowest responsible vendor, if possible. Circumstances, which will be documented on the face of the quote form and attached to the electronic requisition in Munis, may dictate purchase from other than the lowest quote (e.g., delivery requirements, quality or quantity requirements, documented past experience of vendor).

ix. If any department purchases or projects are under bidding limits, but are suspected to exceed the Thirty Five Thousand dollar (\$35,000) limit on a Countywide basis, discretion shall be used, inquiries made, and if appropriate, the bidding procedure will take effect.

All Public Works Contracts

Up to \$1,000	No Quote Necessary but should have confirming pricing
\$1,000 up to \$3,000	Oral and/or Written Quote or Approved Waiver
\$3,000 up to \$35,000	Written Quote or Approved Waiver
\$35,000 and Over	Formal Bid

D. REQUISITIONS

Completing and Submitting Requisitions

i. The proper requisition form shall be completed in Munis. The electronic form shall be submitted electronically to the Purchasing Agent for approval. The requisition must be entered in all capital letters and contain the following information:

- a. General Description of the items being purchased
- b. Vendor chosen (if not the lowest priced, a satisfactory written explanation is required)
- c. Title of the ship to Department
- d. Quantity of the items being purchased
- e. Unit Price
- f. Unit of measure
- g. Detailed description of the item(s) being purchased beginning with the item number. (ex. 123456 BLUE BIC PENS)
- h. Current budget line item code
- i. contract notation, if applicable, [in the additional description field of each line](#) ~~on each line~~ of the requisition
- i. attachment(s) with confirming price and/or quote form and /or additional supporting documentation

ii. Upon electronic approval by the Department Head or his/her designee, the Munis electronic requisition will be turned in to a Purchase Order by the Purchasing Agent or his/her designee. The requestor will receive an electronic notification that their PO has been Approved.

iii. The requesting department will [receive printed purchase orders from the Purchasing Agent](#) -and distribute their purchase order to the vendor along with any additional supporting documentation and a W-9 form, if required.

iv. In the event a quote was required and the lowest vendor was not selected, the requisitioner shall provide a detailed explanation as to why the vendor with the lowest quoted price was not selected. This explanation shall be on a separate sheet if necessary and maintained in the Purchase Agents file. If approved, the requisitioner may then order the items from the chosen vendor.

iv. When the Department Heads or his/her designee prepare their vouchers for payment an electronic copy of the original invoice **MUST BE ATTACHED TO THE VOUCHER if available** and submitted electronically to the Treasurer's Office for payment processing and audit by the Board of Supervisors.

v. If the commodities ordered were taken from a current County bid sheet or from an Alternative Procurement Method, the original voucher and

requisition shall contain specific details regarding the purchase (e.g., Bid Award Date or State Contract Number).

Exceptions To The Purchasing System

- i. There are certain expenditures for which the processing of a requisition is unnecessary. "Overpapering" can ruin the effectiveness of the system almost as quickly as non-compliance. The following should be made without requisition:
 - a. ~~Contracts for professional services.~~
 - ba. Employee expenses such as conference expenses, mileage and other reimbursable expenses in performance of day-to-day duties.
 - eb. Reimbursement of petty cash funds.
 - ec. Interdepartmental charges (e.g. central services, printing, postage).
 - ed. Emergency medical and dental examinations (e.g. Jail, Mental Health, Public Health).
 - fe. Contract items in Central Services.
 - ef. Professional legal and related services, as required by the County Attorney's Office

E. Alternative Procurement Methods:

END

RESOLUTION NO. 23-15

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 4, 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 Three Thousand Three Hundred Ninety-two and 81/100 dollars (\$3,392.81); and

WHEREAS, the Government Operations Committee has reviewed and approved the settlements 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 4, 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 – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 24-15

AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000 (BLUE COLLAR UNIT)

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

WHEREAS, pursuant to Section 202 of the Civil Service Law, employees in the Blue Collar Unit are represented by the Civil Service Employees Association, Inc. (CSEA); and

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

WHEREAS, the County and CSEA have reached an agreement that authorizes employees to utilize another health insurance option at their discretion; and

WHEREAS, the Government Operations Committee has reviewed and approved said agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors approves and authorizes the Chairman to execute a Memorandum of Agreement in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 25-15

AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000 (WHITE COLLAR UNIT)

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

WHEREAS, pursuant to Section 202 of the Civil Service Law, employees in the White Collar Unit are represented by the Civil Service Employees Association, Inc. (CSEA); and

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

WHEREAS, the County and CSEA have reached an agreement that authorizes employees to utilize another health insurance option at their discretion; and

WHEREAS, the Government Operations Committee has reviewed and approved said agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors approves and authorizes the Chairman to execute a Memorandum of Agreement in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 26-15

RE-APPOINTING MEMBERS TO THE ETHICS ADVISORY COUNCIL AND THE ETHICS BOARD

WHEREAS, the term of Gair Meres, member of Ethics Advisory Council expires February 10, 2015; and

WHEREAS, the term of Arthur Steneri, member of the Ethics Advisory Council expires February 13, 2015; and

WHEREAS, the term of Peter Dunn, Esq., member of the Ethics Board expires February 10, 2015; and

WHEREAS, the Government Operations Committee recommends their re-appointment;

NOW, THEREFORE BE IT RESOLVED, that Gair Meres, of Hamilton, be and hereby is re-appointed to an additional four year term on the Ethics Advisory Council expiring on February 10, 2019; and

BE IT FURTHER RESOLVED, that Arthur Steneri, of Hamilton, be and hereby is re-appointed to an additional four year term on the Ethics Advisory Council expiring on February 13, 2019; and

BE IT FURTHER RESOLVED, that Peter Dunn, Esq., of Oneida, be and hereby is re-appointed to an additional four year term on the Ethics Board expiring on February 10, 2019.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 27-15

REAPPOINTING A PROBATION DIRECTOR II

WHEREAS, by resolution of February 11, 2014 Joanne Miller was appointed as Probation Director II, and

WHEREAS, Public Officers Law Section 30 required that Ms. Miller file her official oath of office within thirty (30) days after notice of her appointment, or within thirty (30) days of the commencement of her term of office; and

WHEREAS, the same was not accomplished requiring that Ms. Miller be reappointed.

