

**MADISON COUNTY BOARD OF SUPERVISORS
MEETING – TUESDAY, MARCH 10, 2015**

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

Pledge of Allegiance.

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

COMMUNICATIONS

1. Copy of a Resolution from Erie County – Opposition to Governor Cuomo’s Proposal to Increase State Influence on Local IDA Decision Making.

REPORTS

1. Cornell Cooperation Extension of Madison County – 2014 Annual Report.
2. Madison County Occupancy Tax Receipts/Expenditures for Quarter 10/1/14-12/31/14

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$2,170,532.65
Miscellaneous Accounts:	\$ 976,153.62

UNFINISHED BUSINESS

Res. No. 69-15 – Authorizing the Forbearance From Exercising the Right of Repayment to the County of Sums Paid by Reason of an Erroneous Assessment.

Supervisor Pinard offered the following amendment, which was seconded by Supervisor Henderson and reads as follows:

Amendment 3/10/15
RESOLUTION NO. 69-15

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED that after the entry of the final order of the court the County Treasurer make a determination of the portion thereof that Emkey Resources LLC shall be obligated to pay and as to the difference between such sum and Schedule A (otherwise required to be repaid by the municipal jurisdictions) shall be forgiven.

A vote was taken on the amendment as follows:

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

A final vote on the resolution with approved amendment was taken as follows:

**ADOPTED: AYES – 1158 NAYS – 69 (Bradstreet, Bargabos) ABSTAIN – 218
(Moses, Ball, Bono) ABSENT – 55 (Rafte)**

RESOLUTIONS

By Supervisor Degear:

RESOLUTION NO. 71-15

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE (Public Health)

WHEREAS, the 4th National Cribs for Kids Conference will be held April 14-17, 2015, in Pittsburgh, PA; and

WHEREAS, Eric Faisst, Director of Public Health, has requested that Adah Vaughn, Registered Professional Nurse II attend said conference; and

WHEREAS, her expenses are fully funded by the Child Fatality Review Team Grant received by the Sheriff's Office; and

WHEREAS, this request has been reviewed and approved by the Health and Human Services Committee and the Government Operations Committee;

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

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

RESOLUTION NO. 72-15

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

WHEREAS, the Internal Affairs Conference and Certification will be held May 17 – 22, 2015, in East Brunswick, NJ; and

WHEREAS, the Madison County Sheriff has requested that Eric Ali, Deputy Sheriff Captain attend this conference; and

WHEREAS, his expenses are fully funded 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 Eric Ali be and hereby is authorized to attend said conference.

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

At 2:20 p.m. Chairman Becker announced the scheduled public hearing on the map, plan and construction of the proposed Madison County Sewer District improvements and asked for a motion to open the public hearing. Supervisor Zupan made the motion to open the public hearing, seconded by Supervisor Bradstreet and carried.

After calling for speakers, and no one wishing to speak, Chairman Becker asked for a motion to close the public hearing, which was offered by Supervisor Degear, seconded by Supervisor Moses and carried.

RESOLUTION NO. 73-15

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

WHEREAS, the NCA Leadership Training will be held May 31 - June 3, 2015, in Washington, DC; and

WHEREAS, the Madison County Sheriff has requested that Child Advocacy Center Director, Renee Smith attend said conference; and

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

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

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

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

RESOLUTION NO. 74-15

APPOINTING A DIRECTOR OF EMERGENCY MANAGEMENT SERVICES

WHEREAS, Resolution No. 338 of 2014 established the Office of Emergency Management and created a Director of Emergency Management Services position; and

WHEREAS, the Criminal Justice, Public Safety and Telecommunications Committee and the Government Operations Committee recommend the appointment of Theodore W. Halpin, Jr. as the Director of Emergency Management Services,

NOW, THEREFORE BE IT RESOLVED that Theodore Halpin be and hereby is appointed Director of Emergency Management Services at the 2015 annual salary of \$75,646 effective March 11, 2015 pending successful completion of all pre-employment requirements,

BE IT FURTHER RESOLVED that the title of Fire Coordinator be and hereby is added to the Management Salary Plan and be allocated to Grade 6 of the plan.

ADOPTED: AYES – 1418 NAYS – 27 (Bargabos) ABSENT – 55 (Rafte)

RESOLUTION NO. 75-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH SPECTROTEL, INC.

WHEREAS, Peter Gray, PAG Services, Inc. has reviewed and compared our current telephone rates with other vendors, and

WHEREAS, Peter Gray, PAG Services, Inc. has submitted a proposal from Spectrotel, Inc. for telephone services that would save Madison County approximately 7% of the fees that are presently being paid to Metropolitan Telecommunications (MetTel), and

WHEREAS, Spectrotel, Inc. has agreed to maintain the pricing as departments are consolidated and lines are cancelled with no early termination fee, and

WHEREAS, Spectrotel, Inc. like MetTel, is a Verizon reseller so there will be no change in services;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to execute the agreement for telephone services with Spectrotel, Inc. effective immediately, a copy of which is on file with the Clerk to the Board.

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

RESOLUTION NO. 76-15

REAPPOINTING THE COUNTY PERSONNEL OFFICER

WHEREAS, by Resolution No. 132 of 2009, Eileen Zehr was appointed to a six year term as Personnel Officer expiring April 13, 2015; and

WHEREAS, the Government Operations Committee recommends the reappointment of Eileen Zehr for another term,

NOW, THEREFORE BE IT RESOLVED that Eileen Zehr of Canastota, New York be and hereby is appointed Madison County Personnel Officer for a term of six years at the 2015 annual salary of \$77,773 effective April 14, 2015.

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

RESOLUTION NO. 77-15

**AUTHORIZING AN INTER-MUNICIPAL AGREEMENT
WITH ONONDAGA COUNTY**

WHEREAS, Madison County is required to have a Director of Real Property Tax Services (the “Director”); and

WHEREAS, the position of Director is presently vacant; and

WHEREAS, the County Administrator has worked closely with Onondaga County to negotiate the terms of an inter-municipal agreement for the purpose of Onondaga County providing the function of Director of Real Property Tax Services for Madison County; and

WHEREAS, this agreement will be beneficial to the taxpayers of Madison and Onondaga Counties by reducing operational costs in the respective counties through shared services, and

WHEREAS, Madison County is estimated to save approximately \$80,000 annually in salary and fringe costs through this agreement; and

WHEREAS, the Government Operations Committee has recommended that Madison County enter into an inter-municipal agreement with Onondaga County for the purpose of providing the function of Director of Real Property Tax Services;

NOW, THEREFORE BE IT RESOLVED, that Madison County shall enter into an inter-municipal agreement with Onondaga County to provide the function of Director of Real Property Tax Services at the rate of \$70.53 per hour, not to exceed \$15,000, for an initial term of April 14, 2015 through December 31, 2015, with four (4) automatic annual renewals of one (1) year each, with the budget and maximum compensation amount for each renewal year to be negotiated and agreed upon by the parties on an annual basis ; and

BE IT FURTHER RESOLVED, that the Chairman of the Board is hereby authorized to execute the inter-municipal agreement between the County of Madison and the County of Onondaga in the form as is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that a stipend of \$10,000 shall be provided to the county employee who shall be assigned administrative oversight for the Real Property Tax Services Department for 2015, such assignment to be made at the discretion of the County Administrator.

