

**MADISON COUNTY BOARD OF SUPERVISORS**  
**Meeting – Tuesday, July 14, 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 Ball (43 votes).

Pledge of Allegiance.

On motion by Supervisor Shwartz, seconded by Supervisor Stepanski, the minutes from the previous meeting were dispended with and adopted as filed.

**COMMUNICATIONS**

1. Copy of a Resolution from Delaware County – Urging State Representatives to amend the NYS Electronic Equipment Recycling and Reuse Act Dept. of Public Works.

**REPORTS**

2. Office of the Madison County Sheriff – 2014 Annual Report.
3. Sustainability 2015 Executive Summary Report – National Association of Scholars.

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$ 4,039,585.35
Miscellaneous Accounts:	\$ 1,833,730.33

**UNFINISHED BUSINESS**

**Res. No. 238-15 – Amending Rule No. 9 and Adding Rule No. 9A to the Rules of the Madison County Board of Supervisors, TABLED on 6/9/15 by Supervisor Goldstein, seconded by Supervisor Shwartz.**

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTIONS**

**By Supervisor Degear:**

**RESOLUTION NO. 254-15**

**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 Robert Taylor upon his retirement.  
 Robert M. Taylor                      Sheriff's                      1998 – 2015

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 9Ball)**

Chairman Becker asked Undersheriff Ball to step forward to accept a gift for Deputy Taylor who could not be present today. Undersheriff Ball stated that Deputy Taylor is an honorable person and a good Christian gentleman who has helped many people. Deputy Taylor was also thanked for his service to the county.

**RESOLUTION NO. 255-15**

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

**WHEREAS**, the Cyber Investigation 201 Training will be held September 24-25, 2015, in Manchester, CT; and

**WHEREAS**, Allen Riley, Sheriff, has requested that Danielle Deep, Deputy Sheriff, attend this conference; and

**WHEREAS**, her expenses are fully funded by the Multidisciplinary 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 Committee, and the Government Operations Committee;

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

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 256-15**

**ESTABLISHING THE STANDARD WORK DAY AND REPORTING DAYS  
 FOR CERTAIN COUNTY OFFICIALS**

**WHEREAS**, The Office of the State Comptroller New York State and Local Employees' Retirement System requires that a Standard Work Day and Reporting Resolution be established for retirement credit reporting purposes for elected and appointed officials;

**NOW, THEREFORE, BE IT RESOLVED**, that Madison County hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk to the Board:

TITLE	NAME	STANDARD WORK DAY	TERM BEGINS/	PARTICIPATES IN EMPLOYER'S TIME KEEPING	DAYS/MONTH (Based on Record of
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		(Hrs/Day)	ENDS	SYSTEM (Y/N)	Activities)
<b>Elected Officials</b>					
County Treasurer	Cindy Edick	7.5	1/1/15-12/31/18	N	20
<b>Appointed Officials</b>					
Deputy Treasurer	Sally Makarchuk	7.5	1/1/15-12/31/18	Y	20
Deputy Treasurer	Rebecca Marsala	7.5	1/1/15-12/31/18	Y	20
Board of Elections Commissioner	Laura Costello	7.5	01/01/13-12/31/16	Y	20
Board of Elections Commissioner	Kelley Hood	7.5	12/27/14-12/31/16	Y	20
County Administrator/Director of Information Technology	Mark Scimone	7.5	03/12/13-03/11/17	Y	20
Deputy County Clerk	Theresa Sgarlata	7.5	1/1/14-12/31/17	Y	20
Historian	Matthew Urtz	6.0	Appointed 4/19/10*	Y	14.22
Director of Community Mental health Services	Teisha Cook	7.5	Appointed 6/11/13*	Y	20
Director of Public Health	Eric Faisst	7.5	01/03/12-01/02/18	Y	20
Social Services Commissioner	Michael Fitzgerald	7.5	12/30/13-12/29/18	Y	20
Director of Veterans Affairs	Donald Smith	7.5	Appointed 2/10/98*	Y	20
Director of Youth Bureau	Joanne Eddy	7.5	Appointed 3/6/95*	Y	20

\*no end date

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 257-15**

**CREATING AN EMERGENCY MANAGEMENT PLANNER POSITION IN THE OFFICE OF EMERGENCY MANAGEMENT**

**WHEREAS**, recognizing the importance of effective and efficient preparation, response, recovery and mitigation of emergency situations, the Board of Supervisors established the Office of Emergency Management and created a Director of Emergency Management Services position with Resolution No. 338 of 2014; and

**WHEREAS**, the Director of Emergency Management Services has requested the creation of an Emergency Management Planner position in order to further expand emergency services for the residents of Madison County; and

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

**NOW, THEREFORE BE IT RESOLVED** that one (1) full-time Emergency Management Planner position be and hereby is created; and

**BE IT FURTHER RESOLVED** that the title of Emergency Management Planner be and hereby is allocated to Grade 6 of the Management Salary Plan with a starting salary not to exceed step F of the Management Salary Plan;

**BE IT FURTHER RESOLVED**, the Director of Emergency Management Services be and hereby is authorized to fill said position effective immediately.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 258-15**

**ADOPTING A COUNTY CANCER SCREENING POLICY AND PROCEDURE**

**WHEREAS**, early screening is extremely important in detecting cancer, treating it successfully and reducing the cost of care; and

**WHEREAS**, Madison County wishes to implement a formal policy in support of all types of cancer screenings; and

**WHEREAS**, the Government Operations Committee has reviewed and approved this policy and procedures,

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors hereby adopts the Cancer Screening policies and procedures effective immediately; and

**BE IT FURTHER RESOLVED**, that the Government Operations Committee be and hereby is authorized to amend these procedures in the future within existing budget appropriations.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 259-15**

**AMENDING THE MADISON COUNTY TRAVEL AND EXPENSE REIMBURSEMENT POLICY AND PROCEDURE**

**WHEREAS**, Madison County currently permits the use of a petty cash fund, in connection with approved travel requests, that is managed and maintained through the Treasurer's Office; and

**WHEREAS**, an employee group has expressed a limited concern over the administrative procedure that outlines the use of the petty cash fund; 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 Travel and Expense Reimbursement Policy and Procedure as amended.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 260-15**

**AMEND AND RESTATE THE DEFERRED COMPENSATION MODEL PLAN FOR EMPLOYEES OF MADISON COUNTY**

**WHEREAS**, the New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Madison County (the "*Model Plan*") and offers the Model Plan for adoption by local employers; and

**WHEREAS**, Madison County, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Madison County; and

**WHEREAS**, effective November 14, 2014 the Board amended the Model Plan to adopt a provision allowing participants the ability to take loans against ROTH account balances; and

**WHEREAS**, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

**WHEREAS**, Madison County Deferred Compensation Committee (Government Operations Committee) has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Madison County by adopting the amended Model Plan and Schedule A;

**NOW THEREFORE BE IT RESOLVED** that the Madison County Board of Supervisors hereby amends the Deferred Compensation Plan for Employees of Madison County by adopting the amended Model Plan effective November 14, 2014, including the optional provisions indicated in Schedule A.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 261-15**

**THANKING ASSEMBLYMAN WILLIAM MAGEE FOR PASSING BILL A07844 (SHARING OF REVENUE FROM GAMING DEVICES LOCATED WITHIN THE COUNTY OF MADISON)**