NOW, THEREFORE BE IT RESOLVED that Joanne Miller be and hereby is reappointed Probation Director II effective immediately.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 28-15

ADDRESSING THE VACANCY OF THE OFFICE OF DIRECTOR OF REAL PROPERTY TAX SERVICES

WHEREAS, by resolution of August 12, 2014, Paul E. Smith was appointed Madison County Director of Real Property Tax Services effective September 2, 2014, for the remainder of a six (6) year term expiring on October 1, 2019; and

WHEREAS, Public Officers Law Section 30 required that Mr. Smith file his official oath of office within thirty (30) days after notice of his appointment, or within thirty (30) days of the commencement of his term of office; and

WHEREAS, Public Officers Law Section 30 provides that the office “shall be vacant” upon such failure;

WHEREAS, on January 13, 2015 this Board acted and resolved that the office of Madison County Director of Real Property Tax Services be declared vacant and the employment of the incumbent be terminated; and

WHEREAS, exploration of alternatives to filling the responsibilities of such office began immediately and the prospect of sharing a director with another county under an intermunicipal shared services arrangement has been identified, having been used successfully elsewhere in the state; and

WHEREAS, shared services arrangements are being encouraged throughout government to mitigate costs and improve the provision of services generally; and

WHEREAS, the Government Operations Committee with the County Administrator is currently pursuing a concrete proposal to implement such an arrangement for Madison County and desires to have the support of the Board, understanding that a contract to undertake the same following negotiation would come before the Board for its explicit approval.

NOW, THEREFORE BE IT RESOLVED, that the declaration of vacancy and termination of Mr. Smith as Director of Real Property Tax Services be and hereby is confirmed and ratified; and

BE IT FURTHER RESOLVED, that this Board hereby supports the continued investigation and negotiation of a shared services intermunicipal agreement to meet the responsibilities of a Director of Real Property Tax Services, the final approval thereof to be subject to further review and approval by resolution of this Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

By Supervisors Degear and Reinhardt:

RESOLUTION NO. 29-15

**INCREASING THE HOURS OF A POSITION IN THE
COUNTY CLERK'S OFFICE AND MODIFYING THE 2015 ADOPTED BUDGET**

WHEREAS, the Madison County Department of Motor Vehicles (DMV) retains for the County 12.7% of registration transaction monies processed in-house or by mail received here; and

WHEREAS, the Madison County DMV processes transactions for a large leasing company that has just obtained a large corporate account with the understanding that transactions will be processed in an expeditious manner; and

WHEREAS, in order to accommodate the increased transactions, the County Clerk has requested that the hours of one (1) part-time Motor Vehicle Representative/Recording Clerk position (18.5 hours/week) be increased to full-time hours (37.5 hours/week); and

WHEREAS, the revenue generated as a result of the increased work will exceed the additional salary and fringe associated with the increased hours; and

WHEREAS, the County Clerk's Office is anticipating two (2) retirements in 2015; and

WHEREAS, Finance Ways and Means Committee and the Government Operations Committee recommend the increase in hours of said part-time position subject to the requirement that the hours of the next vacant full-time position be reduced to part-time hours (18.5 hours/week); and

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Clerk be and is hereby authorized to fill said position at the 2014 hourly rate of \$15.04 in accordance with Civil Service Law and Rule and County policies and procedures effective immediately,

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

**General Fund
1410 County Clerk**

<u>Expense</u>	<u>From</u>	<u>To</u>
A1410 511000 Personal Services	\$654,307	\$658,003
A1410 581100 State Retirement Expense	115,022	115,672
A1410 582100 Social Security Expense	50,055	50,337
A1410 586100 Employee Health Insurance	<u>221,316</u>	<u>228,696</u>
Totals	<u>\$1,040,700</u>	<u>\$1,052,708</u>
Control Total		<u>\$12,008</u>

Revenue

A1410 412510 Miscellaneous Fees	<u>\$1,591,759</u>	<u>\$1,603,767</u>
Control Total		<u>\$12,008</u>

9010 Retirement Expense

<u>Expense</u>		
A9010 581100 State Retirement Expense	\$3,651,355	\$3,652,005
A9010 581201 Allocation Retirement Expense	<u>(3,651,355)</u>	<u>(3,652,005)</u>

Control Totals	\$-0-	\$-0-
<u>9030 Social Security & Medicare Expense</u>		
<u>Expense</u>		
A9030 582100 Social Security Expense	\$1,556,378	\$1,556,760
A9030 581301 Allocation Social Security	<u>(1,556,378)</u>	<u>(1,556,760)</u>
Control Totals	\$-0-	\$-0-

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

By Supervisor Stepanski:

RESOLUTION NO. 30-15

APPOINT A MEMBER TO MADISON COUNTY BOARD OF HEALTH

WHEREAS, pursuant to Section 340 of the Public Health Law, the Madison County Board of Supervisors, January 1, 1994 established a Public Health District and appointed a Board of Health for said County Health District; and

WHEREAS, Dr. Ofrona A. Reid is a physician that is interested in becoming a Board of Health member; and

WHEREAS, there is a vacant position on the Board of Health;

WHEREAS, upon review, both the Board of Health and the Health and Human Services Committee feel it appropriate to appoint Dr. Ofrona A. Reid to the Madison County Board of Health;

NOW, THEREFORE BE IT RESOLVED that Dr. Ofrona A. Reid is appointed to the Board of Health effective February 1, 2015 through December 31, 2020.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

By Supervisor Stepanski and Reinhardt:

RESOLUTION NO. 31-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR THE ADMINISTRATION OF EARLY INTERVENTION AND MODIFYING THE 2015 COUNTY BUDGET

WHEREAS, Madison County Public Health Department, through the Preventive Health Programs, has administered the Early Intervention Program, which is a program to assist families of children ages 0-2 years with developmental delays by determining appropriate services for these children; and

WHEREAS, the New York State Department of Health has devoted much time to implement this program on the local level in an effort to assure continuity of care for all children who meet the criteria; and

WHEREAS, grant funds have once again been made available with funding being provided as follows:

Awarding Agency: U.S. Dept. of Education/U.S. Dept. of Health & Human Sv
 Pass-through Agency: New York State Department of Health
 Catalog #: 84.181
 Program Name: Early Intervention Administration
 Grant Extension: October 1, 2014 – September 30, 2015
 Contract #: C-027488
 Federal Funds: 100%
 Grant Total: \$29,655

WHEREAS, the Health and Human Services Committee has reviewed this grant renewal and finds it to be appropriate;

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

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

Public Health Department
A2961 Early Intervention

<u>Expense</u>		<u>From</u>	<u>To</u>
541025	El Grant Expenses	<u>\$ 0</u>	<u>\$ 654</u>
	Control Total		<u>\$ 654</u>
<u>Revenue</u>			
444890	Federal Aid El Grant	<u>\$ 24,949</u>	<u>\$25,603</u>
	Control Total		<u>\$ 654</u>

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

By Supervisor Stepanski:

RESOLUTION NO. 32-15

AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT MODIFICATION

WHEREAS, the County entered into an Agreement with Kelly Dorman for Nurse Practitioner Psychiatric Services on November 10, 2014 (Resolution 358-14); and

WHEREAS, Ms. Dorman has incorporated and formed Lifespan N.P. Psychiatric Services, P.C.;

NOW, THEREFORE, BE IT RESOLVED that the contract be modified to recognize the change in parties;

