

**MADISON COUNTY BOARD OF SUPERVISORS
MEETING – TUESDAY, JUNE 9, 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 Moses (111 votes), Supervisor Bradstreet (42 votes), Supervisor Bargabos (27 votes), and Supervisor Rafte (55 votes).

Pledge of Allegiance.

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

COMMUNICATIONS

1. Copy of a resolution from Yates County – Urging NYS to Fund Counties 100% for Costs Related to Raising the Age of Criminal Responsibility to 18 Years of Age.

REPORTS

1. Mohawk River Watershed Management Plan Executive Summary.
2. Madison County Rural Health Council 2015 Annual Report.
3. Madison County Soil and Water Conservation Annual Report for 2014.
4. Public Hearing Minutes Pursuant to Section 147(f) of the Internal Revenue Code Regarding Madison County Capital Resource Corp. – Colgate University Project.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$ 1,795,407.54
Miscellaneous Accounts:	\$ 1,654,437.92

UNFINISHED BUSINESS

Res. No. 191-15 Amending Rule No. 6 of the Rules of the Madison County Board of Supervisors. Tabled on 5/12/15 by Supervisor Degear, seconded by Supervisor Ball.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTIONS

By Supervisor Degear:

RESOLUTION NO. 218-15

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

WHEREAS, the Madison County Board of Supervisors believes that County employee 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 Barbara Lee, Keith Hudson and Roy Augustine upon their retirement.

Barbara J. Lee	Social Services	1985 - 2015
Keith Hudson	Sheriff's	1990 - 2015
Roy Augustine	Employment and Training	2001 – 2015

Chairman Becker asked DSS Commissioner Mike Fitzgerald to step forward and presented him with a gift for Barbara Lee, who could not be present today. Barbara was thanked for her 30 years of service to the county. Sheriff Riley then came forward along with Deputy Keith Hudson, who was also presented a gift and thanked for his many years of dedicated service to the County. Next, Planning Director Scott Ingmire and Roy Augustine stepped forward. Mr. Augustine was then presented a gift and was thanked for a great job he did with the Employment and Training Department.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 219-15

APPOINTING A MEMBER TO THE ETHICS ADVISORY COUNCIL

WHEREAS, a vacancy exists on the Ethics Advisory Council due to the resignation of a member; and

WHEREAS, the Government Operations Committee recommends the appointment of the individual listed below;

NOW, THEREFORE BE IT RESOLVED, that Yvonne Nirelli of 6850 Forbes Road, Canastota, New York be and hereby is appointed to fill this vacancy on the Ethics Advisory Council effective immediately, said term expiring on February 11, 2017.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 220-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH THE YMCA OF THE GREATER TRI-VALLEY

WHEREAS, Madison County entered into a Corporate Membership Partner Agreement, with the YMCA of the Greater Tri-Valley on February 10, 2010; and

WHEREAS, employees of entities that enter into such an agreement with the YMCA are provided with significant discounts for membership and other YMCA services; and

WHEREAS, the programs offered to YMCA members provide significant health, morale and welfare benefits to those who take advantage of the services; and

WHEREAS, the agreement requires minimal effort on the part of the County in order to obtain these benefits and discounts;

NOW THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to renew the Agreement, on behalf of Madison County.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 221-15

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 Par 2 in the amount of One Million dollars (\$1,000,000.00), Madison County's distribution after expenses being Seven Hundred Seventy-Four dollars and 39/100 (\$774.39); 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 Par 2, 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 – 1265 NAYS - 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 222-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT FOR FULLY INSURED DISABILITY ADMINISTRATION SERVICES

WHEREAS, Madison County currently has an agreement with The Standard Life Insurance Company of New York (The Standard) for fully insured disability benefit claims administration services for County employees; and

WHEREAS, the current agreement with The Standard includes a 2-year rate guarantee, which would extend the rate of \$3.36 per member per month for the period of July 1, 2015 through June 30, 2016; and

WHEREAS, the County's benefit consultants issued a request for proposals for this time period and subsequently received quotes from four (4) other carriers; and

WHEREAS, the most favorable rate of \$3.36 per member per month, or approximately \$25,200 per year, is the result of the rate guarantee provided by The Standard.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be, and hereby is, authorized to renew an agreement with The Standard Life Insurance Company of New York, for the period of July 1, 2015 through June 30, 2016.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisors Stepanski and Reinhardt:

RESOLUTION NO. 223-15

**AUTHORIZING 2015 BUDGET MODIFICATION FOR THE
FEDERAL & STATE GRANT IMMUNIZATION ACTION PLAN**

WHEREAS, the Madison County Public Health Department has been administering the Immunization Action Plan through federal and state funding provided by the New York State Department of Health; and

WHEREAS, a contract was established in 2013, for a five year term beginning April 1, 2013 through March 31, 2018; and

WHEREAS, Madison County has been awarded \$36,721 to cover year 3 of the contract for the period of April 1, 2015 through March 31, 2016; and

WHEREAS, this grant is identified as follows:

Awarding Agency:	US Department of Health & Human Services Center for Disease Control & Prevention
Pass-through Agency:	NYS Department of Health
Catalog #:	93.268
Program Name:	Immunization Action Plan
Grant Extension:	04/01/15-03/31/16
Contract:	C-028300
Federal Funds:	40%
Total Grant Award:	\$36,721

WHEREAS, the Immunization Action Plan and budget has been approved by the State;