**WHEREAS**, legislation was introduced in the New York State Senate by Senator David Valesky and the New York State Assembly by Assemblyman William Magee, respectively Senate S5670 and Assembly A07844, to authorize a twenty-five percent (25%) share in gaming

revenue for Madison County from New York State's share of a twenty-five percent (25%) of any Net Win with respect to Gaming Devices operated by the Oneida Indian Nation in Madison County; and

**WHEREAS**, due to the hard work and commitment to the residents of Madison County from Assemblyman Magee, Bill A07844 was passed by the Assembly on June 25, 2015 by a vote of 124 - 4; and

**WHEREAS**, unfortunately, bill S5670 never went to a vote;

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors thanks Assemblyman Magee for looking out for the best interests of his constituents in working tirelessly to get this critical legislation approved.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisor Stepanski:**

**RESOLUTION NO. 262-15**

**EXTENDING CONTRACTS FOR PRE-SCHOOL CHILDREN TRANSPORTATION**

**WHEREAS**, bids were duly received and opened on May 31, 2011 for the transportation of handicapped children for the 2011-2012 school year with the option to extend agreements for four (4) individual and consecutive periods of one (1) year each; and

**WHEREAS**, Madison County Department of Health is responsible to provide arrangements for transportation of children with handicapping conditions to education facilities under the Early Intervention Program and Special Education Program for ages 0-5; and

**WHEREAS**, the offer of providing this responsibility was given to and accepted by the following companies for the July 1, 2015 through June 30, 2016 contract year as follows:

<u>Program Name</u>	<u>Location</u>	<u>Rate/Route</u>
<b>BIRNIE BUS</b>		
2- Jowonio	Syracuse	\$285.34
4- Little Lukes	East Syracuse	\$285.34
10-Wheelchair Van	All Destinations	\$398.50
Wheelchair Van Co-mingle		\$160.41
<b>PAINE BUS</b>		
5- Upstate Cerebral Palsy	Rome	\$237.47
6- Upstate Cerebral Palsy	Utica	\$273.33
11-Family Enrichment Program	Norwich	\$291.18
13-UCP	Saquoit	\$281.03
<b>LANPHER TRANSPORTATION</b>		
1- OCM BOCES	East Syracuse	\$306.18
3- SPICE- Elmcrest	Syracuse	\$261.12
7- Madison-Oneida BOCES	Munnsville,	

	McConnellsville,	
	Verona	\$275.51
9- Oneida Area Daycare	Oneida	\$308.15
12-NY School for the Deaf	Rome	\$270.21
14-MO BOCES Willard Pryor	Oneida	\$261.00

**WHEREAS**, the County will exercise its right to extend this agreement for one final year at the same rate; and

**WHEREAS**, the Board of Health and Health and Human Services' Committee feels this is in the best interest of Madison County,

**NOW THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements with Birnie Bus, Paine Bus and Lanpher's Transportation effective July 1, 2015 through June 30, 2016, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisors Stepanski and Reinhardt:**

**RESOLUTION NO. 263-15**

**AUTHORIZING MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET**

**WHEREAS**, Madison County Health Department submitted a claim to HCC Public Risk Claim Service due to a refrigerator malfunction on April 10, 2015 that caused loss of vaccine; and

**WHEREAS**, the claim reimbursed the County the cost of the vaccine less the \$5,000 deductible; and

**WHEREAS**, the refrigerator has been repaired and the Department will need to replenish the vaccine that was lost due to the malfunction; and

**WHEREAS**, the Board of Health and Health and Human Services' Committee has reviewed the insurance claim and approve the transfer;

**NOW THEREFORE BE IT RESOLVED**, that the 2015 County budget be modified as follows.

<b>General Fund</b>		
<b><u>4012 Public Health Preventive</u></b>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A401240 545110 Adult Vaccine	<u>\$39,500</u>	<u>\$51,381</u>
Control Total		<u>\$11,881</u>
<u>Revenue</u>		
A401240 426800 Insurance Recoveries	<u>\$-0-</u>	<u>\$11,881</u>

Control Total

\$11,881

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisor Stepanski:**

**RESOLUTION NO. 264-15**

**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 6/30/15; 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 she be re-appointed by the Board of Supervisors; and

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

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

**NOW, THEREFORE BE IT RESOLVED**, that **Shelia Gallogly, 5461 Creek Rd., Oneida, New York 13421**, be re-appointed to a four year term, January 1, 2015 through December 31, 2018.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 265-15**

**SUPPORTING GREATER ACCESS TO MENTAL HEALTH SERVICES  
BILL A.6376 (BRONSON) /S.2065 (YOUNG)**

**WHEREAS**, in 2013, more than half of the counties in NYS identified mental health as a priority health issue, based on their comprehensive community health assessment, including Madison County; and

**WHEREAS**, the entire County of Madison is designated as a mental health provider shortage area, exacerbating access to care, which is already a challenge in rural counties such as Madison; and

**WHEREAS**, the Greater Access to Mental Health Services bill A.6376 (Bronson) S.2065 (Young) would require all mental health plans in New York State to cover all licensed mental

health providers who provide mental health and alcohol/substance abuse treatment services;  
and

**WHEREAS**, this bill would amend Timothy's law, to ensure that clients, consumers and their referral sources would have more choices and this is particularly significant for rural areas like Madison County, where most people are relegated to having to commute long distances to treatment; and

**WHEREAS**, this bill would require all mental health plans in New York State to cover all mental health providers, including LMFTs, LMHCs, Creative Arts Therapists and Psychoanalysts licensed by the state of New York.; and

**WHEREAS**, this bill will ensure a more diverse clinical environment, where state and county agencies will no longer be permitted to limit their hiring practices to one or two mental health licensed disciplines; and

**WHEREAS**, this bill will create a competitive, accessible and affordable mental health marketplace throughout New York State; and

**WHEREAS**, this bill would help strengthen and grow the private mental health sector and not only benefit consumers and choice of services for mental health, but it would reduce the financial burden and obligation rural governments currently have to provide mental health services by creating a level playing field rural mental health marketplace served by state licensed practitioners; and

**WHEREAS**, this bill will ensure that a patient is not denied mental health services because the currently enumerated providers are located too far from the patient's home or the patient is unable to afford the out of pocket expense of a mental health practitioner. Equally important and essential for growing a productive private mental health sector, particularly in rural economies, this bill would amplify patient choice by increasing the variety and number of reimbursable providers available to treat mental health disorders, and create greater access and choice of care for consumers for mental health services, particularly in rural communities in the upstate area; and

**WHEREAS**, mental health directly impacts physical health and well-being of our community members; and

**WHEREAS**, this bill would create an equitable employment market, while also giving employers the opportunity to staff a truer multi-disciplinary team of professionals; and

**WHEREAS**, the Madison County Board of Health have submitted letters to Senator David Valesky and Assemblyman William Magee requesting their support and advocacy of this bill during the legislative session to ensure its passage;

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors hereby go on record supporting the Greater Access to Mental Health Services bill A.6376 (Bronson) S.2065 (Young); and

**BE IT FURTHER RESOLVED**, that the Madison County Board of Supervisors shall forward copies of this Resolution to Governor Andrew Cuomo, Senator David Valesky,

Assemblyman William Magee, the New York State Association of Counties and all others deemed necessary and proper.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisors Stepanski and Reinhardt:**

**RESOLUTION NO. 266-15**

**AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED BUDGET**

**WHEREAS**, the Mental Health Department has additional clients that need injectable medication to remain stable and in the community; and