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute a modification agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2015 through December 31, 2015 with Lifespan N.P. Psychiatric Services, P.C.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 Rafte)

RESOLUTION NO. 33-15

RE-APPOINTING 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

WHEREAS, the term of one member of the Community Services Board expired on 2/28/15; and

WHEREAS, the member has served the community well and desires to continue to serve as a member of this Board, and the membership of the Community Service Board has recommended that he be re-appointed by the Board of Supervisors;

WHEREAS, the Health and Human Services Committee has reviewed this application and has recommended that he be re-appointed by the Board of Supervisors;

WHEREAS, the Community Services Board has recently changed their membership terms to begin on January 1 to be consistent with the Mental Hygiene Law; and

NOW, THEREFORE BE IT RESOLVED, that **Andy Ali, 124 Pleasant St. Canastota, New York 13032**, be re-appointed to a four year term, January 1, 2015 through December 31, 2018.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 34-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR MENTAL HEALTH CONSULTATION SERVICES

WHEREAS, the County Mental Health Department is required to provide mental health consultation for certain of its clients; and

WHEREAS, from time to time, these services need to be provided on a part-time contractual basis; and

WHEREAS, the 2015 Mental Health budget provides funds for the provision of mental health consultation services;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be hereby authorized to enter into an agreement, a copy of which is on file with the Clerk of the Board of Supervisors, with Sharon Gordon, LMSW, for the provision mental health consultation to the Mental Health Department at an hourly rate of \$40.00 for services, said rate to be effective February 1, 2015 through December 31, 2015.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 35-15

AUTHORIZING COUNTY TO ACCEPT A COST OF LIVING INCREASE

WHEREAS, the Madison County Mental Health Department OMH Clinic has been approved for a cost of living increase to support salary and salary-related fringe benefit increases; and

WHEREAS, this funding will be in the form of a Medicaid reimbursement rate effective April 1, 2015; and

WHEREAS, the Health and Human Services Committee has reviewed the state aid funding and recommends that the County accept this support;

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

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

By Supervisors Stepanski and Reinhardt:

RESOLUTION NO. 36-15

AUTHORIZING THE CHAIRMAN TO EXECUTE CONTRACT MODIFICATIONS AND MODIFYING THE 2015 ADOPTED COUNTY BUDGET

WHEREAS, the Office of Mental Health has approved funding for Liberty Resources, Inc., Consumer Services of Madison County, Inc. and Madison-Cortland ARC, Inc., for salary and salary-related fringe benefit costs; and

WHEREAS, these additional funds result in 100% State Aid for 2015 to these agencies;

NOW, THEREFORE, BE IT RESOLVED that the 2015 Adopted County Budget be modified as follows:

<u>4316 Mental Health - Liberty Resources</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A4316 434907 St. Aid MH Liberty Resources	103,195	103,499
A4316 434909 St. Aid Integrated Support	14,828	21,028
A4316 434910 St. Aid Liberty Resources	<u>38,379</u>	<u>38,463</u>
Totals	<u>\$156,402</u>	<u>\$162,990</u>
Control Total		<u>\$ 6,588</u>
<u>Expense</u>		
A4316 542720 Integrated Supported Employ	14,828	21,028
A4316 542740 CM - Liberty Resources	103,195	103,499
A4316 542790 Supported Housing	<u>38,379</u>	<u>38,463</u>
Totals	<u>\$156,402</u>	<u>\$162,990</u>
Control Total		<u>\$ 6,588</u>
 <u>4330 Mental Health – ARC Programs</u>		
<u>Revenue</u>		
A4330 434921 St. Aid OMH Int Sup Employ	<u>42,008</u>	<u>43,220</u>

Control Total		<u>\$ 1,212</u>
<u>Expense</u>		
A4330 542708 Integrated Supported Employ	<u>42,008</u>	<u>43,220</u>

Control Total \$ 1,212

4326 Mental Health – Consumer Services

<u>Revenue</u>		
A4326 434915 St. Aid Child Initiative	31,216	31,740
A4326 434916 St. Aid Supported Housing	15,348	15,383
A4326 434917 St. Aid Peer Advocacy	<u>169,313</u>	<u>175,980</u>
Totals	<u>\$215,877</u>	<u>\$223,103</u>

Control Total \$ 7,226

<u>Expense</u>		
A4326 542706 Consumer Services - Peer	<u>215,877</u>	<u>223,103</u>

Control Total \$ 7,226

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute modification agreements, copies of which are on file with the Clerk of this Board, for the period January 1, 2015 through December 31, 2015 with Liberty Resources, Inc., Consumer Services of Madison County, Inc. and Madison-Cortland ARC, Inc.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 37-15

AUTHORIZING THE CHAIRMAN TO EXECUTE CONTRACT MODIFICATIONS AND MODIFYING THE 2015 ADOPTED COUNTY BUDGET

WHEREAS, the Office of Alcohol and Substance Abuse has approved funding for Madison County Council on Alcoholism and Substance Abuse, Inc., (d.b.a. BRIDGES), Onondaga-Cortland-Madison Board of Cooperative Educational Services and Liberty Resources, Inc., for salary and salary-related fringe benefit costs; and

WHEREAS, these additional funds result in 100% State Aid for 2015 to these agencies;

NOW, THEREFORE, BE IT RESOLVED that the 2015 Adopted County Budget be modified as follows:

<u>4316 Mental Health - Liberty Resources</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A4316 434908 St. Aid MH Liberty Resources	282,394	289,614
Control Total		<u>\$ 7,220</u>

<u>Expense</u>		
A4316 542760 Liberty Resources - Halfway	282,394	289,614
Control Total		<u>\$ 7,220</u>

4251 Mental Health – OCM BOCES

<u>Revenue</u>		
A4251 434900 St. Aid – OCM BOCES	<u>61,075</u>	<u>61,233</u>
Control Total		<u>\$ 158</u>

<u>Expense</u>		
A4251 542711 OCM BOCES	<u>61,075</u>	<u>61,233</u>
Control Total		<u>\$ 158</u>

4250 Madison County Council on Alcohol & Drugs

<u>Revenue</u>		
A4250 444880 Federal Aid MCCASA	291,289	293,101
Control Total		<u>\$ 1,812</u>

<u>Expense</u>		
A4250 542710 Council on Alcohol & Drugs	291,289	293,101
Control Total		<u>\$ 1,812</u>

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute modification agreements, copies of which are on file with the Clerk of this Board, for the period January 1, 2015 through December 31, 2015 with Madison County Council on Alcoholism and Substance Abuse, Inc., (d.b.a. BRiDGES), Onondaga-Cortland-Madison Board of Cooperative Educational Services and Liberty Resources, Inc.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafté)

By Supervisor Stepanski:

RESOLUTION NO. 38-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LIBERTY RESOURCES, INC.