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

By Supervisor Stepanski:

RESOLUTION NO. 78-15

REAPPOINTING MEMBERS OF THE BOARD OF HEALTH

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

WHEREAS members Board of Health were appointed for six (6) year terms by previous resolutions; and

WHEREAS, Public Officers Law Section 30 requires the Board of Health members to file their official oath of office within thirty (30) days after notice of their appointment, or within thirty (30) days of the commencement of their term of office; and

WHEREAS, the same was not accomplished requiring that the following Board of Health members be reappointed:

- Alex Stepanski, Board of Supervisors Representative – appointed 5/13/14
- John Endres, DVM – term expires 12/31/16
- Maggie Argentine, PhD, RN, CNE – term expires 12/31/15
- Samuel Barr, DDS – term expires 12/31/18
- Wendy Cary, City of Oneida – term expires 12/31/18
- Rachel Elder, MD – term expires 12/31/18
- Jennifer Meyers, MD – term expires 12/31/15

NOW, THEREFORE BE IT RESOLVED that all members of the Board of Health be and hereby are reappointed effective immediately for the above listed terms, commencing on March 10, 2015.

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

RESOLUTION NO. 79-15

**PUBLIC HEALTH DEPARTMENT CHARGES
APPROVED CHARGES AND FEE SCHEDULE**

WHEREAS, Madison County Public Health Department is approved as a Licensed Home Care Agency to provide Maternal Child Health visits and a Diagnostic and Treatment Center to administer vaccines; and

WHEREAS, a sliding fee scale based on the Federal Poverty level is required by regulation to charge a lesser fee for Private Pay Clients based on income; and

WHEREAS, the vaccine and administrative costs have increased as noted below; and

2015 Sliding Fee Scale, Effective 3/10/15

Family Size	**200%	250%	300%	350%	400%
1	\$23,540	\$29,425	\$35,310	\$41,195	\$47,080
2	\$31,860	\$39,825	\$47,790	\$55,755	\$63,720
3	\$40,180	\$50,225	\$60,270	\$70,315	\$80,360

4	\$48,500	\$60,625	\$72,750	\$84,875	\$97,000
5	\$56,820	\$71,025	\$85,230	\$99,435	\$113,640
6	\$65,140	\$81,425	\$97,710	\$113,995	\$130,280
7	\$73,460	\$91,825	\$110,190	\$128,555	\$146,920
8	\$81,780	\$102,225	\$122,670	\$143,115	\$163,560
Each Additional Person	\$8,320	\$10,400	\$12,480	\$14,560	\$16,640

Immunizations

DTap	\$21	\$28	\$35	\$42	\$49
HPV/Gardasil	\$143	\$150	\$157	\$164	\$171
Hepatitis B Adult	\$36	\$43	\$50	\$57	\$64
Hepatitis B Child up to 19 yrs	\$14	\$21	\$28	\$35	\$42
Hepatitis A Adult	\$30	\$37	\$44	\$51	\$58
Hepatitis A Child up to 19 yrs	\$20	\$27	\$34	\$41	\$48
Twinrix (Hep A & B)	\$59	\$66	\$73	\$80	\$87
HIB	\$19	\$26	\$33	\$40	\$47
IPOL	\$27	\$34	\$41	\$48	\$55
Mantoux (TB)	\$6	\$13	\$20	\$27	\$34
Menactra/Meningococcal	\$110	\$117	\$124	\$131	\$138
MMR	\$57	\$64	\$71	\$78	\$85
Pneumococcal-Pneumovax 23	\$67	\$74	\$81	\$88	\$95
Pneumococcal- Prevnar 13	\$145	\$152	\$159	\$166	\$173
Tdap-Boostrix/Adacel	\$36	\$43	\$50	\$57	\$64
Varicella/Varivax	\$94	\$101	\$108	\$115	\$122
Lead testing	\$12	\$24	\$36	\$48	\$60
Car Seats	\$10	\$25	\$35	\$45	\$45
Admin Fee - VFC Vaccine	\$0	\$11.20	\$16.80	\$22.40	\$28.00
Multishot Admin Fee (each additional shot)	\$0	\$5.60	\$8.40	\$11.20	\$14.00

The Following are Flat	
Post Exposure Rabies	\$275
Zostavax (Shingles)	\$190
Flu	\$40

Note:** These percentages represent the Federal Poverty Level. If the monthly income, based on family size, falls between minimum and first column, fee scale amount is the minimum column or 200% of the federal poverty level. Use this same criteria across the columns. If the income is less than the minimum amount, special consideration must be made by addressing the issue with management.

WHEREAS, both the Board of Health and the Health and Human Services Committee agree to approve the attached fee scale for all services based on the latest Federal Poverty guidelines and the current costs of vaccines; and

NOW, THEREFORE BE IT RESOLVED that the proposed full fee charges are approved, effective March 10, 2015.

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

RESOLUTION NO. 80-15

REAPPOINTING MEMBERS 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 members of the Community Services Board were appointed for four (4) year terms by previous resolutions; and

WHEREAS, Public Officers Law Section 30 requires the Community Services Board members to file their official oath of office within thirty (30) days after notice of their appointment, or within thirty (30) days of the commencement of their term of office; and

WHEREAS, the same was not accomplished requiring that the following Community Services Board members be reappointed:

- Denise Cavanaugh - 1st term expires 12/31/16
- Shelia Gallogly - 1st term expires 6/30/15
- Melinda Hathaway - 1st term expires 12/31/16
- G. Richard Kinsella - 1st term expires 12/31/17
- Robert Kohlbrenner - 1st term expires 12/31/18
- Tracy Palmer - 2nd term expires 12/31/17
- Dennis Rahn - 2nd term expires 12/31/15
- Virginia Whitford-Anken - 1st term expires 12/31/16

NOW, THEREFORE BE IT RESOLVED that all members of the Community Services Board be and hereby are reappointed effective immediately for the above listed terms, commencing on March 10, 2015.

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

RESOLUTION NO. 81-15

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 Kathryn Scheirer, LMSW, for the provision mental health consultation to the Mental Health Department at an hourly rate of \$40.00 for services, said rate to be effective March 1, 2015 through December 31, 2015.

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

RESOLUTION NO. 82-15

**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 and more specifically there is State Aid available for 100% of the costs associated with this position;

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 Alexa Brayman-Dickson, LMSW, for the provision mental health consultation to the Mental Health Department at an hourly rate of \$40.00 for services, said rate to be effective March 1, 2015 through December 31, 2015.

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

By Supervisors Stepanski and Reinhardt:

RESOLUTION NO. 83-15

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

WHEREAS, the Office of Alcohol and Substance Abuse has approved one-time funding for Liberty Resources, Inc., to offset a deficit resulting from a reduction in actual food stamp revenue; and

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

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

<u>4316 Mental Health - Liberty Resources</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A4316 434908 St. Aid MH Liberty Resources	289,614	296,143
Control Total		<u>\$ 6,529</u>
<u>Expense</u>		
A4316 542760 Liberty Resources - Halfway	289,614	296,143
Control Total		<u>\$ 6,529</u>

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

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

By Supervisor Stepanski:

RESOLUTION NO. 84-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH CATHOLIC CHARITIES OF ONEIDA/MADISON COUNTIES**

WHEREAS, the need has been identified for case management services and a temporary, safe housing option for runaway and homeless youth under the age of 21 to use while services are being put into place to either reunite them with their families or to connect them to other suitable permanent housing if reunification is not an option; and

WHEREAS Catholic Charities of Oneida/Madison Counties has the experience and expertise to provide this service; and

WHEREAS, the Madison County Youth Bureau desires to contract with Catholic Charities of Oneida/Madison Counties to operate a case management and Interim Family Home program for runaway and homeless youth during the period of January 1, 2015 – December 31, 2015 in the amount of \$42,000; and

WHEREAS, the funds for this program are included in the 2015 Adopted County Budget; and

WHEREAS, State Aid from the New York State Office of Children & Family Services will reimburse \$27,000 of the program's cost; 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.