**WHEREAS**, the Madison County Mental Health Department is enrolled as a Risperdal Consta and/or Invega Sustenna provider and eligible to receive Medicaid reimbursement for the medication; and

**WHEREAS**, it is understood that there are no additional County tax dollars involved in this budget modification;

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

**A430840 — Mental Health — Clinic**

<u>REVENUE</u>		<u>FROM</u>	<u>TO</u>
416202	Medicaid Reimb Prescriptions	<u>\$ 37,800</u>	\$ 82,800
	Control Total		\$ 45,000
 <u>EXPENSE</u>			
545010	Medicaid Reimb Prescriptions	<u>\$ 37,800</u>	\$ 82,800
	Control Total		<u>\$ 45,000</u>

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 267-15**

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

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

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

<b><u>4316 Mental Health - Liberty Resources</u></b>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A431640 434907 St. Aid MH Liberty Resources	103,499	103,461
A431640 434909 St. Aid Integrated Support	21,028	20,245
A431640 434910 St. Aid Liberty Resources	<u>38,463</u>	<u>38,609</u>
Totals	<u>\$162,990</u>	<u>\$162,315</u>
Control Total		<u>\$ (675)</u>
<u>Expense</u>		
A431640 542720 Integrated Supported Employ	21,028	20,245
A431640 542740 CM - Liberty Resources	103,499	103,461
A431640 542790 Supported Housing	<u>38,463</u>	<u>38,609</u>
Totals	<u>\$162,990</u>	<u>\$162,315</u>
Control Total		<u>\$ (675)</u>
 <b><u>4330 Mental Health – ARC Programs</u></b>		
<u>Revenue</u>		
A433040 434921 St. Aid OMH Int Sup Employ	<u>43,220</u>	<u>43,036</u>
Control Total		<u>\$ (184)</u>
<u>Expense</u>		
A433040 542708 Integrated Supported Employ	<u>43,220</u>	<u>43,036</u>
Control Total		<u>\$ (184)</u>
 <b><u>4326 Mental Health – Consumer Services</u></b>		
<u>Revenue</u>		
A432640 434915 St. Aid Child Initiative	31,740	31,674
A432640 434916 St. Aid Supported Housing	15,383	15,442
A432640 434917 St. Aid Peer Advocacy	<u>175,980</u>	<u>175,138</u>
Totals	<u>\$223,103</u>	<u>\$222,254</u>
Control Total		<u>\$ (849)</u>
<u>Expense</u>		
A432640 542706 Consumer Services - Peer	<u>223,103</u>	<u>222,254</u>

Control Total

\$ (849)

**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 – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 268-15**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CATHOLIC CHARITIES OF ONEIDA/MADISON COUNTIES AND TO MODIFY THE 2015 ADOPTED COUNTY BUDGET**

**WHEREAS**, the Madison County Youth Bureau has received \$35,000 in funding from the NYS Office of Children and Family Services to provide training, education and outreach related to the issue of Sexually Exploited Youth and Human Trafficking and to increase the capacity of our RHY Interim Family Home program to identify and meet the unique needs of sexually exploited youth that may seek services through the program; and

**WHEREAS** Catholic Charities of Oneida/Madison Counties, as Madison County’s RHY Interim Family Home provider, has the experience and expertise to provide these services; and

**WHEREAS**, the Madison County Youth Bureau desires to contract with Catholic Charities of Oneida/Madison Counties for the period of April 1, 2015 – December 31, 2015 in the amount of \$35,000 to provide the services required to meet the goals and outcomes required of this funding; and

**WHEREAS**, the Madison County Youth Board has recommended funding this program and the Health & Human Services Committee has approved the allocation;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement on behalf of the County of Madison with Catholic Charities of Oneida/Madison Counties in the form 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:

**GENERAL FUND**

**7146 Youth Programs - Agencies**

**Expense**

A714670 542762 Sexually Exploited Youth/Catholic Charities

**From**  
0

**To**  
35,000

Control Total

\$ 35,000

**Revenues**

A714670 438215 SA Sexually Exploited Youth

**From**  
0

**To**  
35,000

Control Total

\$ 35,000

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisors Degear:**

**RESOLUTION NO. 269-15**

**AUTHORIZING ACCEPTANCE OF GRANT AWARD FROM NYS OFFICE OF CHILDREN AND FAMILY SERVICES TO MADISON COUNTY SHERIFF'S OFFICE FOR MADISON COUNTY CHILD ADVOCACY CENTER**

**WHEREAS**, Madison County has been the recipient of a state grant through the Office of Child and Family Services ("OCFS") since 2003 for the creation and maintenance of a Multi-disciplinary Team/Children's Advocacy Center program; and

**WHEREAS**, said grant was a straight, state-funded grant with no federal funds passing through; and

**WHEREAS**, the original grant period has been amended and extended continuously to the present time, the most recent grant period ending on September 30, 2015; and

**WHEREAS**, OCFS has awarded Madison County a further grant of \$141,589 for the twelve month contract period commencing on October 1, 2015, said monies to be used to cover program costs, including staff positions, operational expenses and training of team members; and

**WHEREAS**, this request to have said monies accepted by the County has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee and the Government Operations Committee;

**NOW, THEREFORE BE IT RESOLVED** that the Chairman of the Board be and hereby is authorized to accept the \$141,589 from the NYS OCFS and execute an agreement with the State of New York permitting the County's continued participation in this grant.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 270-15**

**AUTHORIZING THE CHAIRMAN TO AMEND A LEASE AGREEMENT WITH KENWOOD COMMUNITY PROPERTIES LLC**

**WHEREAS**, the lease agreement between Madison County and Kenwood Community Properties LLC for suitable space at 181 Kenwood Avenue, Oneida, NY was approved on May 12, 2015, on Resolution No. 177-15; and

**WHEREAS**, Madison County Tenant would like to utilize the internet service provider under contract to the Landlord; and

**WHEREAS**, the Landlord shall provide the Tenant with the internet service provider data connection meeting the requirements for access, connectivity, speed and security; and

**WHEREAS**, the rent payable by Madison County under the lease shall be increased no

more than One Hundred Twenty dollars per month (\$120.00/month) including service fees and applicable taxes; and

**WHEREAS**, the remainder of the terms and conditions of the Lease shall remain unchanged; and

**WHEREAS**, this amendment 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 amend an agreement on behalf of the County of Madison with the Kenwood Community Properties, LLC, in the form as is on file with the Clerk of this Board.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisors Degear and Reinhardt:**

**RESOLUTION NO. 271-15**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT WITH THE NEW YORK STATE CANAL CORPORATION AND MODIFYING THE 2015 COUNTY BUDGET**

**WHEREAS**, Madison County has received a 2015 Marine Patrol Grant through the New York State Canal Corporation; and

**WHEREAS**, this State Awards Grant is identified as follows:

Awarding Agency:	New York State Canal Corporation
Program Name:	2015 Marine Patrol Grant
Award Year:	April 1, 2015 – March 31, 2016
Contract No.:	C010326
Total Grant Amount:	\$16,819.92

**WHEREAS**, the funding agency has approved the following budget for this project during project year 04/01/15 – 03/31/16; the total funding allowed shall not exceed \$12,722.94 (or 75% of total) with the remaining 25% as a local match:

**General Fund Expense**

		<b><u>From</u></b>	<b><u>To</u></b>
A398930 512000	Personal Services Grant	\$ 0	\$ 9,290
A398930 581001	Allocation of Fringe Benefits	<u>0</u>	<u>3,433</u>
	Control Total	<u>\$ 0</u>	<u>\$ 12,723</u>
	Revenue		
A398930 433180	SA Canal Trail Patrol Law Enforcement	<u>\$ 0</u>	<u>\$12,723</u>
	Control Total		<u>\$12,723</u>

**NOW THEREFORE BE IT RESOLVED** that the Chairman of the Board be authorized to execute an agreement, a copy on file with the clerk for participation in this grant; and

**BE IT FURTHER RESOLVED** that the 2015 County Budget be modified in accordance with this project budget.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisor Salka:**

**RESOLUTION NO. 272-15**

**ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 2 FOR THE YEAR 2015 AND CALLING FOR A PUBLIC HEARING**

**WHEREAS**, Supervisor Salka has duly introduced proposed Local Law No. 2 of 2015, entitled “A LOCAL LAW AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE CITY OF ONEIDA TO DAVID TAYLOR AND TIMOTHY TAYLOR”; and

**WHEREAS**, a copy of said proposed local law has been furnished to each Supervisor;

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held on the proposed local law in the Chamber of the Board of Supervisors at the Madison County Office Building on August 11, 2015 at 2:15 p.m., or as soon as possible thereafter; and

**BE IT FURTHER RESOLVED**, that the Clerk duly publish a notice of said hearing in the official newspapers of the County at least five (5) days prior to the scheduled hearing date.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**PROPOSED LOCAL LAW**

**A LOCAL LAW AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE CITY OF ONEIDA TO DAVID TAYLOR AND TIMOTHY TAYLOR**

**BE IT ENACTED**, by the Board of Supervisors of the County of Madison as follows:

**Section 1.** The Board of Supervisors finds, after inquiries made by the County Planning Department, Real Property Tax Services Department and Treasurer’s Department, that certain former railroad property, now vacant rural property, located in the City of Oneida is no longer required for public use and by its nature is of little value to anyone but the contiguous land owner, and that it is therefore in the best interest of Madison County that the same be sold and conveyed.

**Section 2.** The Board of Supervisors further finds, due to the nature, location, and resulting minimal value of the property to anyone but the contiguous land owner, that a negotiated sale offers the prospect of a more orderly and more advantageous disposition of the property than one obtained through sale to the highest bidder pursuant to Section 215(5) and (6) of the County law.

**Section 3.** The Board of Supervisors intends hereby to supersede the provisions of Section 215(5) and (6) of the County law to the extent necessary and for the limited purpose of authorizing the sale of the property as provided for herein.

**Section 4.** The Board of Supervisors finds that due to the location and nature of the property that fair and adequate consideration is Two Thousand Dollars (\$2,000.00).

**Section 5.** The parcel contains 1.671± acres of land, more or less as shown on a Boundary Line Survey map prepared by O. Perry Tooker IV, P.L.S. dated 8 June 2015. Being a portion of the premises as conveyed by Utica Transit Corporation to County of Madison by Quit Claim Deed dated 1 February 1955 and recorded in the Madison County Clerk's office in Liber 505 of Deeds at Page 215, and is described as follows:

**ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Oneida, County of Madison, State of New York, bounded and described as follows;**

**Beginning** at an iron rod standing at the intersection of the Westerly highway boundary of Hubbard Place with the Northerly boundary of lands conveyed by Velton E. Taylor, David A. Taylor and Rodney A. Taylor to Timothy E. Taylor by Warranty Deed dated 30 September 2002 and recorded in the Madison County Clerk's office in Liber 1239 of Deeds at Page 314, said iron rod measured respectively therein distant N06°31'24"E 285.1± feet from an iron pipe standing at the intersection of the Westerly highway boundary of Hubbard Place with the Northerly boundary of C.C. Hoffmeister (now or formerly), said iron rod being further described as measured respectively 33± feet Southerly at right angles from Oneida Railway Company centerline station 124+78.61;

Thence from the point of beginning N88°34'00"W 1101.29± feet along the Northerly boundary of Timothy E. Taylor (now or formerly) and a wire fence line to an iron pipe standing on the Easterly boundary of lands conveyed to Curtin Dairy, L.P. (now or formerly) as described in a Warranty Deed dated 27 December 2000 and recorded in the Madison County Clerk's office in Liber 1181 at Page 114, said iron pipe measured respectively 33± feet Southerly at right angles from Oneida Railway Company centerline station 135+79.90,

Thence N04°59'30"E 66.13± through lands of the County of Madison to an iron rod standing on the Northerly boundary of the Oneida Railway Company and also the Southerly boundary of the New York West Shore and Buffalo Railway Company, said iron rod measured respectively 33± feet Northerly at right angles from Oneida Railway Company centerline station 135+75.79,

Thence S88°34'00"E 1104.88± feet along the Northerly boundary of the Oneida Railway Company and also the Southerly boundary of the New York West Shore and Buffalo Railway Company to an iron rod standing on the Westerly highway boundary of Hubbard Place, said iron rod measured respectively 33± feet Northerly at right angles from Oneida Railway Company centerline station 124+70.91,

Thence S08°05'13"W 66.45± feet along the Westerly highway boundary of Hubbard Place to the point and place of beginning.

**Subject** to any easements, covenants or restrictions of record.

**Section 6.** The Chairman of the Board of Supervisors is hereby authorized to convey the above described property without public bidding to David A. Taylor and Timothy E. Taylor for Two Thousand Dollars (\$2,000.00) and upon such other terms and conditions as are approved by resolution of the Madison County Board of Supervisors.

**Section 7.** The Chairman of the Board of Supervisors is authorized to execute all necessary documents to consummate such sale, including but not limited to the Agreement to Buy and Sell and the Addendum to the Agreement to Buy and Sell provided to the board, a Quit Claim Deed, and other documents of conveyance.

**Section 8.** This local law shall take effect forty-five (45) days after its adoption, providing no valid petition for referendum is filed. If a petition is filed, this law shall take effect immediately upon approval by the qualified electors voting for same.

End.

#### **RESOLUTION NO. 273-15**

#### **AMENDING THE BUY MADISON DEBIT CARD PROGRAM WITH ONEIDA SAVINGS BANK**

**WHEREAS**, Madison County has embarked upon a Buy Madison Campaign focused on educating consumers about the many advantages of spending locally and keeping their sales tax dollars in the County ; and

**WHEREAS**, our existing Buy Madison partner, Oneida Savings Bank, has a very strong corporate culture focused on spending locally; and

**WHEREAS**, Oneida Savings Bank (through its parent company Oneida Financial Corporation) is being acquired by Community Bank System, Inc. ; and

**WHEREAS**, Madison County would like to continue our Buy Madison partnership with Community Bank, by maintaining our existing contract through 2016,

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors for the County of Madison is authorized to sign a contract modification with Community Bank to continue the Buy Madison Debit Card Program.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

#### **RESOLUTION NO. 274-15**

#### **RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY MADISON COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A CERTAIN PROJECT FOR MORRISVILLE COLLEGE FOUNDATION, INC.**

**WHEREAS**, pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, as amended (the “Enabling Act”), Revenue Ruling 57-187 and Private Letter Ruling 200936012, the Board of Supervisors of Madison County, New York (the “County”) adopted a resolution on July 14, 2009 (the “Sponsor Resolution”) (1) authorizing the incorporation of Madison County Capital Resource Corporation (the “Issuer”) under the Enabling Act and (2) appointing the initial members of the board of directors of the Issuer; and