WHEREAS, the Madison County Department of Social Services may, as a result of the Flexible Fund for Family Services (FFFS) allocation, provide necessary non-residential services to victims of domestic violence; and

WHEREAS, the Department lacks the necessary staff to provide the required services; and

WHEREAS, Liberty Resources, Inc., has a domestic violence services program in place and has offered to provide the required services for the period January 1, 2015, to December 31, 2015, at a total cost not exceed \$7,273, the same amount as the 2014 contract period; and

WHEREAS, 30 individuals were served in the 2013-2014 contract year; and

WHEREAS, funds for these services are appropriated in the 2015 departmental budget and are reimbursed at the rate of 100 percent; and

WHEREAS, this agreement 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 renew an agreement on behalf of the County of Madison with Liberty Resources, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 39-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LIBERTY RESOURCES, INC.

WHEREAS, the Madison County Department of Social Services is mandated, as per Chapter 53 of the Laws of 1991, to offer and provide necessary non-residential services to victims of domestic violence; and

WHEREAS, the Department lacks the necessary staff to provide the required services; and

WHEREAS, this program provided these services to 400 individuals and received nearly 700 hotline calls in 2014; and

WHEREAS, Liberty Resources, Inc., has a domestic violence services program in place and has offered to provide the required services for the period January 1, 2015, to December 31, 2015, at a total cost of \$174,523, the same cost as the 2014 contract year; and

WHEREAS, funds for these services are appropriated in the 2015 departmental budget and are reimbursed at the rate of 49 percent; and

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

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Board of Supervisors be and is hereby authorized to renew an agreement on behalf of the County of Madison with Liberty Resources Family Services, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 40-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LIBERTY RESOURCES, INC.

WHEREAS, the Office of Children and Family Services has made available Temporary Assistance to Needy Families (TANF) funding to distribute to counties for the provision of non-residential domestic violence services; and

WHEREAS, Madison County has been granted \$20,499 in domestic violence TANF non-residential funding; and

WHEREAS, Liberty Resources, Inc., has the necessary expertise, staff and experience to administer the domestic violence non-residential programs; and

WHEREAS, the services proposed would enhance the services already provided under existing domestic violence contracts in place; and

WHEREAS, the funding is 100 percent federally reimbursed and will be utilized to provide necessary enhancements to women and families who are most at risk; and

WHEREAS, Liberty Resources, Inc., will provide the aforementioned services for the period January 1, 2015, to June 30, 2015, at a total cost not to exceed \$20,499; and

WHEREAS, this agreement 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 amend an agreement on behalf of the County of Madison with Liberty Resources, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

By Supervisor Henderson:

RESOLUTION NO. 41-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO
AN AGREEMENT WITH PHOENIX GRAPHICS, INC. TO PURCHASE
OPTICAL SCAN BALLOTS**

WHEREAS, the Madison County Board of Elections will continually require optical scan ballots for the Dominion ImageCast voting system for each and every election run by the Madison County Board of Elections; and

WHEREAS, Phoenix Graphics, Inc. is a certified election ballot provider in New York State for Dominion Voting; and

WHEREAS, Phoenix Graphics, Inc. will provide ballots at a reduced cost provided that Madison County Board of Elections commit to a one year contract with three one year renewal options commencing with the 2013 election year; and

WHEREAS, the contract requires renewal for the year 2015;

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

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

By Supervisor Degear:

RESOLUTION NO. 42-15

**AUTHORIZING AGREEMENT WITH MADISON LEGAL DEFENSE BUREAU, INC.
TO REPRESENT INDIGENT CRIMINAL DEFENDANTS**

WHEREAS, Section 722 of the County Law requires every county to place in operation a plan to provide legal counsel to persons charged with a crime who are financially unable to obtain counsel, and

WHEREAS, the Criminal Justice, Public Safety and Telecommunications Committee received and reviewed a proposal to provide legal services to indigent criminal defendants in Madison County through Madison Legal Defense Bureau, Inc., and

WHEREAS, there were changes requested by the Madison Legal Defense Bureau, Inc. to the contract approved by this Board on December 22, 2014 and said changes were considered and reviewed by the Criminal Justice, Public Safety and Telecommunications Committee;

WHEREAS, the public interest will be well served by the execution of a contract to implement the continuous provision of legal services to indigent defendants;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board is authorized to enter into contract with the Madison Legal Defense Bureau, Inc., a New York State Not-for-Profit Corporation, to provide legal services for indigent criminal defendants in Madison County at the rate of \$37,775.33 per month in accordance with the contract with such Not-for-Profit Corporation, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 43-15

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT
WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY
SERVICES**

WHEREAS, New York State has exclusive access, use and possession of the premises known as the State Preparedness Training Center, located at 5900 Airport Road in the County of Oneida, State of New York; and

WHEREAS, Madison County is requesting renewal access and use of certain areas of the State Preparedness Training Center for purposes consistent with the mission of the Training Center; and

WHEREAS, the term of this agreement shall be from January 1, 2015 until December 31, 2015; and

WHEREAS, there is no cost to the County for this access and use of the State Preparedness Training Center as outlined in the agreement; and

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

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

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 44-15

AUTHORIZING CHAIRMAN TO ENTER INTO LICENSE AGREEMENT WITH NATIONAL CHILDREN’S ALLIANCE

WHEREAS, the Madison County Children’s Advocacy Center (“CAC”) program, located at 6802 Buyea Road, Canastota, New York, has submitted an application to the National Children’s Alliance (NCA) seeking accreditation of its program; and

WHEREAS, a signed License Agreement is required to be submitted with said application, which Agreement grants the CAC/applicant a license to use of the NCA logo upon approval of the applicant’s accreditation application; and

WHEREAS, the Criminal Justice, Public Safety and Emergency Communications has reviewed and approved this agreement,

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into a License Agreement with the National Children’s Alliance, a copy of which is on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 45-15

AUTHORIZING CHAIRMAN TO ENTER INTO ACCREDITATION AGREEMENT WITH NATIONAL CHILDREN’S ALLIANCE

WHEREAS, the Madison County Children’s Advocacy Center (“CAC”) program, located at 6802 Buyea Road, Canastota, New York, has submitted an application to the National Children’s Alliance (NCA) seeking accreditation of its program; and

WHEREAS, a signed Accreditation Agreement is required to be submitted with said application, which Agreement sets forth the relationship between the CAC/applicant and NCA during the accreditation process and upon a determination that the applicant has met the standards of accreditation; and

WHEREAS, the Criminal Justice, Public Safety and Emergency Communications has reviewed and approved this agreement,

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into an Accreditation Agreement with the National Children’s Alliance, a copy of which is on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 46-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN MOU WITH THE 2-1-1 FINGER LAKES CALL CENTER

WHEREAS, Herkimer, Madison and Oneida Counties will jointly provide 2-1-1 services to the residents of their counties through the United Way of the Valley and Greater Utica Area; and