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

General Fund	<u>From</u>	<u>To</u>
<u>4012 Public Health Preventive</u>		
<u>Expense</u>		
541031 Immunization Grant Expense	\$ 2,262	<u>\$10,525</u>
Control Total		<u>\$ 8,263</u>
<u>Revenue</u>		
434010 St. Aid PH Immun Grant	\$20,080	\$25,038
444011 Fed. Aid PH Immun Grant	<u>\$13,387</u>	<u>\$16,692</u>
Total	\$33,467	<u>\$41,730</u>
Control Total		<u>\$ 8,263</u>

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 224-15

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

WHEREAS, the Office of Alcohol and Substance Abuse has approved additional funding for Liberty Resources, Inc., for adjustments to the Federal Supplemental Nutrition Assistance Program (SNAP); and

WHEREAS, these additional funds result in 100% State Aid for 2015 to Liberty Resources, Inc.;

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>		
A431640 434908 SA Liberty Res Halfway House	\$295,662	\$310,127
A431640 434911 SA Liberty Res Perm Sprtv Hsng	<u>62,600</u>	<u>69,339</u>
Totals	<u>\$358,262</u>	<u>\$379,466</u>
Control Total		<u>\$21,204</u>
 <u>Expense</u>		
A431640 542760 Liberty Resources Halfway House	\$295,662	\$310,127
A431640 542770 Perm Supported Hsng Liberty RS	<u>62,600</u>	<u>69,339</u>
Totals	<u>\$358,262</u>	<u>\$379,466</u>
Control Total		<u>\$21,204</u>

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute a modification agreement, copy of which is on file with the Clerk of this Board, for the period January 1, 2015 through December 31, 2015 with Liberty Resources, Inc.

ADOPTED: AYES – 1265 NAYS - 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Stepanski:

RESOLUTION NO. 225-15

**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 and is hereby authorized to enter into an agreement, a copy of which is on file with the Clerk of the Board of Supervisors, with Lisa Bowman, LCSW, for the provision of mental health consultation to the Mental Health

Department at an hourly rate of \$40.00 for services, said rate to be effective May 1, 2015 through December 31, 2015.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 226-15

**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 Abbe Cotter, LCSW-R, 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 June 1, 2015 through December 31, 2015.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Degear:

RESOLUTION NO. 227-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(Aid to Prosecution Grant)**

WHEREAS, the Madison County District Attorney's Office has been awarded grant funds from New York State through the NYS Division of Criminal Justice Services; and

WHEREAS, the State grant award is identified as follows:

Awarding Agency:	NYS Division of Criminal Justice Services
Program Name:	Aid to Prosecution Program
Award Year:	04/01/15 – 09/30/16
Contract Number:	AP15-1026-D00
DCJS Number:	AP15444389 /AP16444389
Total Grant Amount:	(AP15) \$ 29,200.00 (AP16) \$ 14,600.00

WHEREAS, the initial budget for this grant was established in the 2015/2016 budget;

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

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 228-15

ACCEPTANCE AND ALLOCATION OF THE 2015-2016 NEW YORK STATE AID TO PROSECUTION GRANT FOR EMPLOYEES IN THE DISTRICT ATTORNEY'S OFFICE

WHEREAS, the County has been awarded an Aid to Prosecution grant funding by the New York State Division of Criminal Justice Services; and

WHEREAS, the District Attorney has requested to accept and allocate the grant funding to contribute to the salary of the Chief Assistant District Attorney in the office who performs duties including and primarily violent felony prosecutions; and

WHEREAS, the Board previously approved stipends for the New York State fiscal year of 2015-2016 to be established at the discretion of the Madison County District Attorney; and

WHEREAS, the recommendation of the District Attorney for the allocation of the NYS Aid to Prosecution Grant have been reviewed and positively endorsed by the Criminal Justice, Public Safety and Telecommunications Committee; and

WHEREAS, the allocation of the 2015-2016 NYS Aid to Prosecution Grant be and hereby is established to contribute to the salary of District Attorney employees as follows:

Chief Assistant District Attorney	\$43,800.00
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NOW, THEREFORE BE IT FURTHER RESOLVED that said allocation will be reevaluated subject to continued Aid to Prosecution grant funding in the next State budget; and

BE IT FURTHER RESOLVED that such acceptance is conditioned on the approval by this Board and acceptance into the Aid to Prosecution Grant Program.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 229-15

AUTHORIZING THE CHAIRMAN TO APPLY FOR A GRANT FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES – OFFICE OF FIRE PREVENTION AND CONTROL

WHEREAS, the County of Madison has recognized the need to ensure the safety and security of its citizens; and

WHEREAS, the County of Madison is eligible to apply for a grant from the New York State Division of Homeland Security and Emergency Services – Office of Fire Prevention and Control, to support the recruitment and retention of volunteer fire and EMS personnel; and

WHEREAS, the award under this program is set at up to \$25,000;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to apply on behalf of the County of Madison for a grant from the New York State Division of Homeland Security and Emergency Services – Office of Fire Prevention and Control as is on file with the Clerk of the Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 230-15

AUTHORIZING THE CHAIRMAN TO MODIFY AN AGREEMENT WITH SAFETY FIRST TRAINING AND CONSULTING

WHEREAS, Madison County has been awarded grant monies by the New York State Office of Homeland Security from appropriations authorized by Congress under the FFY 2013 and FFY 2014 State Homeland Security Grant Program; and

WHEREAS, these funds provide 100% federal reimbursement of eligible costs incurred in the effort to train first responders and to exercise emergency incident response planning documents dealing specifically with terrorism and weapons of mass destruction as well as the consequences of disasters of all sorts; and