**WHEREAS**, in August, 2009, a certificate of incorporation was filed with the New York Secretary of State's Office (the "Certificate of Incorporation") creating the Issuer as a public instrumentality of the County; and

**WHEREAS**, to accomplish its stated purposes, the Issuer is authorized and empowered under the Enabling Act to acquire real and personal property; to borrow money and issue negotiable revenue bonds, notes and other obligations therefore; to lease, sell, mortgage or otherwise dispose of or encumber any of its real or personal property upon such terms as it may determine; and otherwise to carry out its corporate purposes in the territory in which the operations of the Issuer are principally to be conducted; and

**WHEREAS**, Morrisville College Foundation, Inc., a New York not-for-profit corporation (the "Borrower") has submitted an application in March, 2015, as revised by letter dated June 9, 2015 (the "Application") to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the Issuer consider undertaking a project (the "Project") for the benefit of the Borrower, said Project consisting of the following: (A) (1) the refinancing, in whole, of the outstanding Civic Facility Revenue Bonds (Morrisville State College Foundation – Student Housing Project), Series 2005A in the original aggregate principal amount of \$11,815,000 (the "Prior Series 2005 Bonds") issued on or about June 23, 2005 by Madison County Industrial Development Agency (the "Prior Issuer") and the outstanding Civic Facility Revenue Bonds (Commons II, LLC - Student Housing Project), Series 2008A in the original aggregate principal amount of \$16,650,000 (the "Prior Series 2008 Bonds" and, collectively with the Prior Series 2005 Bonds, the "Prior Bonds") issued on or about January 30, 2008 by the Prior Issuer, the proceeds of which Prior Bonds provided financing for two projects (collectively, the "Bond Project") consisting of the following: (a) the acquisition of various interests in various parcels of land located on South Road and/or South Street in the Town of Eaton, Madison County, New York (collectively, the "Bond Land"), (b) the construction on the Bond Land of an approximately 80,000 square foot, 51 unit, 200 bed student housing facility and an approximately 90,000 square foot, 57 unit, 228 bed student housing facility and certain related improvements (collectively, the "Bond Facility") and (c) the acquisition and installation therein and thereon of certain machinery and equipment (the "Bond Equipment") (the Bond Land, the Bond Facility and the Bond Equipment hereinafter collectively referred to as the "Bond Project Facility"), all of the foregoing constituting student housing facilities operated by Morrisville Auxiliary of State University College of Agriculture and Technology at Morrisville, N.Y., Incorporated, a New York not-for-profit corporation (the "Manager"), and (d) the payment of a portion of the costs incidental to the issuance of the Prior Bonds, including issuance costs of the Prior Bonds and any reserve funds that were necessary to secure the Prior Bonds; and (2) the refinancing, in whole or in part, of the outstanding conventional loan (the "Prior Loan") incurred by the Borrower to provide financing for a project (the "Loan Project") (the Loan Project and the Bond Project being collectively referred to as the "Prior Project") consisting of the following: (a) the construction, on an approximately 115 acre parcel of land (the "Loan Land") located at 4414 Route 20 in the Town of Nelson, Madison County, New York approximately 3 miles west of the main campus of the State University College of Agriculture and Technology at Morrisville, N.Y. (a/k/a Morrisville State College) (the "College"), of an equine physiology and rehabilitation center (the "Loan Facility") and (b) the acquisition and installation therein and thereon of certain machinery and equipment (the "Loan Equipment") (the Loan Facility and the Loan Equipment being collectively referred to as the "Loan Project Facility"), all of the foregoing constituting a publicly accessible equine physical rehabilitation training center housing the College's thoroughbred racing and equine physical rehabilitation programs; (B) the financing of all or a portion of the costs of the foregoing by the issuance of revenue bonds of the Issuer in one or

more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to be an amount not to exceed \$30,000,000 (the "Obligations"); (C) paying of all or a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; and (D) the making of a loan (the "Loan") of the proceeds of the Obligations to the Borrower or such other person as may be designated by the Borrower and agreed upon by the Issuer; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the board of directors of the Issuer on June 11, 2015 (the "SEQR Resolution"), the Issuer determined that the Project constituted a "Type II action" (as such quoted term is defined under SEQRA), and therefor that no further action with respect to the Project was required under SEQRA; and

**WHEREAS**, the Borrower has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 145(a) of the Code; and

**WHEREAS**, the Board of Supervisors of Madison County, New York (the "Board of Supervisors") has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Obligations from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

**WHEREAS**, interest on the Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Obligations is approved by the "applicable elected representative" of Madison County, New York after the Issuer has held a public hearing on the nature and location of the Project Facility and the issuance of the Obligations; and

**WHEREAS**, pursuant to the authorization contained in a resolution adopted by the members of the board of directors of the Issuer on June 11, 2015 (the "Public Hearing Resolution"), the Chief Executive Officer of the Issuer (A) caused notice of a public hearing of the Issuer (the "Public Hearing") pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and, as provided in the Certificate of Incorporation, pursuant to the applicable provisions of Section 859-a and Section 859-b of the General Municipal Law of the State of New York (the "GML"), to hear all persons interested in the Project and the financial assistance being contemplated by the Issuer with respect to the Project, to be published on June 25, 2015 in the Oneida Daily Dispatch, a newspaper of general circulation available to the residents of the Town of Eaton, New York, (B) caused notice of the Public Hearing to be posted on June 24, 2015 at the Eaton Town Hall located at 35 Cedar Street in the Village of Morrisville, Town of Eaton, Madison County, New York, (C) caused notice of the Public Hearing to be mailed on June , 2015 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is (or will be) located, (D) conducted the Public Hearing on July 13, 2015 at 11:00 o'clock, a.m., local time at the Eaton Town Hall located at 35 Cedar Street in the Village of Morrisville, Town of Eaton, Madison County, New York, and (E) prepared a report of the Public Hearing (the "Public Hearing Report") which fairly summarized the views presented at such Public Hearing and caused copies of said Public

Hearing Report to be made available to the members of the board of directors of the Issuer and to the Board of Supervisors of Madison County, New York (the "Board of Supervisors"); and

**WHEREAS**, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Obligations to be treated as excludable from gross income for federal income tax purposes;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Madison County, New York, as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the Board of Supervisors, as the elected legislative body of Madison County, New York, hereby approves the issuance by the Issuer of the Obligations, provided that the Obligations, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, Madison County, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, Madison County, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

**Please note that a 2/3's vote is required for this resolution as follows:**

**ADOPTED: AYES – 1459 NAYS – 0 ABSENT – 41 (Ball)**

**RESOLUTION NO. 275-15**

**RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY  
MADISON COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A  
CERTAIN PROJECT FOR ONEIDA HEALTH SYSTEMS, INC. D/B/A ONEIDA  
HEALTHCARE CENTER**

**WHEREAS**, pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, as amended (the "Enabling Act"), Revenue Ruling 57-187 and Private Letter Ruling 200936012, the Board of Supervisors of Madison County, New York (the "County") adopted a resolution on July 14, 2009 (the "Sponsor Resolution") (1) authorizing the incorporation of Madison County Capital Resource Corporation (the "Issuer") under the Enabling Act and (2) appointing the initial members of the board of directors of the Issuer; and

**WHEREAS**, in August, 2009, a certificate of incorporation was filed with the New York Secretary of State's Office (the "Certificate of Incorporation") creating the Issuer as a public instrumentality of the County; and