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

By Supervisors Stepanski and Reinhardt:

RESOLUTION NO. 85-15

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

WHEREAS, the need has been identified for additional short-term intervention and supportive case management services for at-risk youth to assist them in developing the skills,

knowledge and competencies needed to resolve their presenting issues and make positive choices in their lives; and

WHEREAS Catholic Charities of Oneida/Madison Counties has the experience and expertise to provide this service; and

WHEREAS, the Madison County Youth Bureau desires to enter into an agreement with Catholic Charities of Oneida/Madison Counties to operate the ‘Community Case Management for At-Risk Youth’ program during the period of January 1, 2015 – December 31, 2015 in the amount of \$12,000; and

WHEREAS, the Madison County Youth Board and the Health and Human Services Committee have recommended funding this program; and

WHEREAS, these costs are reimbursed 100% by State Aid;

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

<u>Expense</u>	<u>From</u>	<u>To</u>
A714670 541007 Anticipated Agency Allocation	\$ 48,000	\$ 36,000
A714670 542732 At-Risk Case Management (CC)	<u>0</u>	<u>12,000</u>
Control Totals	\$ <u>48,000</u>	\$ <u>48,000</u>

Revenues

A714670 438201 St Aid Anticipated Youth Programs	\$ 48,000	\$ 36,000
A714670 438210 St Aid-At-Risk Case Management (CC)	<u>0</u>	<u>12,000</u>
Control Totals	\$ <u>48,000</u>	\$ <u>48,000</u>

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

By Supervisor Henderson:

RESOLUTION NO. 86-15

ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 1 OF 2015 AND CALLING FOR A PUBLIC HEARING

WHEREAS, Supervisor Henderson has duly introduced proposed Local Law No.1 for the year 2015, entitled “A LOCAL LAW OF THE COUNTY OF MADISON, NEW YORK, ALLOWING FOR COMMON SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(B)”; 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 chambers of the Board of Supervisors at the Madison County Office Building in Wampsville, New York on April 14, 2015 at 2:15 p.m.; and

BE IT FURTHER RESOVLED, that the Clerk to the Board duly publish a notice of said hearing in the official newspapers of the County at least five days prior to the scheduled hearing date.

ADOPTED: AYES – 1320 NAYS – 125 (Salka, Goldstein, Ball) ABSENT – 55 (Rafte)

A LOCAL LAW OF THE COUNTY OF MADISON, NEW YORK, ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(B)

Be it enacted by the Board of Supervisors of the County of Madison as follows:

SECTION 1. LEGISLATIVE INTENT

- A. Whereas on November 21, 2014, Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.788/A10141).
- B. Whereas this state law amended the State Penal law, the Executive Law and the General Business law placing further restrictions on dangerous fireworks, while at the same time, recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
- C. Whereas the Governor signed this version of the bill into law in part due to its strong home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
- D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405 this Board further finds and determines that “sparkler devices” may be sold and enjoyed, only in the manner described below, within Madison County.
- E. This Board finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- F. This Board further finds that the same and use of “sparkler devices” is permitted with the following restrictions:
 - 1. Sales will only be permitted on or between June 1st through July 5th and December 26th and January 2nd of each calendar year.
 - 2. All distributors, manufacturers, and retailers must comply with any and all state laws and regulations regarding registration requirements.
 - 3. Only those over the age of 18 may purchase said products.

SECTION 2. DEFINITIONS:

“Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

1. Cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape, but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.
2. Cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.
3. Wooden sparkler/dipped stick: those devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
4. Novelties, which do not require approval from the United States Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
 - a. Party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may not contain more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
 - b. Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3. SEPARABILITY

If any part of or provision of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

SECTION 4. EFFECTIVE DATE

This law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 87-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE BOARD OF ELECTIONS IN REGARDS TO THE HELP AMERICA VOTE ACT STATE GRANT

WHEREAS, the Madison County Board of Elections has been allocated State HAVA (Help America Vote Act) funds; and

WHEREAS, these funds are scheduled to expire on March 31, 2015; the extension of this grant program is described as follows:

Awarding Agency: New York State
Pass Thru. Agency: New York State Board of Elections
Program Name: Voter Education/Pollworker Training Program
Grant Period: April 1, 2015 – March 31, 2016
Contract # T002550
State Funds: \$ 40,509.00
Grant Total: \$ 40,509.00

NOW, THEREFORE BE IT RESOLVED, that the Chairman be hereby authorized to execute grant contracts for the Madison County Board of Elections with the State Board of Elections and sign for an extension of contract #T002550 for one year.

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

RESOLUTION NO. 88-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE BOARD OF ELECTIONS IN REGARDS TO THE HELP AMERICA VOTE ACT STATE GRANT

WHEREAS, the Madison County Board of Elections has been allocated State HAVA (Help America Vote Act) funds; and

WHEREAS, these funds are scheduled to expire on March 31, 2015; the extension of this grant program is described as follows:

Awarding Agency: New York State
Pass Thru. Agency: New York State Board of Elections
Program Name: New York State Voting Access for Individuals with Disabilities – Polling Place Access Improvement
Grant Period: April 1, 2015 – March 31, 2016
Contract # T002666
State Funds: \$ 20,254.00
Grant Total: \$ 20,254.00

NOW, THEREFORE BE IT RESOLVED, that the Chairman be hereby authorized to execute grant contracts for the Madison County Board of Elections with the State Board of Elections and sign for an extension of contract #T002666 for one year.

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

RESOLUTION NO. 89-15

AMENDING RULE NO. 6 OF THE RULES OF THE MADISON COUNTY BOARD OF SUPERVISORS

WHEREAS, Rule No. 6 of the Rules of the Madison County Board of Supervisors sets forth the various committees of this Board and their respective responsibilities; and

WHEREAS, after review by Chairman of the Board of Supervisors and the Administration and Oversight Committee, it has been determined that the Ad Hoc Committee on Public Utility Service be changed to a standing committee; and

WHEREAS, the amendment to Rule No. 6 changing the Ad Hoc Committee on Public Utility Services to a standing committee is hereby proposed; and

WHEREAS, the proposed amendment has 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 Rule No. 6 of the Madison County Board of Supervisors be and is hereby amended effective immediately, establishing a new standing committee.

On motion by Supervisor Degear, seconded by Supervisor Goldstein, this resolution was TABLED.

By Supervisor Degear:

RESOLUTION NO. 90-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH POMCO, INC.