WHEREAS: Safety First Training and Consulting has the skills, expertise, training and certifications to perform the training, planning and exercise regimes specified by Homeland Security and Emergency Services grant programs; and

WHEREAS, the term of this agreement remains the same effective on January 1, 2015 and expire on December 31, 2015; and

WHEREAS, additional contract hours are necessary to effectively implement the mass warning and notification component; 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 authorized to modify the existing agreement with Safety First Training and Consulting to increase the original cost of \$18,750 by \$10,009 for a total of \$28,759 to perform the required services, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 231-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH KINSLEY POWER SYSTEMS

WHEREAS, the County has installed generators at fourteen (14) Tower sites around the County to supply power in the event that power is lost; and

WHEREAS, the County needs to enter into a mechanical service agreement for the preventative maintenance for these fourteen (14) generators throughout the County to keep them in reliable and efficient working condition; and

WHEREAS, the maintenance agreement is for one year in the amount of \$7,530 to inspect, check and service at all fourteen (14) sites; and

WHEREAS, this expenditure is included in the 2015 adopted Madison County budget; and

WHEREAS, the Criminal Justice, Public Safety and Telecommunications Committee has reviewed and approve of this maintenance agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors Chairman be and hereby is authorized to enter into a maintenance agreement with Kinsley Power Systems, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 232-15

AUTHORIZING THE CHAIRMAN TO APPLY FOR A BULLETPROOF VEST PARTNERSHIP PROGRAM FROM THE US DEPARTMENT OF JUSTICE

WHEREAS, the US Department of Justice has a Bulletproof Vest Partnership (FY2015 BVP) Program that reimburses body armor purchases that have a written mandatory wear policy for uniformed patrol officers; and

WHEREAS, the FY2015 BVP funds may only be used towards the purchase of vests ordered on or after April 1, 2015; and

WHEREAS, each vest purchased with FY2015 funds must meet National Institute of Justice Standards on the date it was ordered; and

WHEREAS, vests must be received and the request for payment submitted to the BVP system by August 31, 2017; and

WHEREAS, bulletproof vests expire after five (5) years and the application is being made for \$30,000.00 for the next two years; and

WHEREAS, as the US Department of Justice has a maximum allowable funding of 50% for BVP, the NYS Division of Criminal Justice Services will refund the remainder 50% of new vests for uniformed patrol officers; and

WHEREAS, the County will fund the remaining 50% of replacement vests purchased over the grant period; and

WHEREAS, this application 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 apply on behalf of the County of Madison with the US Department of Justice, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 233-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE TOWN OF MADISON

WHEREAS, The Town of Madison has requested of the Madison County Sheriff specialized law enforcement services, consisting of marine patrol on Lake Moraine in excess of

that usually and normally furnished by the Sheriff to the town; and

WHEREAS, the Sheriff is willing to provide such coverage up to six (6) hours per month; and

WHEREAS, the Town of Madison will reimburse the Sheriff at a rate of \$85.00 per hour; and

WHEREAS, the agreement with the Town of Madison for the provision of Specialized Law Enforcement Services as marine patrol of Lake Moraine will be for a term of one year commencing June 1, 2015 and ending on May 31, 2016 and shall be renewed automatically for successive terms of one (1) year; 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 renew an agreement on behalf of the County of Madison with the Town of Madison, in the form as is on file with the Clerk of this Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 234-15

AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT WITH K&A RADIOLOGIC TECHNOLOGY SERVICES, INC. AND POMCO

WHEREAS, the Sheriff of Madison County seeks to continue to cut costs and maintain the efficiency in the provision of hospital/facility, physician, dental and vision services expenses of inmates through a third party administrator, POMCO; and

WHEREAS, K&A Radiologic Technology Services shall furnish Madison County Jail with portable services to include x-ray, ultrasound, echocardiograms, EKG and Holter monitoring; and

WHEREAS, K&A will bill POMCO directly on behalf of the Madison County Jail for all services performed and agreed upon; and

WHEREAS, the term of this agreement shall become effective as of June 1, 2015 for one (1) year, and shall be automatically renewed on a yearly basis, unless sooner terminated; and

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

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

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 235-15

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT AND A PAYMENT
PROCESSING ADDENDUM WITH SWANSON SERVICES CORPORATION**

WHEREAS, it is necessary to provide commissary services to inmates at the Madison County Jail in the regular course of their incarceration; and

WHEREAS, the Sheriff of Madison County seeks to continue to cut costs and maintain the efficiency in the provision of commissary services to the inmates under his care through the continued use of a single contracted provider of commissary services that meets the needs to the Madison County Jail and to allow for the best pricing for this service, Madison County has been authorized to use the competitively bid process of Onondaga County with this vendor; and

WHEREAS, Swanson Services Corporation does possess the special skills and training required to perform the necessary services and provide the required services pursuant to the terms of the contract; and

WHEREAS, pursuant to the addendum, Swanson Services Corporation will provide cash handling services and payment processing services for payments made for the benefit of the inmates at the Madison County Jail through kiosks, online websites and/or mobile sites or applications operated by Swanson; and

WHEREAS, the services from the payment processing shall be provided by Swanson at no cost to Madison County. Swanson shall charge persons initiating a transaction a service fee in accordance with its rate schedule; and

WHEREAS, the term of this agreement and addendum shall become effective as of June 1, 2015, and shall remain in force for three (3) years and thereafter shall automatically renew for consecutive one (1) year terms, unless sooner terminated; 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 with Swanson Services Corporation, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Raffet0