**WHEREAS**, to accomplish its stated purposes, the Issuer is authorized and empowered under the Enabling Act to acquire real and personal property; to borrow money and issue negotiable revenue bonds, notes and other obligations therefore; to lease, sell, mortgage or otherwise dispose of or encumber any of its real or personal property upon such terms as it may determine; and otherwise to carry out its corporate purposes in the territory in which the operations of the Issuer are principally to be conducted; and

**WHEREAS**, in June, 2015, Oneida Health Systems, Inc. d/b/a Oneida Healthcare Center, a New York not-for-profit corporation (the “Borrower”) submitted an application (the “Application”) to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the Issuer consider undertaking a project (the “Project”) for the benefit of the Borrower, said Project consisting of the following: (A) (1) the financing of all or a portion of the costs of refinancing and/or refunding certain existing indebtedness incurred by or for the benefit of the Borrower (collectively, the “Prior Debt”) to finance and/or refinance various capital projects located at 321 Genesee Street and 221 Broad Street in the City of Oneida, Madison County, New York (collectively, the “Prior Project Facility”), said Prior Project Facility being operated by the Borrower as a health care facility and long term care facility and other directly and indirectly related uses; and (2) the financing of all or a portion of the costs of various improvements to the roof and replacement of windows to the buildings located on the Borrower’s campus located at 321 Genesee Street and 323 Genesee Street in the City of Oneida, Madison County, New York (the “Improvements”), (the Improvements and the Prior Project Facility being collectively referred to as the “Project Facility”); (B) the financing of all or a portion of the costs of the foregoing by the issuance of revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to be an amount not to exceed \$31,000,000 (the “Obligations”); (C) paying of all or a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; and (D) the making of a loan (the “Loan”) of the proceeds of the Obligations to the Borrower or such other person as may be designated by the Borrower and agreed upon by the Issuer; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6NYCRR Part 617, as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), the Issuer has not yet Issuer made a determination pursuant to SEQRA regarding the potential environmental impact of the Project; and

**WHEREAS**, the Borrower has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 145(a) of the Code; and

**WHEREAS**, the Board of Supervisors of Madison County, New York (the “Board of Supervisors”) has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Obligations from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

**WHEREAS**, interest on the Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Obligations is approved by the “applicable elected representative” of Madison County, New York after the Issuer has held a public hearing on the nature and location of the Project Facility and the issuance of the Obligations; and

**WHEREAS**, pursuant to the authorization contained in a resolution adopted by the members of the board of directors of the Issuer on June 11, 2015 (the “Public Hearing Resolution”), the Chief Executive Officer of the Issuer (A) caused notice of a public hearing of the Issuer (the “Public Hearing”) pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) and, as provided in the Certificate of Incorporation, pursuant to

the applicable provisions of Section 859-a and Section 859-b of the General Municipal Law of the State of New York (the "GML"), to hear all persons interested in the Project and the financial assistance being contemplated by the Issuer with respect to the Project, to be published on June 25, 2015 in the Oneida Daily Dispatch, a newspaper of general circulation available to the residents of the City of Oneida, New York, (B) caused notice of the Public Hearing to be posted on June 24, 2015 at in the Oneida City Hall located at 109 North Main Street in the City of Oneida, New York, (C) caused notice of the Public Hearing to be mailed on June 24, 2015 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is (or will be) located, (D) conducted the Public Hearing on July 13, 2015 at 10:00 o'clock, a.m., local time at in the Common Council Chambers of the City of Oneida City Hall located at 109 North Main Street in the City of Oneida, New York, and (E) prepared a report of the Public Hearing (the "Public Hearing Report") which fairly summarized the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the board of directors of the Issuer and to the Board of Supervisors of Madison County, New York (the "Board of Supervisors"); and

**WHEREAS**, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Obligations to be treated as excludable from gross income for federal income tax purposes;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Madison County, New York, as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the Board of Supervisors, as the elected legislative body of Madison County, New York, hereby approves the issuance by the Issuer of the Obligations, provided that the Obligations, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, Madison County, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, Madison County, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

**Please note that a 2/3's vote is required for this resolution as follows:**

**ADOPTED: AYES – 1459 NAYS – 0 ABSENT – 41 (Ball)**

**By Supervisor Bono:**

#### **RESOLUTION NO. 276-15**

#### **AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH DIRECT ENERGY BUSINESS FOR ELECTRIC SUPPLY**

**WHEREAS**, Madison County seeks to procure utility supplies for electricity and natural gas at the lowest possible cost; and

**WHEREAS**, Madison County has reviewed the group procurement process of the Municipal Electric and Gas Alliance (MEGA) for its member agencies and municipalities; and

**WHEREAS**, Madison County is eligible to be a member of MEGA and participate in its Program Agreements; and

**WHEREAS**, MEGA has issued Invitations to Bid for electricity and natural gas supplies, opened and reviewed such bids and executed a Program Agreement on behalf of its participants with Direct Energy Business as the lowest responsible bidder for electricity; and

**WHEREAS**, Madison County has received and reviewed proposals for natural gas from Direct Energy Business under the terms of the Program Agreement with MEGA; and

**WHEREAS**, the intent of this purchasing action is to achieve savings in the cost of energy delivered to Madison County over the distribution lines of National Grid; and

**WHEREAS**, said utilities will continue to provide energy delivery services in conformance with the regulations of the New York State Public Service Commission; and

**WHEREAS**, the Highway, Buildings and Grounds Committee recommends entering an agreement with Direct Energy Business;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors authorizes participation in MEGA with respect to its procurement process for electricity and natural gas supplies; and

**BE IT FURTHER RESOLVED**, that Madison County agrees to accept the offer and agreement presented by Integrys for electricity supply in accordance with the terms and conditions of Direct Energy Business's executed Program Agreement with MEGA; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and hereby is authorized to enter into an agreement with Direct Energy Business, a copy of which is on file with the Clerk to the Board.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 277-15**

**AWARDING BIDS AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS FOR RENOVATIONS TO THE MADISON COUNTY OFFICE BUILDING**

**WHEREAS**, bids were received and opened June 23, 2015, for renovations to the Madison County Office Building to accommodate the relocation of the Board of Elections and improve departmental efficiency by better use of space; and

**WHEREAS**, all bids have been canvassed and reviewed by the County Purchasing Agent, who has made the recommendation for the bid award(s) to the apparent lowest responsible bidder(s) on each contract; and

**WHEREAS**, the Highway, Buildings and Grounds Committee has reviewed and recommends moving forward with entering into the contracts as recommended by the Purchasing Agent for the performance of this work;

**NOW, THEREFORE, BE IT RESOLVED**, that the County accept the following bids for the work heretofore described; to wit:

General Contractor:	Richard E. Alexander Company, Inc.	\$298,280.00
Electrical:	Ridley Electric Company, Inc.	\$ 60,200.00
HVAC:	HJ Brandeles Corp.	<u>\$ 66,000.00</u>
	<b>Total:</b>	<b>\$424,480.00</b>

Subject to the above contractors executing and delivering to the County their respective sign contracts, bonds and insurance certificates by July 15, 2015; and

**BE IT FURTHER RESOLVED**, that, upon receipt of all contract documents, the Chairman be and hereby is authorized to enter into said contracts, copies of which are on file with the Clerk of the Board.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisor Bono and Reinhardt:**