WHEREAS, this tri county effort will be known as 2-1-1 Mid-York; and

WHEREAS, 2-1-1 Mid-York is a free, confidential, 24/7, multi-lingual information and referral service for health and human services serving Herkimer, Madison and Oneida Counties; and

WHEREAS, this 2-1-1 service will complement 9-1-1 by filling the gap between emergencies and urgent non-public safety needs, such as food and shelter; and

WHEREAS, the 2-1-1 Finger Lakes Call Center will process 2-1-1 for the three counties under a contract with the United Way of the Valley and Greater Utica Area; and

WHEREAS, this MOU outlines the operational, governance, and oversight association between the Madison County 911 Emergency Communication Center and the 2-1-1 Finger Lakes Call Center; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to execute this MOU with the 2-1-1 Finger Lakes Call Center, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 47-15

RE-APPOINTING A SUPERVISOR TO THE JURY BOARD

WHEREAS, Section 652 of the Judiciary Law states that there shall be established for each County, except Albany, Westchester, Suffolk and Nassau, a County Jury Board consisting of the Justice of the Supreme Court, the Senior County Judge and any member of the Board of Supervisors who shall be designated for that purpose by the Board of Supervisors; and

WHEREAS, Alexander Stepanski, Supervisor from the town of Stockbridge has served on this Board and wishes to be re-appointed for a new term; and

NOW, THEREFORE BE IT RESOLVED, that Alex Stepanski, Supervisor from the town of Stockbridge be and he hereby is re-appointed to serve on the Jury Board for a one year term, commencing on January 1, 2015 and expiring on December 31, 2015.

ADOPTED: AYES – 1445 NAYS - 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 48-15

**RE-APPOINTING MEMBERS TO THE MADISON COUNTY
TRAFFIC SAFETY BOARD**

RESOLVED, that the following members be reappointed to the Madison County Traffic Safety Board for three (3) year terms as follows:

Bernie Kennett

Oneida, New York
3 year term: Oct. 8, 2014 – Oct. 7, 2017

David Meeker
Wampsville, New York
3 year term: Nov. 12, 2014 – Nov. 11, 2017

Martha Conway
Chittenango, New York
3 year term: Nov. 29, 2014 – Nov. 28, 2017

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

By Supervisor Bono:

RESOLUTION NO. 49-15

AUTHORIZING THE CHAIRMAN ENTER INTO AN AGREEMENT WITH LABELLA ASSOCIATES, D.P.C.

WHEREAS, the Madison County purchased the former Wampsville Fire Department Hall in 2014; and

WHEREAS, the County desires to remodel the 5,200 square foot building for use by the Madison County Sheriff's Road Patrol Unit; and

WHEREAS, the change in occupancy will require specific code changes to be made to the building in order to make it handicap accessible, provide proper ventilation, and comply with the New York State energy code; and

WHEREAS, the County plans to self-perform all of the construction which will require basic design and drawing information in order to obtain a New York State building permit; and

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

WHEREAS, the cost shall not exceed Seven Thousand Seventy dollars (\$7,070.00);

WHEREAS, the Sheriff's Office has the funds in their miscellaneous building expense budget to cover the costs;

WHEREAS, the Building and Grounds Committee and the Criminal Justice, Public Safety and Emergency Communications Committee recommend entering into an agreement with Labella Associates, D.P.C., to provide design services for this proposed project; and

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 – 1445 NAYS – 0 ABSENT- 55 (Rafte)

By Supervisors Bono and Reinhardt:

RESOLUTION NO. 50-15

AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET

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

General Fund		
<u>1620 County Buildings</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A1620 529030 Engineering Svcs-Courthouse	\$-0-	\$80,600
Control Total		<u>\$80,600</u>
A300599 Budgetary Fund Balance Unreserved	<u>\$3,600,000</u>	<u>\$3,680,600</u>
Control Total		<u>\$80,600</u>

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Raft)

RESOLUTION NO. 51-15

AUTHORIZING THE CHAIRMAN ENTER INTO AN AGREEMENT WITH LABELLA ASSOCIATES, D.P.C.

WHEREAS, the County has reviewed multiple options in regards to providing ADA accessibility for the County Courthouse; and

WHEREAS, the County desires to review the scope and cost for renovations and reconstruction work to be performed within and around the existing courthouse in order to make it handicap accessible on all floors and to all locations within the building; and

WHEREAS, Labella Associates, D.P.C has provided a preliminary report detailing the potential of the making the existing courthouse handicap accessible; and

WHEREAS, additional work needs to be completed such as further structural investigation and testing, asbestos and hazardous material investigation and testing, conceptual design and conceptual estimation of costs to make the courthouse accessible; and

WHEREAS, Labella Associates, D.P.C has expertise in designing municipal courtrooms throughout New York and other states; and

WHEREAS, the Building and Grounds Committee recommends entering into an agreement with Labella Associates, D.P.C to provide the engineering and design services for this proposed project; and

WHEREAS, the cost shall not exceed Eighty Thousand and Six Hundred dollars (\$80,600.00);

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 – 1445 NAYS – 0 ABSENT – 55 (Raft)

RESOLUTION NO. 52-15

**REAPPOINTING A MEMBER TO THE MADISON COUNTY
SEWER DISTRICT BOARD**

WHEREAS, Patrick Race presently serves on the Madison County Sewer District Board with his term expiring in March 2015; and

WHEREAS, the Sewer District Board has recommended to the Board of Supervisors to reappoint Mr. Race for another term;

NOW THEREFORE BE IT RESOLVED, that Mr. Patrick Race of Cazenovia, New York be hereby reappointed to the Madison County Sewer District Board for a term of five (5) years commencing on April 1, 2015 and expiring on March 31, 2020.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 53-15

**APPOINTING A MEMBER TO THE MADISON COUNTY
SEWER DISTRICT BOARD**

WHEREAS, there is a position on the Madison County Sewer District Board that is due to expire on March 31, 2015 and

WHEREAS, the Highway, Buildings and Grounds Committee recommends that this position be filled;

NOW THEREFORE BE IT RESOLVED, that Mr. William Zupan of Cazenovia, New York be and he is hereby appointed to the Madison County Sewer District Board for a term of five (5) years commencing on April 1, 2015 and expiring on March 31, 2020.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 54-15

**APPOINTING A CHAIRMAN TO THE MADISON COUNTY
SEWER DISTRICT BOARD**

WHEREAS, the position of Chairman to the Madison County Sewer District Board that is due to expire on March 31, 2015 and

WHEREAS, the Highway, Buildings and Grounds Committee recommends that the position of Chairman be appointed to the Madison County Sewer District Board;