RESOLUTION NO. 236-15

**AUTHORIZING THE COUNTY TO PROVIDE AQUATIC VEGETATION HARVESTING
SERVICES TO MADISON COUNTY LAKES**

WHEREAS, Madison County presently contracts with the Finger Lakes Association, Inc. to receive a Finger Lakes-Lake Ontario Watershed Protection Alliance (FL-LOWPA) grant from the New York State Environmental Protection Fund; and

WHEREAS, Madison County has received FL-LOWPA funding for the operation of the aquatic weed harvester; and

WHEREAS, Madison County owns a mechanical vegetation harvester and related equipment, which were purchased in 2003 with State grant funds; and

WHEREAS, numerous lakes (DeRuyter, Moraine, Eaton Brook, Gorton, Lebanon, Craine, Hatch) within Madison have expressed initial interest in benefiting from the weed harvester this summer; and

WHEREAS, Madison County can provide this service to lake associations at the very economical cost of \$50/hour; and

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman to sign MOU's (copies of which are on file with the Clerk of this Board) with participating Lake Associations to operate the harvester in the summer of 2015; and

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Salka: (note: 2/3's vote required on this resolution)

RESOLUTION NO. 237-15

RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY MADISON COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A CERTAIN NEW MONEY PROJECT FOR COLGATE UNIVERSITY

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 May, 2015, Colgate University, a New York not-for-profit education corporation (the "University"), 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 University, said Project consisting of the following: (A) the financing of all or a portion of the costs of (1) the construction, renovation and repair by the University of new and existing student residences (the "Residences") located on the University's campus located at 13 Oak Drive in the Village of Hamilton, Madison County, New York (the "Campus") and on Broad Street (NYS Route 12-B) in the Village of Hamilton, Madison County, New York (collectively with the Campus, the "Land"), including but not limited to the construction of a new 5-floor, approximately 66,000 square foot dormitory building expected to be located on the upper campus between Stillman Hall and Andrews Hall and expected to have approximately 200 beds and program space for a residential learning community, (2) the renovation and repair of various athletic facilities, including but not limited to Sanford Fieldhouse, located on the Land (the "Athletic Facilities"), (3) the renovation and repair of various academic facilities, including but not limited to Wynn

Hall, located on the Land (the “Academic Facilities”), (4) the renovation and repair of other various academic, residential, student life, administrative and athletic facilities located on the Land (collectively, the “Miscellaneous Projects”, and collectively with the Residences, the Athletic Facilities, and the Academic Facilities, the “Facility”), and (4) the acquisition and installation thereon and therein of various machinery and equipment (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to constitute an educational facility and other directly and indirectly related activities for use by the University; (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, in an amount not to exceed \$55,000,000 (the “Obligations”); (C) the payment 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 University or such other person as may be designated by the University 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 made a determination regarding the potential environmental impact of the Project; and

WHEREAS, the University 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 Internal Revenue Code of 1986, as amended (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 May 28, 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 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 May 24, 2015 in the Oneida Daily Dispatch, a newspaper of general circulation available to the residents of the Village of Hamilton, Madison County, New York, (B) caused notice of the Public Hearing to be posted on May 21, 2015 at the Village Hall located at 121 Lebanon Street in the Village of Hamilton, Madison County, New York, (C) caused notice of the Public Hearing to be mailed on May 21, 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 June 8, 2015 at 10:00

o'clock, a.m., local time at the Village Courthouse located at 60 Montgomery Street in the Village of Hamilton, 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.

ADOPTED: AYES – 1279 NAYS – 0 ABSENT – 221 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Henderson:

RESOLUTION NO. 238-15

AMENDING RULE NO. 9 AND ADDING RULE NO. 9A TO THE RULES OF THE MADISON COUNTY BOARD OF SUPERVISORS

WHEREAS, Rule No. 9 of the Rules of the Madison County Board of Supervisors sets forth the order of business of this Board; and

WHEREAS, after review by the Administration and Oversight Committee, it has been determined that an amendment be made to Rule No. 9 by adding "Preferred Agendas" to the Rules of the Board of Supervisors; and

WHEREAS, the creation of new Rule No. 9A to the Rules of the Madison County Board of Supervisors is necessary in order to describe the Preferred Agendas process; and

WHEREAS, the amendment to Rule No. 9, and addition of new Rule No. 9A are hereby proposed; and

WHEREAS, the proposed amendments have been made in writing, offered, and laid upon the table for more than 24 hours prior to adoption in accordance with Rule No. 25 of the Rules of the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the amendment to Rule No. 9 adding “Preferred Agendas” and the addition of new Rule No. 9A of the Rules of the Madison County Board of Supervisors be and are hereby effective immediately.

RULE 9.