**RESOLUTION NO. 278-15**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH  
THE DORMITORY AUTHORITY STATE OF NEW YORK  
AND MODIFYING THE 2015 COUNTY BUDGET**

**WHEREAS**, the Highway, Buildings and Grounds Committee met on June 24, 2015 and reviewed a Grant Application from the Dormitory Authority State of New York (DASNY); and

**WHEREAS**, Madison County has applied for a State and Municipal Facilities Program (SAM) grant in the amount of \$500,000.00; and

**WHEREAS**, DASNY must ensure that Grant funds will be utilized in a manner that is consistent with Federal and State law; and

**WHEREAS**, grant monies will be used for costs incurred for demolition and replacement of the North Court Street Bridge over CSX RR (BIN 3365930), Town of Lenox, Madison County;

**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 on behalf of the County of Madison with the Dormitory Authority State of New York, in the form as is on file with the Clerk of the Board; and

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

**Capital Projects Fund**

<b><u>5197 Highway Road &amp; Bridge Capital Projects</u></b>	<u>From</u>	<u>To</u>
<b><u>Expense</u></b>		
H519750 529003 North Court Street Bridge Expense	\$ <u>1,332,046</u>	\$ <u>1,493,770</u>
Control Total		\$ <u>161,724</u>
<b><u>Revenue</u></b>		
H519750 435896 St. Aid North Court Street Bridge	\$ <u>-0-</u>	\$ <u>161,724</u>
Control Total		\$ <u>161,724</u>

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisor Goldstein:**

**RESOLUTION NO. 279-15**

**APPROVING ORDER ON CONSENT WITH BERT ADAMS DISPOSAL REGARDING SOLID WASTE CIVIL CHARGES**

**WHEREAS**, the Madison County Department of Solid Waste issued multiple civil citations to Bert Adams Disposal (“BAD”) alleging violations of Madison County Local Law #3 for the year 2004 (“Local Law”) in connection with collecting solid wastes within Madison Country and disposing of said wastes outside the County in violation of the Local Law; and

**WHEREAS**, BAD requested an administrative hearing before the Solid Waste Hearing Board to contest the charges; and

**WHEREAS**, the parties desire to resolve the matter through a civil settlement including payment of civil surcharges in the amount of Two Thousand Four Hundred Dollars (\$2,400) as set forth more particularly in an Order on Consent;

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

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

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 280-15**

**APPROVING AGREEMENT WITH MADISON COUNTY SEWER DISTRICT FOR BIOSOLIDS DISPOSAL SERVICES**

**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 and the County is actively seeking organics to enhance production of biogas feedstock for the landfill gas-to-energy project; and

**WHEREAS**, the Madison County Sewer District (the “District”) is the owner of a wastewater treatment facility that currently generates approximately 600 wet tons per year of biosolids that requires secure landfill disposal; and

**WHEREAS**, the parties desire to enter into a five (5) year disposal agreement, with an option to renew for one (1) additional five (5) year period whereby the County will accept for disposal biosolids transported to the landfill by the District for a tipping fee of Forty Two Dollars per wet ton (\$42/Ton); and

**WHEREAS**, the proposed agreement has the potential to generate up to \$25,200 in landfill revenues the first year and \$252,000 in revenues for the full 10 year term;

**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

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

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 281-15**

**AUTHORIZING 5-YEAR SOLID WASTE DISPOSAL AGREEMENT WITH  
COMMERCIAL PERMIT HOLDER**

**WHEREAS**, in order to continue to retain solid waste and recyclables within the County’s existing system to ensure the proper management and disposal of all waste generated in the County; and

**WHEREAS**, in order to provide further long-term stability for the solid waste management system to support all of the costs associated with recycling and environmentally responsible solid waste management, including the Landfill Expansion Project, without the use of taxpayer funding; and

**WHEREAS**, in order to provide long-term price stability to haulers and residents of the County; and

**WHEREAS**, the contract for Haulers will provide for a lower tip fee than the tip fee for Haulers who do not enter into contracts with the County for disposal of all waste and recyclables at the County facilities;

**NOW, THEREFORE, BE IT RESOLVED**, that Madison County be permitted to enter into a 5-year Solid Waste Disposal Agreement with Commercial Permit Holders that are willing to deliver both solid waste and recyclables to the Madison County Landfill and Recycling Facility in accordance with provisions of the Solid Waste Disposal Agreement, a copy of such Agreement is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, the Solid Waste Disposal Agreement shall cover the period from January 1, 2011 through December 31, 2015; and

**BE IT FURTHER RESOLVED**, that the Commercial Permit Holders listed below is hereby permitted to enter into a Solid Waste Disposal Agreement, and that the Chairman of the Board of Supervisors is authorized to execute such Solid Waste Disposal Agreement on behalf of Madison County with the following Commercial Permit Holder:

1. D L PROPERTY PRESERVATION

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 282-15**

**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(2)(b) of the Real Property Tax Law,

Arthur & Donna Wilkinson  
809 Clark Road  
Canastota NY 13032

Tax Map #10.-1-42  
Town of Sullivan

The County and Town aged exemptions were miscalculated on the 2015 Town and County tax bill; and

**WHEREAS**, the tax bill was paid on time to the collector on January 31, 2015; and

**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;

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Treasurer be authorized to refund Mr. and Mrs. Arthur Wilkinson the amount of \$83.92 for the overpayment due to the miscalculation of the County and Town aged exemptions on the 2015 Town and County tax.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (BALL)**

**RESOLUTION NO. 283-15**

**APPROVAL OF STIPULATION AND ORDER OF REAL PROPERTY TAXES IN ACCORDANCE WITH ARTICLE 7 OF THE REAL PROPERTY TAX LAW**

**WHEREAS**, Emkey Resources, LLC commenced a tax certiorari proceeding against the Town of Eaton Assessor and the Town of Eaton, for two parcels of property in the Town of Eaton identified by MAP# 152.-1-2.1, (Bradley Brook Compressor) located at 2511 Lebanon Hill road and identified by MAP# 123.-2-31.2 (Davis Meter Station) located off South Street; and

**WHEREAS**, the Madison County Treasurer has received a Stipulation and Order of Settlement, dated May 18, 2015; and

**WHEREAS**, Honorable Donald F Cerio, Jr., Acting Supreme Court Justice, signed a Stipulation of Settlement Order on May 22, 2015, prescribing the agreement by all parties to grant a reduction in assessment for both parcels and stipulated that the reduced assessments would be the final assessments for the 2015, 2016 and 2017 tax rolls; and

**WHEREAS**, MAP# 152.-1-2.1 was assessed at \$6,085,500 and was stipulated to be reduced to \$875,250 and MAP# 123.-2-31.2 was assessed at \$60,000 and was stipulated to be reduced \$30,000; and

**WHEREAS**, the stipulation was signed in time for the Town of Eaton assessor to make the correction to the assessment so that the corresponding assessments will be correct for the 2015 final roll; and

**WHEREAS**, Madison County will reissue corrected bills to Emkey Corporation LLC reflecting the stipulation and ordered assessed valuations so that Emkey Corporation can pay within the 45 days without any interest and penalties; and

**WHEREAS**, Emkey Corporation LLC paid the 2013 Town and County tax to the Town of Eaton which included a 2012-13 school relevy and is owed a refund of \$931.80, and Emkey Corporation LLC paid the 2014 Town and County tax to the Madison County Treasurer which included a 2013-14 school relevy and is owed a refund of \$1,078.76 and Emkey Corporation LLC paid the 2014-15 school tax to the Morrisville Eaton School District on MAP# 123.-2-31.2 and is owed a refund to Emkey Corporation LLC in the amount of \$490.87;