WHEREAS, the Madison County Sheriff's Correctional Facility is inundated with many medical and dental expenses of inmates; and

WHEREAS, the Sheriff of Madison County seeks to continue to cut costs and enhance the efficiency in medical and dental claim payment and administration; and

WHEREAS, POMCO, Inc. possesses experienced personnel with special skills and training required to perform the necessary services pursuant to the terms of the contract; and

WHEREAS, the term of this contract shall be from March 1, 2015 through February 29, 2016, with the option to renew this agreement for additional terms of one year, at an administrative fee agreed upon by both parties; and

WHEREAS, the County hereby agrees to pay POMCO, Inc. a monthly rate of \$2,500 or a total of \$26.50 per claim, whichever administrative fee is greater; 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 POMCO, Inc., in the form as is on file with the Clerk of the Board.

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

RESOLUTION NO. 91-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH MADISON-ONEIDA BOCES**

WHEREAS, it is necessary and required to provide educational services and programs 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 enhance the efficiency in the provision of such services and programs by utilizing the expertise of Madison-Oneida BOCES; and

WHEREAS, Madison-Oneida BOCES possesses experienced personnel with special skills and training required to perform the necessary services pursuant to the terms of the contract by providing a staff person to the Madison County Jail; and

WHEREAS, the term of this contract shall be from March 1, 2015 through February 29, 2016. This contract may be terminated without cause by either party hereto at any time upon thirty (30) days written notice of the intention to so terminate. The County reserves the right to terminate this Agreement for cause at anytime; and

WHEREAS, the County hereby agrees to pay Madison-Oneida BOCES a monthly rate of Three Thousand Nine Hundred Twenty Two Dollars and .66 cents (\$3,922.66) in full and final satisfaction of all services and expenses. This represents no increase of the budgeted amount from the previous year. The total amount of compensation shall not exceed Forty Seven Thousand Seventy Two Dollars (\$47,072); 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 Madison-Oneida BOCES, in the form as is on file with the Clerk of the Board.

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

RESOLUTION NO. 92-15

**APPOINTING MADISON COUNTY FIRE ADVISORY BOARD MEMBERS AND DEPUTY
COORDINATORS FOR 2015**

WHEREAS, the duly appointed officers and members of the Madison County Fire Advisory Board met at their annual session on Thursday, January 29, 2015 and

WHEREAS, the following individuals were selected to represent the interests of each of the County's various townships, and

WHEREAS, the following individuals have agreed to serve without compensation as an advisory body to the Board of Supervisors and the County Fire Coordinator in matters relating to fire service activities;

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be appointed to the Madison County Fire Advisory Board for 2015:

Fire Advisory Board 2015

James McFadden.....	Brookfield	Richard Stagnitti.....	Lenox
Terry Austin.....	Cazenovia	Robert Sturdevant Jr.....	Lincoln
David Vredenburg.....	Cazenovia	Steven Johnson.....	Madison
Edwin Coon	DeRuyter	Patrick Massett.....	Nelson
Richard Stoddard Sr.....	Eaton	Kevin Salerno	Oneida
Michael Bischoff	Eaton	Chester Reeves.....	Smithfield
Ralph Tallett.....	Fenner	Roland Shea.....	Stockbridge
Dale Burgess.....	Georgetown	Joseph Watkins.....	Sullivan
Jason Murray.....	Hamilton	Paul Haynes.....	Sullivan
David Bensley.....	Lebanon	Robert Freunscht.....	Sullivan
Alex Brown....	Lenox		

BE IT FURTHER RESOLVED, that the following individuals be appointed to the staff of Deputy Fire Coordinators for 2015

Lyle Mason.....County Car 3
James McFadden..... County Car 4
Robert Freunscht..... County Car 5
Robert Sturdevant Jr... County Car 6
Timothy Cowan.....County Car 7
David Vredenburg..... County Car 8

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

By Supervisor Salka:

RESOLUTION NO. 93-15

AUTHORIZING AGREEMENT FOR AN ANNUAL STREAM MAINTENANCE AND RESILIENCY PROGRAM

WHEREAS, Madison County is blessed with a wide variety of creeks and streams that provide natural beauty, recreational resources, and ecosystem functions; and

WHEREAS, historical settlement patterns often focused in and around many of these water courses for the many resources they provided; and

WHEREAS, many of these creeks and streams are subjected to periods of heavy and intense rainfall that from time to time cause them to flood resulting in damage to nearby lands and buildings; and

WHEREAS, though a natural process, these flooding events seem to have been exacerbated in recent years, causing more frequent and intense damage; and

WHEREAS, Madison County plans to be progressive in addressing some of these flooding issues by developing an annual stream maintenance program that looks to find solutions before problems arise; and

WHEREAS, the Madison County Soil and Water District has the skills and resources necessary to undertake such a stream maintenance program;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Board of Supervisors be and is hereby authorized and directed to enter into an agreement with Madison County Soil and Water Conservation District for an annual stream maintenance program, a copy of such agreement being on file with the Clerk of this Board; and

BE IT FURTHER RESOLVED that the cost of this program will not exceed \$75,000.00, which was appropriated within the Planning Department's 2015 Budget.

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

RESOLUTION NO. 94-15

ADOPTING THE INCLUSION OF CERTAIN PARCELS OF PREDOMINATELY AGRICULTURAL LAND IN CERTIFIED AGRICULTURAL DISTRICTS

WHEREAS, pursuant to the provisions contained in Section 303B of the New York State Agricultural Districts Law, and during one annual thirty-day period designated for the purpose, Madison County has received requests from eight property owners, consisting of 16 parcels for the addition of property belonging to them be added to a nearby existing agricultural district; and

WHEREAS, Madison County has undertaken a review process pursuant to Section 303B of the New York State Agricultural Districts Law; and

WHEREAS, the Madison County Agricultural and Farmland Protection Board has reported that the property of these landowners consists of predominately viable agricultural land, as defined in Section 301 (7) of the New York State Agricultural Districts Law; and

WHEREAS, the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within those existing agricultural districts;

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

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

NOW, THEREFORE BE IT RESOLVED, that the following properties be approved for inclusion in Madison County Agricultural Districts; and be it further

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

District 2:

43.-3-44.21	David Taylor	18.6 ac	Harp Rd	Lenox
43.-3-44.22	David Taylor	4.61 ac	Route 5	Lenox
41.13-1-1.111	Tuscarora Land Hldg	38.61 ac	Bialek Rd	Sullivan
41.-1-27.11	Tuscarora Land Hldg	22.96 ac	Bolivar Rd	Sullivan
38.-1-25.3	J.DeGroat/D.Keene	19.85 ac	Middle Rd	Oneida

District 7:

107.-1-28.1	Patrick Ruddy	65.76 ac	Route 20	Cazenovia
95.3-2-22.1	Patrick Ruddy	18.6 ac	Route 20	Cazenovia
95.3-2-22.2	Patrick Ruddy	5.98 ac	Route 20	Cazenovia
85.-2-5.1	Joseph/Julie Walsh	38.39 ac	Ridge Rd	Cazenovia
66.-1-20.7	Gianforte Farm	60.97 ac	Peth Rd	Cazenovia
67.3-1-2	Gianforte Farm	22.09 ac	Peth Rd	Cazenovia
149.-1-39	Ian Blackburn	104.26 ac	Sanderson Rd	Nelson
133.17-1-5	Christine Kropf	16.23 ac	Damon Rd	Nelson
149.-1-1	Christine Kropf	96.27 ac	Damon Rd	Nelson
149.-1-2.1	Christine Kropf	0.81 ac	Damon Rd	Nelson
149.-1-3	Christine Kropf	41.19 ac	Dugway Rd	Nelson