At all regular meetings of the Board the following shall constitute the order of business:

1. Pledge of Allegiance
2. Roll Call
3. Approving Minutes
4. Presentation of Petitions and Communications
5. Reports of Committees
6. Miscellaneous and Unfinished Business
7. Preferred Agendas **(added)**
8. Resolutions, Notices and Motions
9. Special Order Matters
10. Public Comment Period

RULE 9A. (added)

A Preferred Agenda by legislative committee may be presented at any regular/annual session of the Board of Supervisors. A Preferred Agenda shall be limited to resolutions that have been adopted unanimously in committee(s) and designated by the recommending legislative committee or the Chair of the Board of Supervisors, as being routine and not likely to need or require discussion by the Board. However, any Supervisor may request, and must be granted in all instances, that separate consideration be given to any resolution within a Preferred Agenda, as such Agenda comes before the Board for consideration. A Preferred Agenda, as such shall be voted upon by a single Roll Call vote. The Clerk of the Board shall assign appropriate introductory and permanent numbers to each resolution within a Preferred Agenda. Resolutions shall not be included in the preferred agenda if they: Adopt Local Laws, Change the Rules of the Board of Supervisors; Requires a greater than simple majority vote to approve; Appropriate money from the Contingent Fund or from any form balance; Levy Taxes or fees; Ratify union contracts; Authorize borrowing; Received any negative vote(s) in committee; Are designated as non-routine by the recommending legislative committee or Chair of the Madison County Board of Supervisors.

On motion by Supervisor Goldstein, seconded by Supervisor Shwartz, this resolution is TABLED until the next meeting scheduled for July 14, 2015.

By Supervisor Bono:

RESOLUTION NO. 239-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH CONSTELLATION ENERGY SERVICES OF NEW YORK, INC., FOR ELECTRICITY 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 Constellation Energy Services of New York, Inc., as the lowest responsible bidder for electricity; and

WHEREAS, Madison County has received and reviewed proposals for electricity from Constellation 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 County Building and Grounds Committee recommends entering an agreement with Constellation Energy Services of New York, Inc. and locking in at a fixed price for thirty (30) months.;

NOW, THEREFORE, BE IT RESOLVED, that 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 Constellation for electricity supply in accordance with the terms and conditions of Constellation'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 Constellation Energy Services of New York, Inc., a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Bono:

RESOLUTION NO. 240-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN UNDERTAKING WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, the Highway, Buildings and Grounds Committee met on May 20, 2015 and authorized the Madison County Highway Department to proceed with an Undertaking to maintain the municipal owned utilities that reside within the State right-of-way; and

WHEREAS, this maintenance highway work permit is in relation to all operations and/or actions undertaken within State right-of-way; and

WHEREAS, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an Undertaking on behalf of the County of Madison with The

New York State Department of Transportation in the form as is on file with the Clerk to the Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Goldstein:

RESOLUTION NO. 241-15

Project Action: Disposal of OCRRA WTE Facility Ash Residue at the Madison County Landfill as Alternative Landfill Cover Material

RESOLUTION ESTABLISHING MADISON COUNTY AS LEAD AGENCY AND DETERMINING THAT THE PROPOSED DISPOSAL OF ONONDAGA COUNTY RESOURCE RECOVERY AGENCY WASTE TO ENERGY FACILITY ASH RESIDUE AT THE MADISON COUNTY LANDFILL IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, Madison County is proposing to enter into an inter-municipal agreement with the Onondaga County Resource Recovery Agency (OCRRA) to accept ash residue from their Waste to Energy (WTE) facility for use as alternative landfill cover material (the “Project”); and

WHEREAS, on May 15, 2015, Madison County caused a letter and Part 1 of the Short Environmental Assessment Form (EAF) to be sent to other potentially “involved agencies” (as this quoted term is defined in the State Environmental Quality Review Act [SEQRA] Regulations found at 6 NYCRR Part 617), indicating Madison County’s (“County”) desire to serve as “lead agency” (as this quoted term is defined in the SEQRA Regulations) for a SEQRA coordinated review of the Project; and

WHEREAS, the SEQRA requires that certain procedures be followed and that certain determinations be made regarding such an activity; and

WHEREAS, each of the involved agencies has agreed to or raised no objections to Madison County serving as lead agency of the Project; and

WHEREAS, pursuant to the SEQRA Regulations, Madison County has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the EAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the EAF, together with other available supporting information, to identify the relevant areas of environmental concern:

NOW, THEREFORE, BE IT RESOLVED, pursuant to and in accordance with the coordinated review requirements of SEQRA, Madison County hereby establishes itself as lead agency for the Project; and

BE IT FURTHER RESOLVED, that based upon an examination of the EAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the County’s knowledge of the subject of the Project, the County makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and

BE IT FURTHER RESOLVED, that as a consequence of such findings and declaration and in compliance with the requirements of SEQRA, Madison County, as lead agency, hereby directs the Director of the Madison County Department of Solid Waste, Sanitation and Recycling to prepare a Negative Declaration in accordance with 6 NYCRR § 617.12 and to file a copy of the Negative Declaration for the Project in accordance with the SEQRA Regulations; this Resolution shall take effect immediately.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 242-15

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

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

WHEREAS, Onondaga County Resource Recovery Agency (OCRRA), a public benefit corporation located in the State of New York is possessed with a supply of Alternative Landfill Cover Material (Ash Residue from the OCRRA Waste to Energy Facility) which such material may be used according to the New York State Department of Environmental Conservation; and

WHEREAS, the Agency (OCRRA), a public benefit corporation located in the State. is willing to provide such material and it is in the best interest of Madison County to receive same upon payment to Madison County of the agreed upon price of \$14.00 for each ton of Ash Residue received; and

WHEREAS, Madison County has performed a SEQRA review for the project and issued a Negative Declaration indicating that the agreement will not have a significant adverse environmental impact;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board be and is hereby authorized and directed to enter into a Five (5) year Agreement with Onondaga County Resource Recovery Agency commencing on June 10, 2015 and ending June 9, 2020 with an option to extend the Agreement an additional five (5) years. A copy of this Agreement is on file with the Clerk of this Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 243-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH COMMUNITY BANK N.A FOR SELLING SOLID WASTE PUNCH CARDS