NOW THEREFORE BE IT RESOLVED, that Mr. William Zupan of Cazenovia, New York be and he is hereby appointed as Chairman to the Madison County Sewer District Board for a term of one (1) year commencing on April 1, 2015 and expiring on March 31, 2016.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 55-15

**TO DIRECT THE PREPARATION OF A MAP AND PLAN FOR CONSTRUCTION
OF PROPOSED SEWER IMPROVEMENTS IN THE MADISON COUNTY**

**SEWER DISTRICT, ALONG WITH AN ESTIMATE OF THE COST THEREOF,
AND CALLING FOR A PUBLIC HEARING REGARDING THE SAME**

WHEREAS, the Madison County Sewer Board desires to expand and construct additional trunk and sewer laterals within the existing Madison County Sewer District boundaries in anticipation of potential extensive development within the District's boundaries; and

WHEREAS, pursuant to County Law Section 268(1), the Madison County Board of Supervisors must direct the preparation of a map and plan for construction of proposed sewer improvements, along with an estimate of the cost thereof; and

WHEREAS, the contemplated improvements to the Madison County Sewer District will be located within the existing boundaries of the Madison County Sewer District and the Village of Cazenovia, beginning approximately near the U.S. Route 20 intersection with Carriage Lane in the Village of Cazenovia and continuing south and east of U.S. Route 20; and

WHEREAS, the contemplated improvements will serve properties located within the existing boundaries of the District and which were deemed benefited by the District at the time of its creation; and

WHEREAS, it is anticipated that the estimated cost of the contemplated sewer improvements will not exceed Two Hundred Thousand Dollars and 00/100 (\$200,000.00); and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law of New York (SEQRA), requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

NOW, THEREFORE, BE IT RESOLVED, that

1. The proposed sewer improvements to the District is an Unlisted Action subject to SEQRA review; and
2. The following are involved/interested agencies in connection with the SEQRA review: New York State Department of Environmental Conservation; New York State Department of Transportation; New York State Department of Health Village of Cazenovia; Town of Cazenovia; Town of Nelson
3. The Madison County Board of Supervisors will assume lead agency status for SEQRA review purposes; and
4. Lead Agency notices will be sent to the identified involved/interested agencies; and
5. The action will require the submission of a Short Environmental Assessment Form to provide information with regard to the potential environmental issues pertinent therein; and it is further

RESOLVED, that the Madison County Board of Supervisors shall hereby notify all agencies, interested/involved, that it shall be lead agency for this action unless it receives written objection to this determination within thirty (30) days from the date of mailing of such notice; and it is further

RESOLVED, that the Madison County Board of Supervisors hereby directs Dunn & Sgromo Engineers, PLLC, competent engineers duly licensed by the State of New York, to prepare a map and plan along with a financial report with a cost estimate for construction of additional trunk and sewer laterals within the existing boundaries of the Madison County Sewer District and the Village of Cazenovia, beginning approximately near the U.S. Route 20 intersection with Carriage Lane in the Village of Cazenovia and continuing south and east of U.S. Route 20; and be it further

RESOLVED, that the Board of Supervisors shall conduct a public hearing as to the preparation of the map and plan, the construction of the contemplated sewer improvements for the Madison County Sewer District and the estimated cost thereof at the Supervisor's Chambers located on the second floor of County Office Building No. 4 at 138 North Court Street, Wampsville, New York 13163 on March 10, 2015 at 2:15 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested shall be heard.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Raft)

By Supervisor Goldstein:

RESOLUTION NO. 56-15

APPROVING AGREEMENT WITH MBI FOR TRANSPORTATION OF BIOSOLIDS TO THE MADISON COUNTY LANDFILL FROM THE CITIES OF ONEONTA AND AMSTERDAM

WHEREAS, Madison County ("County") owns and operates solid waste landfills located in the Town of Lincoln that are permitted to accept and dispose of organic wastes including biosolids generated by wastewater treatment facilities ("WWTP") and the County has entered into three year agreements with the City of Amsterdam and the City of Oneonta to accept and dispose of biosolids generated in the respective City wastewater treatment facilities; and

WHEREAS, pursuant to said contracts, the transportation of biosolids from both Cities to the landfill is a County obligation; and

WHEREAS, the County issued an invitation for sealed bids dated December 11, 2014 seeking bids for transportation of approximately 5,500 tons per year (TPY) of biosolids from the City of Amsterdam WWTP and approximately 1,200 TPY from the City of Oneonta WWTP for a one (1) year period with the option to renew the contract for an additional two (2) year period; and

WHEREAS, the apparent low bidder is Mr. Bult's, Inc. ("MBI") with a bid price of Twenty Four Dollars and Twenty cents per ton (\$24.20/ton) for hauling Biosolids from the City of Amsterdam WWTP to the County landfill and Twenty Two Dollars and Seventy cents per ton (\$22.70/ton) for hauling Biosolids from the City of Oneonta WWTP to the County landfill; and

WHEREAS, MBI has previously provided biosolids transportation services in connection with both City WWTP's for a number of years and both Cities have been satisfied with the quality of the services and the County finds MBI to be a responsible bidder and the low bids are less than anticipated by the County.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes and directs the Chairman of the Board of Supervisors to execute the Agreement in substantially the same form as the copy now on file with the clerk; and it is

FURTHER RESOLVED, this resolution shall take effect immediately.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

Please note that a 2/3's vote is required for the following resolution:

RESOLUTION NO. 57-15

BOND RESOLUTION DATED FEBRUARY 10, 2015.

A RESOLUTION AUTHORIZING CONSTRUCTION OF A WATER DISTRIBUTION SYSTEM TO THE ARE PARK AT THE LANDFILL SITE IN AND FOR THE COUNTY OF MADISON, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$4,000,000 AND AUTHORIZING THE ISSUANCE OF \$4,000,000 BONDS TO PAY COSTS THEREOF.

RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Madison, New York, as follows:

Section 1. The construction of a water distribution system to the ARE Park at the landfill site, including a water storage tank, pump station and related improvements and incidental costs, is hereby authorized in and for the County of Madison, New York.

Section 2. The project has been determined to be a "Type I Action" for purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQR") which the County, as lead agency, has satisfied all required steps under SEQR.