ADOPTED: AYES – 1402 NAYS – 0 ABSTAIN – 43 (Ball) ABSENT – 55 (Rafte)

RESOLUTION NO. 95-15

AUTHORIZING AGREEMENT FOR ELECTRICAL UTILITY DATA ANALYSIS

WHEREAS, the procurement of solar power has been a priority of Madison County for a number of years and its benefits, both financial and environmental, are widely known; and

WHEREAS, Madison County has and continues to be a leader in developing unique and collaborative energy projects that benefit its residents; and

WHEREAS, working collaboratively with local municipalities and school districts, the County is investigating the opportunity to collectively procure solar energy that would benefit all those participating; and

WHEREAS, in order to determine our collective energy demands and to better understand our current pricing, expertise is needed to gather and analyze electrical data from our municipalities and school districts; and

WHEREAS, Jan Myers, Solar Energy Consultant, has special expertise in connection with such analysis and is prepared to devise and undertake the appropriate computations to gather needed data to move this effort forward;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Board of Supervisors be and is hereby authorized and directed to enter into an agreement with Jan Myers to undertake the required energy analysis; and

BE IT FURTHER RESOLVED; the cost of this agreement will not exceed \$9,000.00 (estimate of 150 hours of work), which will be taken from A802080 544010 “Municipal Utility Expenses”; a copy of such agreement being on file with the Clerk of this Board.

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

RESOLUTION NO. 96-15

HONORING PAUL MILLER FOR HIS DEDICATION TO THE LOCAL OUTDOOR COMMUNITY

WHEREAS, Paul Miller was a longtime employee of Madison County, retiring in December 31, 2010, and last holding the position of County Administrator; and

WHEREAS, Paul has been long active in the local community, including outdoors programs for veterans, and especially his work with the Fish Creek Atlantic Salmon Club; and

WHEREAS, Paul has been recognized in the past for his contributions, where he was inducted into the New York State Outdoorsmen Hall of Fame in 2014; and

WHEREAS, Paul has been again recognized for his work, this time receiving recognition in February 2015 as the **Sportsman of the Year**; and

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors does hereby recognize and commend Paul Miller for his hard work, dedication, and contributions to the local community.

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

Chairman Becker presented Mr. Miller with a plaque for Sportsman of the Year. Mr. Miller was thanked for his dedication and many contributions to the community. Mr. Miller graciously accepted the plaque and thanked everyone.

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

RESOLUTION NO. 97-15

RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY MADISON COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A CERTAIN REFUNDING 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 February, 2015, Colgate University, a New York not-for-profit education corporation (the "Institution"), 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 Institution, said Project consisting of the following: (A) the refinancing, in whole, of the outstanding Tax-Exempt Civic

Facility Revenue Bonds (Colgate University Project), Series 2005A in the original aggregate principal amount of \$43,690,000 (the "Prior Bonds") issued on or about September 26, 2005 by Madison County Industrial Development Agency (the "Prior Issuer"), the proceeds of which Prior Bonds provided financing for a project (the "Prior Project") consisting of the following: (1) the acquisition of an interest or interests (collectively, the "Land") in portions of the Institution's campus located at 13 Oak Drive in the Village of Hamilton, Madison County, New York and in a separate approximately 17.25 acre parcel of land located on the west side of Broad Street (NYS Route 12-B) in the Village of Hamilton, Madison County, New York immediately adjacent to the southerly boundary of said Village, (2)(a) the renovation of various student residences located on the Land (the "Existing Residences"), (b) the construction on the Land of nine new student residences (the "New Residences"), and (c) the construction on the Land of a new interdisciplinary science building (the "Science Center") (the New Residences, the Existing Residences and the Science Center being sometimes hereinafter collectively referred to as the "Facility"), (3) 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 Institution, (4) the refinancing of certain debt incurred by the Institution to provide interim financing for the foregoing, and (5) payment of issuance costs relating to the Prior Bonds; (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 not exceed \$48,000,000 (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 Institution or such other person as may be designated by the Institution 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 February 12, 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 Institution 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 February 12, 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 February 19, 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 February 18, 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 February 18, 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 March 9, 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 – 1449 NAYS – 0 ABSENT – 51 (Rafte)

By Supervisor Goldstein:

RESOLUTION NO. 98-15

AUTHORIZING MODIFICATION OF AGREEMENT FOR ENGINEERING SERVICES ON ARE PARK SEWER LINE

WHEREAS, Madison County has engaged Barton & Loguidice Engineers, PLLC to provide engineering services with regard to the County’s solid waste management system including the design and planning for a combined leachate and sewer line connecting the Buyea Road site to the City of Oneida sewer at the five corners; and

WHEREAS, the project design has been changed to include a new building to house a valve control structure located north of the 5 Corners intersection; and

WHEREAS, the cost estimate in the contract for engineering, construction administration, construction observation and post construction startup was \$310,000 and the proposed modification would increase the contract value by \$14,000 to a total of \$324,000.

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 combined leachate and sewer line project at a an additional cost of \$14,000.00. Accordingly, the total compensation under the current professional engineering services Agreement shall be modified to, not to exceed \$324,000.00 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 – 1445 NAYS – 0 ABSENT – 55 (Rafte)

RESOLUTION NO. 99-15

**AMENDING THE LEASE OF LANDFILL BUFFER LANDS TO
SPRINGWATER FARMS TO REMOVE LAND NEEDED FOR SOIL MINING AND SITING THE
2.8 MW SOLAR ARRAY**

WHEREAS, The County periodically issues invitations for competitive bids seeking to lease approximately 102 acres of landfill buffer lands on the east side of Buyea Road and approximately 69 acres on the west side to local farmers with an interest in placing the land into agricultural production thereby reducing the burden on the County to mow and maintain the leased acreage; and

WHEREAS, November 29, 2012 Madison County awarded a lease for the east side acreage to Mr. James Mason as the sole proprietor of Springwater Farms located at 7338 Oxbow Road, Canastota, New York (the "Farm") for an annual fee of \$10,302.00 or \$101/acre and in 2014 the Farm won the bid on the west side acreage at a bid price of \$8,694 for the parcel or \$126/acre and the Farm has kept the land in production each year; and

WHEREAS, the lease agreements among the parties provide that the County may adjust the amount of leased premises from time to time and in the coming year the County will be mining soils from 13 acres of land it has leased to the Farm on west side and it will remove 15 acres from the leased east side parcel for purposes of siting the 2.8 MW photovoltaic array as well as reconciling certain discrepancies between the demised acreage and the actual tillable lands subject to the lease, thus necessitating certain adjustments to the lease agreements; and

WHEREAS, as a result of discussions between the parties the County proposes to waive the rental fee for the remaining west side acreage for the 2015 growing season as an equitable adjustment of the acreage removed by the County from all impacted parcels and the Farm has agreed to such an arrangement.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute an amendment the lease with Springwater Farms for the west side acreage to waive collection of the lease payments for the year 2015, a copy of such Agreement is on file in the office of the Clerk of the Board of Supervisors; and

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

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

RESOLUTION NO. 100-15

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

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

WHEREAS, Regional Waste Solutions, LLC, a corporation located in the State of New York is possessed with a supply of Alternative Landfill Cover Material (Auto Shredder Material) which such material may be used according to the New York State Department of Environmental Conservation; and

WHEREAS, Regional Waste Solutions, LLC 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 an agreed upon price of \$10.50 per ton for each ton of the Auto Shredder Material received; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board be and is hereby authorized and directed to enter into a one year Agreement (Commencing on March 11, 2015 and ending March 11, 2016) with Regional Waste Solutions, LLC., a copy of which is on file with the Clerk of the Board.