WHEREAS, private vendor in the County are willing to sell solid waste punch cards, and it is in the best interest of Madison County to approve such vendor; and

WHEREAS, a standard Agreement has been reviewed and approved by the County Attorney whereby such arrangement may be formalized with any vender interested in providing such service to the County;

NOW, THEREFORE, BE IT RESOLVED, that Madison County enter into an Agreement with vendors that are approved by the Solid Waste Committee and are willing to provide the

service of selling punch cards consistent with the provisions of the Agreement, a copy of which is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the Chairman of this Board is hereby authorized and directed to enter into an Agreement with (Solid Waste Committee approved vendor, COMMUNITY BANK N.A, Oneida, NY.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 244-15

**AUTHORIZING AMENDMENT TO BARTON & LOGUIDICE ENGINEERS, PLLC
AGREEMENT FOR ARE PARK WATER LINE PROJECT ENGINEERING SERVICES**

WHEREAS, Madison County has engaged Barton & Loguidice Engineers, PLLC to provide engineering services with regard to the County's water supply project serving the ARE Park and Town of Lincoln; and

WHEREAS, the project design has been changed to include a new two pressure zone system that requires two new pump stations and storage tanks to be located on Oxbow Road and on County property adjacent to the ARE Park respectively; and

WHEREAS, the cost of the overall project should be reduced as a result of the new two pressure zone design, however the two new facilities will require additional subcontracted geotechnical services costing approximately \$25,000, that are not included in the currently authorized contract for engineering services, necessitating an amendment to the contract to increase the contract value to a total of \$290,000;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board is hereby authorized and directed to modify the current Agreement with Barton & Loguidice Engineers, PLLC to furnish additional professional engineering services in connection with the County's two zone water supply project at an additional cost not to exceed \$25,000.00. Accordingly, the total compensation under the current professional engineering services Agreement shall be modified to, not to exceed \$290,000.00 A copy of said Agreement is filed with the Clerk of this Board; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Reinhardt:

RESOLUTION NO. 245-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENT WITH THE NEW YORK
STATE DIVISION OF CRIMINAL JUSTICE
SERVICES (DCJS)**

WHEREAS, the Madison County Clerk's Office oversees the Madison County DMV, and

WHEREAS, new Federal Motor Carrier Safety Administration regulations take place July 8, 2015 governing Commercial Driver's Licenses, and

WHEREAS, the Madison County DMV processes these permits and licenses and facilitates examinations under these regulations; and

WHEREAS, new regulations require fingerprinting and background checks for those who come in contact with these licensing procedures, and

WHEREAS, using federal grant funding, New York State DMV has arranged for fingerprinting and background checks through the New York State Division of Criminal Justice Services and Morpho Trust at no cost to the County DMVs if completed before June 30, 2015, and

WHEREAS, the Madison County Clerk's Office has been authorized to submit civil fingerprints and fees in connection with CDL license related purposes related to the CMVSE Act. To do so, a Use & Dissemination Agreement must be executed and submitted to DCJS;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors authorizes the Chairman to enter into said agreement with DCJS, copies of which are on file with the Clerk of the Board.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 246-15

AUTHORIZING THE CANCELLATION OF 2013, 2014 AND 2015 TOWN AND COUNTY TAXES INCLUDING SCHOOL RELEVIES FOR A PARCEL OF LAND IN THE TOWN OF SULLIVAN

WHEREAS, the Madison County Treasurer's Office has researched a parcel identified by tax map #24.-1-57.212 located in the Town of Sullivan; and

WHEREAS, the parcel was split due to a deed being filed by M&T Bank; and

WHEREAS, upon researching the deed and having numerous conversations with the taxpayer, it was discovered that M&T Bank should not have filed the deed because they had never owned any of the parcel; and

WHEREAS, the parcel is currently tax mapped correctly for the 2015 roll; and

WHEREAS, the Madison County Treasurer's Office has no legal avenue to enforce the delinquent taxes since the parcel should have never been split;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Treasurer be and is hereby directed to cancel the 2013, 2014 and 2015 and their corresponding school relevies, including interest and penalties, totaling \$1,054.14.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 247-15

AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT FOR LIEN AND TITLE SEARCH SERVICES

WHEREAS, Madison County Treasurer is required, in connection with Article 11 of the New York State Real Property Tax Law In Rem Foreclosure Proceeding, to serve Petitions and Notices of Foreclosure to lien holders of record; and

WHEREAS, there are approximately 580 parcels that are currently in the foreclosure process due to delinquent 2014 Town & County real property taxes; and

WHEREAS, the County issued a request for proposals to provide lien searches, bankruptcy searches and to update lien searches prior to the County foreclosing on such parcels; and

WHEREAS, the most favorable bids were submitted by Allied American Abstract Corporation and Leatherstocking Abstract Corporation, at a cost of \$75.00 per completed lien search and \$5.00 per bankruptcy search; and

WHEREAS, these corporations have successfully provided the required services in the prior year, and have proposed no increase in fees;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be authorized to execute an agreement with Allied American Abstract Corporation and Leatherstocking Abstract Corporation, as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Reinhardt:

RESOLUTION NO.248-15

AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET

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

Modification No. 1

General Fund

1010 Legislative Board

Expense

	<u>From</u>	<u>To</u>
A101010 513000 Personal Services	\$-0-	\$5,400
A101010 582100 Social Security Expense	35,900	36,313