Section 3. The plan for the financing of the aforesaid purpose consists of the issuance of \$4,000,000 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, the amount of bonds to be issued shall be reduced by grants, it being anticipated that such grants will be sufficient to redeem all notes issued for such project.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The faith and credit of said County of Madison, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay

the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said County hereby designated for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Dated: February 10, 2015

ADOPTED: AYES – 1449 NAYS – 0 ABSENT – 51 (Rafte)

RESOLUTION NO. 58-15

**AUTHORIZING SUBMISSION OF APPLICATION FOR A
COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, Madison County may submit an application for funding for community development activities to New York State under the Office for Community Development; and

WHEREAS, Madison County proposes to apply for funds for direct homeownership assistance; and

WHEREAS, Madison County has followed a citizen participation plan in developing the proposed application; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign and submit the application for funding from New York State on behalf of Madison County.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 59-15

**DETERMINATION OF PRIORITY FOR MADISON COUNTY'S
COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, Madison County has reviewed its community development activities and needs; and

WHEREAS, Madison County has followed a citizen participation plan to develop its 2015 NYS Division of Housing and Community Renewal Community Development Block Grant application; and

WHEREAS, the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee has discussed the County's needs and the proposed approach to meeting the needs;

NOW, THEREFORE, BE IT RESOLVED THAT after review and consideration, the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee has determined that housing ownership is the County's priority community development need; and

BE IT FURTHER RESOLVED THAT Madison County should apply for a \$637,200 NYS Office for Community Renewal Community Development Block Grant to assist first time home buyers purchase homes.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 60-15

AUTHORIZING THE CHAIRMAN TO REQUEST FEDERAL SECTION 5311 CONSOLIDATED GRANT ASSISTANCE FOR PUBLIC TRANSIT

WHEREAS, the County of Madison is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, a request for a grant of funds for a project to provide public mass transportation service for Madison County for the 2015 and 2016 fiscal years; and

WHEREAS, the County of Madison and the State of New York have previously entered into a continuing Agreement which authorizes the undertaking of the Project and payment of the Federal Share; and

WHEREAS, the County of Madison makes application semi-annually to the New York State Commissioner of Transportation for such Federal aid used in Madison County 's rural transportation system; and

WHEREAS, the County of Madison is subcontracting with a third party subcontractor for the project described above;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors is authorized to act on behalf of the County of Madison to sign the grant application and complete the above-named project; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to act on behalf of the County of Madison to sign any and all agreements, required under this consolidated application, between the County of Madison and the State of New York for the above-named project; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to sign the contracts between Madison County and third party subcontractor Birnie Bus, Inc., or any third party subcontractor which may succeed Birnie Bus Inc. during the project

period, necessary to complete the above-named public transportation project, a copy of which is on file with the Clerk of the Board, subject to the approval of the County Attorney.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Raft)

RESOLUTION NO. 61-15

APPOINTING MEMBERS TO THE MADISON COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

BE IT RESOLVED, that Ben Durfee, a practicing farmer from the Town of Sullivan and member of the Madison County Farm Bureau, be re-appointed as the Farm Bureau representative to the Madison County Soil and Water Conservation District Board for a two-year term commencing on February 11, 2015 and ending on December 31, 2016; and

BE IT FURTHER RESOLVED, that Cedric Barnes, a practicing farmer from the Town of DeRuyter, be re-appointed as a the farmer representative to the Madison County Soil and Water Conservation District Board for a two-year term commencing on February 10, 2015 and ending on December 31, 2016; and

BE IT FURTHER RESOLVED, that Doug Holdridge, from the Town of Lincoln, be re-appointed to the Madison County Soil and Water Conservation District Board for a two-year term commencing on February 10, 2015 and ending on December 31, 2016

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Raft)

RESOLUTION NO. 62-15

AUTHORIZING AN AGREEMENT WITH THE MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, the Madison County Industrial Development Agency is a public benefit corporation organized under Article 18-a of the General Municipal Law to advance the job opportunities, health, general prosperity and economic growth of the people of the State of New York and the County of Madison; and

WHEREAS, pursuant to Section 224(14) of the County Law, the County is authorized to contract with the Contractor to publicize the advantage of Madison County; and

WHEREAS, it is in the best interest of the County that the many advantages of Madison County be promoted to those who may be interested in establishing, maintaining or expanding business and industry in Madison County in order to create new employment and maintain a healthy economy; and

WHEREAS, equally as important is the ability to retain within Madison County the business and industry already located here in order to maintain employment; and

WHEREAS, the County desires to enter into a contract with the Contractor whereby the Contractor will provide an energetic and continuing program of promoting industrial development and enhancing the economic climate of Madison County; and

WHEREAS, said contract is in the amount of \$169,555, commencing on January 1, 2015 and expiring on December 31, 2015;

WHEREAS, Madison County has an Economic Development Loan Fund, Agriculture Revolving Loan Fund and Microenterprise Loan Program, administration of which requires specialized technical expertise and experience; and

WHEREAS, Madison County has received Empire Zone designation from Empire State Development Corporation, administration of which requires specialized services in connection therewith; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of supervisors is hereby authorized to execute an agreement with the Madison County Industrial Development Agency for promoting industrial development and enhancing the economic climate of Madison County, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 63-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO A SUBLEASE AGREEMENT WITH STAFFWORKS, INC.

WHEREAS, the County currently leases space in the Oneida Shopping Center Retail Center, 1006 Oneida Plaza Drive, Oneida NY, from Oneida Company, Ltd. for the occupancy of the Employment & Training Department and its partner service providers; and

WHEREAS, the lease provides that the County as the tenant, may sublet all or a portion of the leased premises to a third party contingent upon the written consent of the Landlord, Oneida Company, Ltd.; and

WHEREAS, the Employment & Training Department and its partner service providers do not use the entire premises; and

WHEREAS, the County would sublease a portion of the property consisting of approximately Sixty-Three (63) square feet to Staffworks, Inc.; and

WHEREAS, the sublease would be for a term of one year commencing on January 1, 2015 and terminating on December 31, 2015. During this term the subleased premises may be used for up to two (2) days per week; and

WHEREAS, During the period of December 1, 2015 through and including December 31, 2015, the total rental for the Subleased Premises, will be Two-Thousand, Eight-Hundred, Fifteen and 20/100 Dollars (\$2,815.20), payable in monthly installments of Two-Hundred, Thirty-Four and 60/100 Dollars (\$234.60) on the First day of the month, commencing January 1, 2015.

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

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

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 64-15

AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT #3 IN THE TOWNS OF, SULLIVAN, LINCOLN, LENOX & CITY OF ONEIDA

WHEREAS, pursuant to the provisions contained in Article 25 AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #3 located in the Towns of SULLIVAN, LINCOLN, LENOX & CITY OF ONEIDA is under review for modification and recertification; and

WHEREAS, Madison County has undertaken a review process pursuant to the Article 25AA of the New York State Agriculture and Markets Law; and

WHEREAS, the Madison County Agricultural and Farmland Preservation Board and the Madison County Planning Committee have met and recommend to the Board of Supervisors the recertification of Agricultural District #3 as modified; and

WHEREAS, the recertification of the district is an unlisted action under the State Environmental Review Act; and

WHEREAS, the Madison County Board of Supervisors have declared themselves lead agency for the environmental review; and

WHEREAS, the Madison County Board of Supervisors, after review and recommendation by the Madison County Planning Department, have determined that the recertification will not have a significant adverse impact on the environment and therefore an Environmental Impact Statement will not be required;