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

RESOLUTION NO. 101-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH THE RESCUE MISSION TO CONTINUE OPERATIONS OF A REUSE CENTER LOCATED AT THE COUNTY LANDFILL SITE FOR TWO YEARS

WHEREAS, The Rescue Mission Alliance of Syracuse, N. Y. (hereinafter "Rescue Mission") is a not-for-profit corporation devoted to providing services to meet the spiritual and practical needs of the poor which includes the establishment and operation of donation centers that will accept and take ownership of certain textile and clothing product donations ("Donation Center") as well as attended retail operations where items donated or saved from the landfill will be sold to the public ("Retail Operation") including a book depository and swap system; and

WHEREAS, Madison County and the Rescue Mission have negotiated a 2 year agreement (the "Agreement") providing for the placement of a Donation Pod at the County landfill as well as the operation of the County's existing reuse store and Book Depository located at the landfill site as a Retail Operation staffed with one attendant three days per week; and

WHEREAS, the Agreement provides that the Rescue Mission shall pay the County a monthly fee equal to 5% of its net income from the Retail Operation as well as provide employment opportunities to Madison County residents through the County's social services job training program.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute the Agreement a copy of which is on file in the office of the Clerk of the Board of Supervisors; and

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

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

RESOLUTION NO. 102-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BARTON & LOGUIDICE, D.P.C.

WHEREAS, the Highway, Buildings and Grounds Committee met on February 18, 2015 and authorized the Madison County Highway Department to proceed with the design and construction inspection of DER 661 (BIN 3308330) Hunt Road and DER 654 (BIN 3308310) Middle Lake Road, both located in the Town of DeRuyter, Madison County; and

WHEREAS, the firm Barton & Loguidice, D.P.C., has provided a cost for Engineering services at Forty-five thousand dollars and no cents (\$45,000.00); and

WHEREAS, the cost for Engineering Services has been appropriated in the County Road Fund 2015 Budget for Hunt Road/DER661, H519750 529009 and Middle Lake Road Bridge H519750 529019;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an Agreement on behalf of the County of Madison with Barton & Loguidice, D.P.C., in the form as is on file with the Clerk of the Board.

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

By Supervisor Bono:

RESOLUTION NO. 103-15

**REAPPOINTING MEMBERS OF THE
MADISON COUNTY SEWER DISTRICT BOARD**

WHEREAS, the members of the Madison County Sewer District Board were appointed for five (5) year terms by previous resolutions; and

WHEREAS, Public Officers Law Section 30 requires the Sewer District Board members to file their official oath of office within thirty (30) days after notice of their appointment, or within thirty (30) days of the commencement of their term of office; and

WHEREAS, the same was not accomplished requiring that the following Sewer District Board members be reappointed:

David Vredenburgh – term expires 2/15/18
William Carr – term expires 2/15/19
Michael Costello – term expires 2/15/19

NOW THEREFORE BE IT RESOLVED, that the aforementioned members of the Madison County Sewer District Board be and hereby are reappointed for the above listed terms, commencing on March 10, 2015.

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

RESOLUTION NO. 104-15

A RESOLUTION DETERMINING THAT IMPROVEMENTS TO THE MADISON COUNTY SEWER DISTRICT ARE IN THE PUBLIC INTEREST AND FURTHER DIRECTING THE MADISON COUNTY SEWER BOARD TO OVERSEE THE PREPARATION OF DETAILED PLANS AND SPECIFICATIONS AND THE CONSTRUCTION AND COMPLETION OF THE MADISON COUNTY SEWER DISTRICT IMPROVEMENTS

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

WHEREAS, in furtherance thereof, on February 10, 2015, pursuant to County Law Section 268(1), the Madison County Board of Supervisors directed Dunn & Sgromo Engineers, PLLC, competent engineers duly licensed by the State of New York, to prepare a map and plan along with a cost estimate for construction of additional trunk and sewer laterals within the existing boundaries of the Madison County Sewer District and the Village of Cazenovia; and

WHEREAS, said map and plan of the sewer improvements along with a cost estimate thereof has been duly prepared; and

WHEREAS, the map and plan demonstrate that said sewer improvements will consist of the installation of sewers, manholes and appurtenances thereto within the existing boundaries of the Madison County Sewer District and the Village of Cazenovia, beginning approximately near the U.S. Route 20 intersection with Carriage Lane in the Village of Cazenovia continuing south and east of U.S. Route 20; and

WHEREAS, the estimated cost of the sewer improvements shall not exceed Two Hundred Thousand Dollars and 00/100 (\$200,000.00); and

WHEREAS, the sewer improvements are being considered due to the anticipation of potential extensive development within the Madison County Sewer District's boundaries, which could result in significant tax revenue, including sales tax and other applicable taxes which would benefit Madison County, as well as the Town and Village of Cazenovia; and

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

WHEREAS, said properties have participated in the paying down of the debt service and operation and maintenance charges of the District since it was created; and

WHEREAS, a public hearing was held on March 10, 2015 as to the map and plan, the construction of the proposed sewer improvements and the estimated cost thereof by the Madison County Board of Supervisors and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with this matter having been heard; and

WHEREAS, on February 10, 2015 the Board of Supervisors declared itself to be lead agency, determined the construction of the proposed sewer improvements to be an Unlisted Action, called for the preparation of a Short Environmental Assessment Form and declared the following as involved/interested agencies for purposes of SEQRA: New York State Department of Environmental Conservation; New York State Department of Transportation; New York State Department of Health, Village of Cazenovia; Town of Cazenovia; Town of Nelson; and

WHEREAS, the Board circulated lead agency notices to all involved/interested agencies and no objections or environmental comments were received by the Board, and the Board hereby confirms that it shall act as lead agency for purposes of SEQRA; and

WHEREAS, the Board, as Lead Agency for this action has completed and submitted a Short Environmental Assessment Form and the same has been carefully reviewed and thoroughly considered by the Board; and

WHEREAS, the sewer improvements will enhance and protect public health and safety by providing sanitary sewer service to previously un-served properties within the District; and

WHEREAS, the sewer improvements will further protect the water resources located within the District's boundaries including Cazenovia Lake and its tributaries by providing proper transportation and treatment of sewage to previously un-served properties within the District; and

WHEREAS, the sewer improvements will enhance economic opportunities and development activity and broaden the tax base within the Town and Village of Cazenovia and Madison County by providing sanitary sewer service to an area appropriate and ripe for development; and

WHEREAS, the newly served and connected properties will be subject to strict regulations which protect the health safety and welfare of the community by regulating the collection, transportation and treatment processes of sewage from the community's neighborhoods and business areas to the Madison County Sewer District's Sewage Treatment Facility; and

WHEREAS, the Board has considered and discussed fully the potential environmental impacts of the proposed action; and

NOW THEREFORE, IT IS,

RESOLVED AND DETERMINED, that the Board of Supervisors hereby determines the proposed action will not have a significant adverse effect on the environment and this resolution hereby adopts a Negative Declaration for purposes of SEQRA; and it is further

RESOLVED, that the construction of the proposed sewer improvements within the existing boundaries of the Madison County Sewer District, consisting of additional trunk and sewer laterals, manholes, and related appurtenances, beginning approximately near the U.S. Route 20 intersection with Carriage Lane in the Village of Cazenovia continuing south and east of U.S. Route 20, is in the public interest for the reasons stated in this resolution; and it is further

RESOLVED AND ORDERED, that pursuant to the provisions of County Law Section 262, the Madison County Sewer District Board shall oversee the preparation of detailed plans and specifications for the proposed sewer improvements along with a careful estimate of the cost and expense thereof, said cost of improvements not to exceed Two Hundred Thousand

Dollars and 00/100 (\$200,000.00), the estimate set forth in the Notice of Public Hearing dated February 10, 2015 and posted and published in the manner prescribed by County Law Section 254, and to oversee the construction and completion of said improvements.