1680 Information Technology

Expense

A168010 511000 Personal Services	\$461,749	\$456,349
A168010 582100 Social Security Expense	<u>35,707</u>	<u>35,294</u>

Control Totals	<u>\$533,356</u>	<u>\$533,356</u>
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Modification No. 2

General Fund

1680 Information Technology

Expense

	<u>From</u>	<u>To</u>
A168010 529060 Telephone System	\$-0-	<u>\$125,720</u>

Control Total		<u>\$125,720</u>
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A300599 Budgetary Fund Balance Unreserved	<u>\$4,135,682</u>	<u>\$4,261,402</u>
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Control Totals		<u>\$125,720</u>
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Modification No. 3

General Fund

3110 Sheriff Department

Expense

	<u>From</u>	<u>To</u>
A311030 511000 Personal Services	\$2,416,135	\$2,412,596
A311030 541030 Training & Staff Development	33,676	37,486
A311030 582100 Social Security Expense	184,835	184,564

9030 Social Security & Medicare Expense

Expense

A903090 582100 Social Security Expense	1,561,746	1,561,475
A903090 581301 Allocation Social Security	<u>(1,561,746)</u>	<u>(1,561,475)</u>

Control Totals	<u>\$2,634,646</u>	<u>\$2,634,646</u>
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Modification No. 4

County Road Fund

5112 Construction Projects

Expense

	<u>From</u>	<u>To</u>
D511250 545061 New Boston Rd Culvert	\$ 175,000	\$110,000
D511250 547340 Asphalt Paving	<u>100,000</u>	<u>165,000</u>

Control Total	<u>\$ 275,000</u>	<u>\$275,000</u>
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ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisors Bono, Degear and Reinhardt:

RESOLUTION NO. 249-15

AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET

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

General Fund

1620 County Buildings

Expense

	<u>From</u>	<u>To</u>
A162010 527030 Parking Lot Paving	\$-0-	\$213,400
A162010 527031 Parking Lot Sealing	-0-	19,580
A162010 527032 Parking Lot Striping	-0-	7,150
A162010 527033 Sidewalks	-0-	213,785
A162010 527034 Curbing	-0-	60,500
A162010 529003 DSS Bldg Renovation (WIA)	-0-	634,491
A162010 529006 Prof Svcs-COB Renovation	-0-	45,000
A162010 529042 DSS Driveway Expansion & Lighting	-0-	93,000
A162010 529043 Squad Room Building Expense	-0-	13,145

1010 Legislative Board

Expense

A101010 541124 DOJ Compliance Expense	-0-	100,000
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6010 Social Services Administration

Expense

A601060 527060 Driveway Expansion & Lighting	50,000	-0-
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1990 Contingent Fund

Expense

A199010 544440 Contingent Fund	<u>1,899,305</u>	<u>1,786,160</u>
Totals	<u>\$1,949,305</u>	<u>\$3,186,211</u>
Control Total		<u>\$1,236,906</u>
A599 Appropriated Fund Balance	<u>\$4,261,402</u>	<u>\$5,498,308</u>
Control Total		<u>\$1,236,906</u>

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisor Henderson:

RESOLUTION NO. 250-15

REQUESTING THE WAIVER OF RULE NO. 24 AND NO. 24-A

WHEREAS, Rule No. 24 requires that all resolutions intended to be moved for adoption at a regular meeting shall be filed with the Clerk not less than seven (7) calendar days prior to the meeting; and

WHEREAS, Rule No 24-A requires that all such resolutions be introduced by the Chairman of the Legislative Board having jurisdiction after having been filed with the Chairman at least ten (10) days prior to the meeting at which time it is to be introduced;

NOW, THEREFORE BE IT RESOLVED, that Rule No. 24 and 24-A are hereby waived only for the purpose of supporting and implementing New York State legislation authorizing and directing the sharing of the New York State Share of Oneida Nation gaming revenue generated in Madison County.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

By Supervisors Becker and Degear:

RESOLUTION NO. 251-15

RESOLUTION IN SUPPORT AND IMPLEMENTATION OF NEW YORK STATE LEGISLATION AUTHORIZING AND DIRECTING THE SHARING OF THE NEW YORK STATE SHARE OF ONEIDA NATION GAMING REVENUE GENERATED IN MADISON COUNTY

WHEREAS, the State of New York, the Oneida Nation, Oneida County and Madison County entered into a settlement known as the Oneida Settlement Agreement, dated May 16, 2013 with an effective date of March 4, 2014 (codified by N.Y.S Executive Law Section 11, Indian Law Section 16 and State Finance Law Section 99-h);

WHEREAS, Section III of the Oneida Settlement Agreement provides, among other things, for the Oneida Nation to share with New York State “twenty-five percent (25%) of any Net Win (as defined in Section II(N)) of this Agreement with respect to Gaming Devices operated by or on behalf of the Nation”;

WHEREAS, at the time the Oneida Settlement Agreement was drafted, executed, and initially implemented, the Oneida Nation operated a single gaming facility, namely the Turning Stone Casino in Oneida County, and had no stated plans to operate elsewhere;

WHEREAS, Section III(B) of the Oneida Settlement Agreement provides, in part, that the State of New York “shall make twenty-five percent (25%) of the Nation Payment available to the County of Oneida” as a host County benefit that continues for the duration of the agreement;

WHEREAS, Madison County was not deemed to be a host County under the Oneida Settlement Agreement and did not receive host County benefits;