NOW, THEREFORE BE IT RESOLVED, that Agricultural District #3 be approved for recertification as modified, a copy of such modification being on file with the Clerk of this Board; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Commissioner of the NYS Department of Agricultural and Markets for his action.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Raft)

RESOLUTION NO. 65-15

AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT #4 IN THE TOWNS OF LEBANON, HAMILTON, GEORGETOWN & BROOKFIELD

WHEREAS, pursuant to the provisions contained in Article 25 AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #4 located in the Towns of LEBANON, HAMILTON, GEORGETOWN & BROOKFIELD is under review for modification and recertification; and

WHEREAS, Madison County has undertaken a review process pursuant to the Article 25AA of the New York State Agriculture and Markets Law; and

WHEREAS, the Madison County Agricultural and Farmland Preservation Board and the Madison County Planning Committee have met and recommend to the Board of Supervisors the recertification of Agricultural District #4 as modified; and

WHEREAS, the recertification of the district is an unlisted action under the State Environmental Review Act; and

WHEREAS, the Madison County Board of Supervisors have declared themselves lead agency for the environmental review; and

WHEREAS, the Madison County Board of Supervisors, after review and recommendation by the Madison County Planning Department, have determined that the recertification will not have a significant adverse impact on the environment and therefore an Environmental Impact Statement will not be required;

NOW, THEREFORE BE IT RESOLVED, that Agricultural District #4 be approved for recertification as modified, a copy of such modification being on file with the Clerk of this Board; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Commissioner of the NYS Department of Agricultural and Markets for his action.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Raft)

Please note that a 2/3's vote is required for the following resolution:

RESOLUTION NO. 66-15

AUTHORIZING THE NEGOTIATION OF THE DETAILED TERMS OF AN AGREEMENT TO BUY AND SELL AND THE PREPARATION OF A LOCAL LAW AND RELATED AUTHORIZING THE CONVEYANCE OF CERTAIN COUNTY REAL PROPERTY

WHEREAS, the County owns a former railroad property located in the City of Oneida and identified as Tax Map No. 37.-1-9.5; and

WHEREAS, David Taylor would like to acquire a portion of such parcel and has renewed an offer for the same in the amount of \$2000.00 (which offer was before the board previously in 2010); and

WHEREAS, such portion consists of a strip of land having dimensions of approximate 1100 by 60 feet; and

WHEREAS, Mr. Taylor made a presentation to the Planning Committee on December 18, 2014 and communicated a financial offer of \$2000.00 which the Committee voted to accept; and

WHEREAS, in order for the County to sell such property certain provisions of County Law must be complied with including making a formal determination that such real property is no longer necessary for public use, which determination must be by board resolution adopted by the affirmative vote of two thirds the total membership of the board taken by roll call and entered and the minutes; and

WHEREAS, while the statute provides that such property may be sold or leased only to the highest responsible bidder after public advertisement, the Attorney General of the State of New York has rendered an opinion that under certain circumstances the County may dispose of County real property by private negotiated sale by enacting a Local Law (subject to permissive referendum) superseding the provisions of §215 of the County Law; and

WHEREAS, accordingly a local law must be drafted along with the related resolutions and procedures, including provision for a public hearing and compliance with the NYS SEQRA,

and a contract must be negotiated and drafted to include among the contingencies the requirement that the sale be authorized by the adoption of such a Local Law (and the provisions of law regarding a permissive referendum); and

WHEREAS, the first step is the authorization of and direction to the County Attorney to negotiate and draft an Agreement to Buy and Sell together with such local law and related resolutions for presentation to and approval by this Board;

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby authorizes and directs the County Attorney to assist in the negotiation of an Agreement to Buy and Sell; prepare the local law and related resolutions for presentation to this Board.

ADOPTED: AYES – 1449 NAYS – 0 ABSENT – 51 (Rafte)

Please note that a 2/3's vote is required for the following resolution:

RESOLUTION NO. 67-15

**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 \$1,251.91.

ADOPTED: AYES – 1449 NAYS – 0 ABSENT – 51 (Rafte)

RESOLUTION NO. 68-15

**APPROVAL OF APPLICATION FOR REFUND AND CREDIT UNDER
SECTION 550 OF THE REAL PROPERTY TAX LAW**

WHEREAS, the following application for refund or credit of real property taxes was made in accordance with Section 550 of the Real Property Tax Law,

David H Gowdy	Tax Map #11.-1-13.2
2451 Route 31	Town of Sullivan
Canastota NY 13032	

Property was assessed erroneously in the East Sullivan 2 Sewer District for the 2012, 2013 and 2014 Town and County Tax; and

WHEREAS, the taxes were paid on time to the tax collector,

WHEREAS, the Director of Real Property Tax Services received the application for refund, investigated the circumstances and recommended approval based upon the reasons noted above; and

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Treasurer be authorized to refund Mr. David H. Gowdy the amount of \$2,462.39 for the erroneous sewer charges for the 2012, 2013 and 2014 tax years.

ADOPTED: AYES – 1445 NAYS – 0 ABSENT – 55 (Raft)

RESOLUTION NO. 69-15

**AUTHORIZING THE FORBEARANCE FROM EXERCISING THE RIGHT OF REPAYMENT TO
THE COUNTY OF SUMS PAID BY REASON OF AN ERRONEOUS ASSESSMENT**

WHEREAS, the assessment for a parcel of land of Emkey Resources LLC, together with the taxes attributable thereto, set forth and identified on the attached Schedule A, has been determined to have been erroneously made; and

WHEREAS, as a result of a legal challenge such assessment will be reduced affecting the taxes due for a three-year period; and

WHEREAS, Emkey Resources LLC has not paid any of such taxes and as a result of the application of New York State Real Property Tax Law the County has or will have made the jurisdictions set forth and identified on Schedule A whole based on such erroneous assessment by paying over the sums set forth and identified on Schedule A to such jurisdictions; and

WHEREAS, the County is entitled under law to charge back to and recover from such jurisdictions the entire amount of such payments; and

WHEREAS, such jurisdictions have requested the County to forgive and forbear from requiring such repayment and this Board finds and acknowledges that to insist on such repayment would cause considerable hardship to such jurisdictions and their taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby determines that it will forbear from and not require the repayment by such jurisdictions of the sums resulting from such erroneous assessment, as more particularly set forth Schedule A, attached to and made a part hereof.

On motion by Supervisor Reinhardt, seconded by Supervisor Pinard, this resolution was TABLED.

RESOLUTION NO. 70-15

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 – 1445 NAYS – 0 ABSENT – 55 (Raftte)

PUBLIC COMMENT PERIOD

Speakers:

- 1. Mr. Gary Padula of Canastota, New York spoke on Oneida Indian Nation issues.**

There being no further business, Supervisor Moses made a motion to adjourn the meeting, seconded by Supervisor Stepanski and carried.