At this time Chairman Becker called upon Richard Andino, Esq. from the Costello, Cooney & Fearon Law Firm. Mr. Andino reviewed with Board members the Short Environmental Assessment Form both parts 1 and 2, which declares the Madison County Board of Supervisors as lead agency for the Madison County Sewer District Village Edge South Development Area Sewer Improvements project. It is also noted that there were no objections to Part 2 – Impact Assessment from Board members.

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

RESOLUTION NO. 105-15

REHABILITATION OF CERTAIN COUNTY ROADS FOR 2015

WHEREAS, the County Superintendent of Highways has presented a statement of certain County roads which he has approved for rehabilitation with County Funds during the year 2015 as follows:

In the Town of **LENOX** and City of **ONEIDA** on **W. ELM STREET**, County Rte. 14, a distance of 2.18 miles, with necessary widening, ditching, and asphalt pavement 26 feet wide and 1.5 inches thick at an estimated cost of **\$320,389**.

In the City of **ONEIDA** on **COBB STREET**, County Rte. 13, a distance of .68 miles, with necessary widening, ditching, and asphalt pavement 22 feet wide and 1.5” inches thick, at an estimated cost of **\$87,945**.

In the Town of **LENOX** and City of **ONEIDA** on **SCHOOLHEIMER ROAD**, County Rte. 13, a distance of 2.5 miles, with necessary widening, ditching, and asphalt pavement 22 feet wide and 1.5 inches thick at an estimated cost of **\$323,328**.

In the City of **ONEIDA** on **KELLEY ROAD**, County Rte. 13, a distance of .84 miles, with necessary widening, ditching, and asphalt pavement 22 feet wide and 1.5” inches thick, at an estimated cost of **\$108,638**.

In the City of **ONEIDA** and Town of **LINCOLN** on **UPPER LENOX AVE**, County Rte. 97, a distance of 1.47 miles, with necessary widening, ditching, and asphalt pavement 26 feet wide and 1.5” inches thick, at an estimated cost of **\$207,400**.

In the Town of **LENOX** on **PERRETTA DRIVE**, County Rte. 6A, a distance of .65 miles, with necessary widening, ditching, and asphalt pavement 20 feet wide and 1.5 inches thick at an estimated cost of **\$76,423**.

In the Town of **SULLIVAN** and Town of **LINCOLN** on **COTTONS ROAD**, County Rte. 16, at two separate locations, a distance of 3.11 miles, with necessary widening, ditching, and asphalt pavement 22 feet wide and 1.5 inches thick at an estimated cost of **\$402,220**.

In the Town of **SULLIVAN** on **NEW BOSTON ROAD**, County Rte. 6, a distance of 2.5 miles, with necessary widening, ditching, and asphalt pavement 24 feet wide and 1.5 inches thick at an estimated cost of **\$352,722**.

In the Town of **SULLIVAN** on **BRIDGEPORT-KIRKVILLE ROAD and NORTH ROAD**, County Rte. 1, a distance of 2.98 miles, with necessary widening, ditching, and asphalt pavement 24 feet wide and 1.5 inches thick at an estimated cost of **\$420,444**.

In the Village of **CANASTOTA** on **ROBERTS STREET**, County Rte. 12, distance of 0.58 miles, with necessary drainage improvements, curbing, and asphalt pavement 28 feet wide and 4 inches thick at an estimated cost of **\$175,000**.

In the Town of **LENOX** on **LEWIS POINT ROAD**, County Rte. 7, distance of 1.85 miles, with necessary widening, ditching, and asphalt pavement 22 feet wide and 1.5 inches thick at an estimated cost of **\$152,050**.

WHEREAS, bids will be received for the above projects and award will be made on the basis of lowest responsible bidder meeting specifications,

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

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

RESOLUTION NO. 106-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TIOGA CONSTRUCTION CO. INC.

WHEREAS, the Highway, Buildings and Grounds Committee authorized the Madison County Highway Department to proceed with the demolition and replacement of the North Court Street Bridge over CSX RR (BIN 3365930), Town of Lenox, Madison County; and

WHEREAS, sealed bids were opened on January 20, 2015, for the contracted portion, and reviewed by the Highway Buildings and Grounds Committee on January 21, 2015; and

WHEREAS, the low bid meeting specifications is as follows;

Tioga Construction Co. Inc. / Total Bid Price	\$966,000.00
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WHEREAS, the cost for construction services has been appropriated in the County Road Fund Budget, ORG H519750, OBJECT 529003;

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 Tioga Construction Co. Inc., in the form as is on file with the Clerk of the Board.

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

By Supervisor Reinhardt:

RESOLUTION NO. 107-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT AND MODIFYING THE 2015 COUNTY BUDGET

WHEREAS, the Madison County Real Property Tax Services Department recently purchased a new computer and has installed updated software versions that are needed to perform tax mapping functions for the department; and

WHEREAS, fountains spatial performed the tax map edging for Madison County in 2010, and fountains spatial supports the ArcGIS mapping software utilized by the County; and

WHEREAS, fountains spatial has provided a quote of \$1,500 for onsite support and training for tax mapping.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be, and hereby is, authorized to enter into an agreement with fountains spatial for onsite support and training, 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

1362 Tax Advertising & Expense

<u>Expense</u>	<u>From</u>	<u>To</u>
A136210 541310 Tax Advertising Expense	\$ 9,500	\$ 9,200

1355 Assessment

<u>Expense</u>	<u>From</u>	<u>To</u>
A135510 541020 Travel Expense (Conference/Seminar)	<u>1,200</u>	<u>1,500</u>
Control Totals	<u>\$10,700</u>	<u>\$10,700</u>

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

RESOLUTION NO. 108-15

APPROVAL OF APPLICATIONS FOR REFUND AND CREDIT OF REAL PROPERTY TAXES UNDER SECTION 556 OF THE REAL PROPERTY TAX LAW

WHEREAS, the following applications for refund and credit of real property taxes were made in accordance with Section 556 of the Real Property Tax Law;

**Lawrence C & Sharon Apgar
1795 Route 20 West
Cazenovia, NY 13035**

**Tax Map #94.4-2-3.2
5.74 Acres & Residence
Town of Cazenovia**

WHEREAS, the 2012, 2013 and 2014 Town and County tax bills were paid in the amounts of \$5,098.81, \$5,047.60 and \$5,560.87 respectively; and

WHEREAS, the 2012, 2013 and 2014 Town and County tax bills reflected a 1.0 unit charge in the amount of \$286.00 for Sewer Maintenance in error for each of these years; and

WHEREAS, due to a clerical error as defined under Section 550, 2(e) of the New York State Real Property Tax Law, these charges are incorrect by reason of a mistake in the determination of the special assessment based on units of service provided by the special district; and

WHEREAS, the Director of Real Property Tax Services recommends approval of these applications;

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer be and here is directed to refund the 2012, 2013 and 2014 Town and County Taxes in the amount of \$858.00 due to this error.