WHEREAS, the State of New York, in preparing and presenting the Oneida Settlement Agreement, never contemplated gaming operations would be conducted by the Oneida Nation in Madison County;

WHEREAS, Madison County, in reviewing and ultimately voting to accept the Oneida Settlement Agreement as drafted by New York State and the Oneida Nation, never contemplated gaming operations would be conducted by the Oneida Nation in Madison County;

WHEREAS, the Oneida Nation commenced gaming employing Gaming Devices at its SavOn convenience store in Canastota, in Madison County in November 2014;

WHEREAS, on June 2, 2015 the Oneida Nation opened its new Yellow Brick Road Casino, a \$20 million gaming venue located on NYS Route 5 Chittenango, in western Madison County, initially having 430 “Vegas-style” cash slot machines, a 500 seat bingo hall, a Keno Lounge, general store and numerous restaurants and bars;

WHEREAS, the Oneida Nation’s current gaming operations in Canastota, extensive new gaming operations in Chittenango, and any future gaming operations in Madison County require or will require Madison County to incur substantial additional costs to serve these facilities through expanded police and other municipal services to handle increased traffic, crime, and other off-site impacts that host communities experience when casinos and other significant gaming operations are conducted;

WHEREAS, additional impacts will result from significant commercial activities in competition with existing local businesses including loss of state and local sales tax revenue;

WHEREAS, sharing of State gaming revenue with Madison County is consistent with current law and practice (See N.Y.S. State Finance Law Section 99-h (3) (providing that moneys allocated under this provision are to reimburse “municipal governments that host tribal casinos ...for costs incurred in connection with services provided to such casinos ...”). See *generally* Upstate New York Gaming and Economic Development Act, 2013 N.Y. ALS 174 (noting in “General Provisions” of Article 13 that the state will ensure that host communities are provided with funding to limit any potential adverse impacts of casinos));

WHEREAS, the Oneida Settlement Agreement contemplates that some or all of the parties might enter into voluntary or mutual agreements to address financial matters or other matters not covered in the Agreement, or modify terms regarding matters covered by the Agreement, with a requirement that any such supplemental agreement or modification be in writing and executed by the party to be charged;

WHEREAS, a Supplemental Agreement between the state of New York and the County of Madison has been prepared, providing for Madison County to receive the same percentage of

the State's gaming revenue from operations conducted in Madison County as that provided to Oneida County;

WHEREAS, New York State is able to share a portion of all Madison County-derived gaming revenue with Madison County as the host County without reducing any revenue owed to Oneida County under the Oneida Settlement Agreement;

WHEREAS, the Supplemental Agreement has been reviewed with the Governor's office and, as recommended, legislation drafted to implement its terms;

WHEREAS, such legislation has been 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 A7844, to approve and implement the Supplemental Agreement and revenue share;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors urges the prompt enactment by the Legislature and the immediate signing into law by the Governor of S5670 and A7844, together with the execution of the Supplemental Agreement and the implementation of its terms.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

At this time Chairman Becker read into the minutes, the following resolution designating Madison County, New York as a "Purple Heart County." He then called on Veterans Director Donald Smith who acknowledged and thanked the Board for this resolution honoring those who served our country. There are over three hundred veterans in Madison County that have received a purple heart with thirty-three of them still living. Mr. Smith then proceeded to read the names of those who were present at today's meeting as follows:

The Military Order of the Purple Heart representatives Richard Drago and Tom Margrave, along with Benson Barrett, Stanley Buyea, Rob DuBuke, Doug Ginney, David Harp, Donald Stanford, John Thibado, Robert Howe. All were applauded with a standing ovation.

By Supervisors Stepanski and Becker:

RESOLUTION NO. 252-15

DESIGNATING MADISON COUNTY, NEW YORK AS A PURPLE HEART COUNTY

WHEREAS, it is incumbent upon this body to remember those individuals whose sacrifices in the service of their Country, enable Americans to enjoy the freedom they so celebrate and cherish; and

WHEREAS, on August 7th 1782, at his headquarters in Newburgh, New York, Commander in Chief General George Washington established the "Badge of Military Merit", for singular meritorious action, which would serve as the precursor to the modern day Purple Heart; and

WHEREAS, 150 years later on February 22, 1932, under General Douglas MacArthur's guidance, War Department General Order Three created the Purple Heart, which is awarded to

any member of the United States Armed Services wounded or killed in combat with a declared enemy of the United States; and

WHEREAS, military veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm's way for the good of all; and

WHEREAS, the contributions and sacrifices of the men and women from Madison County that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, thousands of men and women in uniform, many from Madison County, have made the ultimate sacrifice by giving their lives while serving in the Armed Forces; and

WHEREAS, the residents of Madison County have great respect, admiration and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces, most often at a great personal sacrifice; and

WHEREAS, many citizens of communities within Madison County have been awarded the Purple Heart Medal as a result of being wounded or killed while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service;

NOW, THEREFORE BE IT RESOLVED, that Madison County Board of Supervisors hereby proclaims Madison County as a Purple Heart County, honoring the service and sacrifice of our Nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward a copy of this resolution to the Military Order of the Purple Heart.

ADOPTED: AYES – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

RESOLUTION NO. 253-15

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 – 1265 NAYS – 0 ABSENT – 235 (Moses, Bradstreet, Bargabos, Rafte)

PUBLIC COMMENT PERIOD

Speakers:

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

On motion by Supervisor Reinhardt, seconded by Supervisor Stepanski, the Board adjourned.