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Treasurer be and is hereby directed to refund \$2,501.43 for taxes, interest and penalties already paid on MAP# 123.-2-31.2 and recalculate the 2013, 2014 and 2015 taxes on the unpaid tax bills with the corresponding school taxes on both parcels in accordance with the Stipulation of Settlement and Order of the Madison County Supreme Court.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 284-15**

**AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET**

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

**Modification No. 1**

**Grant No. 3**

**General Fund**

**1171 Public Defender Grants**

**Revenue**

	<u>From</u>	<u>To</u>
A117110 433893 St. Aid Indigent Legal Services	<u>\$-0-</u>	<u>\$61,750</u>

Control Total		<u>\$61,750</u>
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**Expense**

A117110 547470 ILSF Legal Defense	-0-	53,000
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A117110 547480 ILSF Legal Defense CLE	<u>-0-</u>	<u>8,750</u>
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Control Total		<u>\$61,750</u>
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**Modification No. 2**

**Grant No. 4**

**General Fund**

**1171 Public Defender Grants**

	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A117110 433904 St. Aid Indigent Legal Services	<u>\$-0-</u>	<u>\$75,892</u>

Control Total		<u>\$75,892</u>
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Expense

A117110 547471 ILSF Legal Defense	-0-	51,104
A117110 547481 ILSF Legal Defense CLE	-0-	5,000
A117110 547491 ILSF Legal Defense Disbursements	<u>-0-</u>	<u>19,788</u>

Control Total		<u>\$75,892</u>
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**Modification No. 3**

**General Fund**

**1345 Purchasing**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A134510 513000 Personal Services Part Time	\$-0-	\$5,500
A134510 541300 Advertising Expense	-0-	2,040
A134510 547180 Temporary Staffing Service	15,000	-0-
A134510 549000 Central Postage Expense	240	5,240
A134510 549110 Office Supplies & Expense	2,754	4,794
A134510 582100 Social Security Expense	4,361	4,781

**1620 County Buildings**

<u>Expense</u>		
A162010 549020 Postage Expense Direct	130,000	135,000

**9030 Social Security & Medicare Expense**

<u>Expense</u>		
A903090 582100 Social Security Expense	1,561,475	1,561,895
A903090 581301 Allocation Social Security	<u>(1,561,475)</u>	<u>(1,561,895)</u>

Totals	<u>\$152,355</u>	<u>\$157,355</u>
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Control Total		<u>\$5,000</u>
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**1620 County Buildings**

<u>Revenue</u>		
A162010 428021 Interfund Revenue-Postage	<u>\$94,000</u>	<u>\$99,000</u>

Control Total		<u>\$5,000</u>
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**Modification No. 4**

**General Fund**

**1620 County Buildings**

	<u>From</u>	<u>To</u>
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<u>Expense</u>		
A162010 529030 Engineer Svcs Courthouse Project	\$80,265	\$3,000
A162010 529031 Architect Svcs Courthouse Project	<u>-0-</u>	<u>80,600</u>
Totals	<u>\$80,265</u>	<u>\$83,600</u>
Control Total		<u>\$3,335</u>

<u>Revenue</u>		
A162010 488001 Approp of Bldg Imp Reserves	<u>\$-0-</u>	<u>\$3,335</u>
Control Total		<u>\$3,335</u>

**Modification No. 5**

**General Fund**

**3315 Special Traffic Programs - STOP DWI**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A331530 541021 STOP DWI Administration	<u>\$1,250</u>	<u>\$2,550</u>
Control Total		<u>\$1,300</u>

<u>Revenue</u>		
A331530 488004 Appropriation of STOP DWI Reserve	<u>\$2,632</u>	<u>\$3,932</u>
Control Total		<u>\$1,300</u>

**Modification No. 6**

**General Fund**

**A4308 Mental Health-Clinic Program**

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A430840 511000 Personal Services	\$1,062,469	\$ 1,153,553
A430840 586100 Employee Health Insurance	332,664	371,724
A430840 581100 State Retirement Expense	191,152	208,276
A430840 582100 Social Security Expense	81,279	88,247
A430840 583100 Workers Compensation Expense	7,022	7,460
A430840 585100 Disability Expense	974	1,055
A430840 540101 Computer Equipment	-0-	800
A430840 540102 Computer Software	-0-	62,500
A430840 540103 Computer Software Maintenance	-0-	26,095
A430840 549970 Allocation Administration	216,402	100,205

**A4310 Mental Health-Administration**

<u>Expense</u>		
A431040 511000 Personal Services	\$268,988	\$ 177,904
A431040 586100 Employee Health Insurance	98,340	59,280
A431040 581100 State Retirement Expense	49,170	32,046
A431040 582100 Social Security Expense	20,578	13,610

A431040 583100 Workers Compensation Expense	1,292	854
A431040 585100 Disability Expense	212	131
A431040 540101 Computer Equipment	800	-0-
A431040 540102 Computer Software	62,500	-0-
A431040 540103 Computer Software Maintenance	26,095	-0-
A431040 549970 Allocation Administration	<u>-216,402</u>	<u>-100,205</u>
Control Totals	<u>\$2,203,535</u>	<u>\$2,203,535</u>

**Modification No. 7**

**Road Machinery Fund**

**5130 Road Machinery Repairs & Expense**

	<u>From</u>	<u>To</u>
DM513050 529640 D5 Dozer	\$ <u>-0-</u>	<u>\$20,000</u>
Control Total		<u>\$20,000</u>

**Fund Balance**

DM 300599 Budgetary Fund Balance Unreserved	<u>\$25,000</u>	<u>\$45,000</u>
Control Total		<u>\$20,000</u>

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**By Supervisor Salka:**

**RESOLUTION NO. 285-15**

**AUTHORIZING SPECIALIZED LEGAL ASSISTANCE FOR THE MADISON COUNTY PUBLIC UTILITY SERVICE AND AUTHORIZING SUBMITTAL OF PETITIONS TO THE PUBLIC SERVICE COMMISSION**

**WHEREAS**, the Madison County Public Utility Service (MCPLUS) is working to develop a broad array of green power options for municipalities and County residents; and

**WHEREAS**, Madison County is once again at the forefront of alternative energy development and is charting new territory in the use of its Public Utility Service; and

**WHEREAS**, in order to advance some of its objectives, Madison County needs specialized legal services; and

**WHEREAS**, Madison County has determined that Hage and Hage LLC out of Utica, NY, has the skills and experience necessary to guide MCPLUS and has offered their experienced services for the reduced rate of \$250/ hour,

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to sign the necessary documents for Madison County to utilize the specialized legal services of Hage and Hage LLC for development of MCPLUS, and

**BE IT FURTHER RESOLVED**, that Madison County is hereby authorized to submit petitions to the Public Service Commission seeking approval for a community net metering demonstration program and community choice aggregation demonstration program.

**ADOPTED: AYES – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**RESOLUTION NO. 286-15**

**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 – 1457 NAYS – 0 ABSENT – 43 (Ball)**

**PUBLIC COMMENT PERIOD**

Speakers:

1. Mr. Gary Padula, Canastota, New York spoke on Oneida Indian Native issues.

On motion by Supervisor Moses, seconded by Supervisor Henderson, the Board adjourned.