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

RESOLUTION NO. 109-15

**AUTHORIZING SPECIAL DISTRICT GRANTS AND
MODIFYING THE 2015 ADOPTED COUNTY BUDGET**

WHEREAS, New York State negotiated and structured a settlement of various Oneida Indian Nation of New York (“OIN”) related litigation and contested matters, which settlement has taken the form of a Settlement Agreement among the OIN, the State of New York, the County of Madison, & the County of Oneida (“Settlement Agreement”) as approved by Resolution No. 157-13 of the Madison County Board of Supervisors on May 30, 2013, and as approved by the other parties to that Agreement, with Madison County acting pursuant to the related state legislation implementing the Settlement Agreement (Chapters 174 and 175 of the Laws of 2013, Executive Law Section 11 and Indian Law Section 16).

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

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

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

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

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

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

WHEREAS, nevertheless, given the current uncertainty and the adverse circumstances to the special districts if their charges remain unpaid, it is the desire of this Board of Supervisors to provide a share of the County’s payments to certain affected special districts’ for their 2015 fiscal years, to mitigate the impact on such districts of the potentially exempt status of certain properties owned by the OIN.

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

WHEREAS, a one-time payment will be made on or about March 31, 2015; and will be intended to mitigate the above referenced current fiscal years only and is to be used solely to support the infrastructure of and the municipal services provided to the taxpayers of such districts.

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

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby authorizes the Madison County Treasurer to disburse as a grant the sums set forth and described on the attached Schedule of Parcels and Payments to each of the districts set forth therein totaling \$76,349.51; and

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

<u>General Fund</u>	<u>From</u>	<u>To</u>
<u>1988 General Government Support, Other</u>		
<u>Expense</u>		
A198810 540144 Special District Grants	\$ -0-	\$ <u>76,350</u>
Control Total		\$ <u>76,350</u>
 A300599 Budgetary Fund Balance Unreserved	 \$ <u>3,680,600</u>	 \$ <u>3,756,950</u>
Control Total		\$ <u>76,350</u>

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

RESOLUTION NO. 110-15

AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET

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

<u>Modification No. 1</u>		
<u>General Fund</u>		
<u>1165 District Attorney</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
116510 543010 Liability Insurance	\$10,403	\$11,926
 <u>1930 Liability & Fleet Insurance</u>		
<u>Expense</u>		
A193010 544002 Excess Insurance Premiums	\$557,000	\$555,477
Control		
Totals	<u>\$567,403</u>	<u>\$567,403</u>

Modification No. 2**General Fund****3110 Sheriff Department**Expense

	<u>From</u>	<u>To</u>
A311030 511000 Personal Services	\$2,439,522	\$2,416,135
A311030 541030 Training & Staff Development	8,500	33,676
A311030 582100 Social Security Expense	186,624	184,835

9030 Social Security & Medicare ExpenseExpense

A903090 582100 Social Security Expense	\$1,556,378	\$1,554,589
A903090 581301 Allocation of Social Security	<u>(1,556,378)</u>	<u>(1,554,589)</u>

Control Totals	<u>\$2,634,646</u>	<u>\$2,634,646</u>
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Modification No. 3**General Fund****3315 Special Traffic Programs-STOP DWI**Expense

	<u>From</u>	<u>To</u>
A331530 546210 Equipment-LE Agencies	\$-0-	\$2,632

Control Total		<u>\$2,632</u>
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Revenue

A331530 488004 Appropriation of Stop DWI Reserves	\$-0-	\$2,632
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Control Total		<u>\$2,632</u>
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Modification No. 4**General Fund****6010 Social Services Administration**Expense

	<u>From</u>	<u>To</u>
A601060 522000 Vehicles	\$128,420	\$122,065
A601060 540101 Computer Equipment	\$ 33,067	\$ 39,422

Control Totals	<u>\$161,487</u>	<u>\$161,487</u>
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Modification No. 5**County Road Fund****5110 Maintenance of Road and Bridges**Expense

	<u>From</u>	<u>To</u>
D511050 549105 Transfer to Capital Projects	\$-0-	\$99,512

Control Total		<u>\$99,512</u>
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Fund Balance

D 300599 Budgetary Fund Balance Unreserved	<u>\$1,000,000</u>	<u>\$1,099,512</u>
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Control Total		<u>\$99,512</u>
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Capital Projects Fund**5197 Highway Road & Bridge Projects**Expense

H519750 529007 S Court St Over Clockville Creek	\$-0-	\$29,077
H519750 529008 Creek Rd Over Clockville Creek	\$-0-	\$25,435
H519750 529009 Hunt Road Bridge/DER661	\$-0-	\$22,500
H519750 529019 Middle Lake Road Bridge/DER654	\$-0-	\$22,500
Totals	\$-0-	\$99,512
Control Total		<u>\$99,512</u>

<u>Revenue</u>		
H519750 540315 Transfer from County Road	\$1,478,240	\$1,577,752
Control Total		<u>\$99,512</u>

Modification No. 6

Enterprise Environmental Landfill Fund

<u>8176 Landfill Utilities Gas to Energy</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
EE817680 594201 Contribution to General Fund	\$-0-	\$20,000
Control Total		<u>\$20,000</u>

<u>Revenue</u>		
EE817680 488017 Approp. of Gas to Energy Reserves	\$-0-	\$20,000
Control Total		<u>\$20,000</u>

General Fund
8020 Planning

<u>Expense</u>		
A802080 544010 Municipal Utility Expenses	\$-0-	\$20,000
Control Total		<u>\$20,000</u>

9999 Non-Departmental Revenue

<u>Revenue</u>		
A999995 450311 Transfer from LF Gas to Energy	\$20,000	\$40,000
Control Total		<u>\$20,000</u>

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

RESOLUTION NO. 111-15

APPROVING THE PAYMENT OF CLAIMS

RESOLVED, that the claims presented to this Board by the Clerk, having been duly audited, be and the same hereby are authorized to be paid by the Treasurer upon receipt of a copy of the abstract of audited claims attested by the Clerk.

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

PUBLIC COMMENT PERIOD

Chairman Becker called on Mr. Gary Padula of Canastota, New York to speak. Supervisor Bargabos asked for permission to speak, which was granted. Supervisor Bargabos stated that according to Rule No. 31 of the Rules of the Madison County Board of Supervisors the Chairman or any Board member has the right to deny the privilege of a person to speak at during a public comment period, stating that Mr. Padula speaks on the same issue each month and is addressing the wrong group of people regarding certain Indian related issues. Several Supervisors agreed with Mr. Bargabos and several did not. After conferring with legal counsel, Chairman Becker asked for a vote from Board members and the consensus was to allow Mr. Padula to speak. Because Mr. Padula was allowed only 3 minutes (according to Rule 31) to speak, he handed his document to the Clerk for her to copy and distribute to each Supervisor.

Also speaking was Mr. Warren Babcock from the DeRuyter area asking the Board if they would consider funding the Health Department to do a base line study on the compression station issues in Madison County.

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