

**MADISON COUNTY BOARD OF SUPERVISORS
2nd DAY OF ANNUAL SESSION – NOVEMBER 18, 2014**

The Board reconvened at 10:00 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Salka (54 votes), Supervisor Ball (43 votes) and with Supervisor Rafte (55 votes) arriving at 10:20 a.m.

Pledge of Allegiance.

UNFINISHED BUSINESS

Resolution No. 379-14 Amending the Rules of the Madison County Board of Supervisors Regarding the Privilege of the Floor. Tabled on November 10, 2014 by Supervisor Degear, seconded by Supervisor Ball.

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

At 10:02 a.m. Chairman Becker announced the scheduled public hearing on the Madison County Sewer District budget for 2015. Supervisor Degear made a motion to open the hearing, seconded by Supervisor Bradstreet and carried. After asking for speakers, and no one wishing to speak, Chairman Becker asked for a motion to close the hearing. Supervisor Zupan made the motion to close the hearing, seconded by Supervisor Moses and carried.

At 10:05 a.m. Chairman Becker announced the scheduled public hearing on the Cowaselon Watershed District budget for 2015. Supervisor Moses made a motion to open the hearing, seconded by Supervisor Walrod and carried. After asking for speakers, and no one wishing to speak, Chairman Becker asked for a motion to close the hearing. Supervisor Bono made the motion to close the hearing, seconded by Supervisor Stepanski and carried.

At 10:10 a.m. Chairman Becker announced the scheduled public hearing on the Tentative County budget for 2015. Supervisor Goldstein made a motion to open the hearing, seconded by Supervisor Henderson and carried. After asking for speakers, and no one wishing to speak, Chairman Becker asked for a motion to close the hearing. Supervisor Moses made the motion to close the hearing, seconded by Supervisor Stepanski and carried.

RESOLUTIONS

By Supervisor Reinhardt:

RESOLUTION NO. 391-14

LEVYING UNPAID WATER RENTS FOR THE HAMLET OF GEORGETOWN

WHEREAS, the Supervisor from the Hamlet of Georgetown has filed with this Board a statement showing water bills in the Hamlet of Georgetown, as attached;

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and they hereby are levied against the property liable therefore and are hereby directed to be included in the 2015 tax levy of said Hamlet of Georgetown and that said amount when paid shall be turned over by the collector to the Supervisor of the Hamlet of Georgetown.

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

RESOLUTION NO. 392-14

LEVYING UNPAID WATER RENTS FOR ERIEVILLE WATER DISTRICT

WHEREAS, the Secretary of the Erieville Water District has filed with this Board a statement showing unpaid water bills in the Erieville Water District of the Town of Nelson;

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and there hereby are levied against the property liable therefore and are hereby directed to be included in the 2015 tax levy of said Town of Nelson and that when paid shall be turned over to the Supervisor of the Town of Nelson.

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

RESOLUTION NO. 393-14

LEVYING UNPAID WATER AND SEWER RENTS FOR LENOX WATER DISTRICT

WHEREAS, the Secretary of the Lenox Water District has filed with this Board a statement showing unpaid water bills in the Lenox Water District of the Town of Lenox, as attached:

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and they hereby are levied against the property liable therefore and are hereby directed to be included in the 2015 tax levy of said Town of Lenox and that when paid shall be turned over to the Supervisor of the Town of Lenox.

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

RESOLUTION NO. 394-14

LEVYING UNPAID WATER RENTS FOR NEW WOODSTOCK WATER DISTRICT

WHEREAS, the Secretary of the New Woodstock Water District has filed with this Board a statement showing unpaid water bills in the New Woodstock Water District in the Town of Cazenovia, as attached;

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and they hereby are levied against the property liable therefore and are hereby directed to be included in the 2015 tax levy of said Town of Cazenovia and that when paid, shall be turned over to the Supervisor of the Town of Cazenovia.

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

RESOLUTION NO. 395-14

LEVYING UNPAID WATER RENTS FOR WELLINGTON AND MT. PLEASANT WATER DISTRICTS IN THE TOWN OF CAZENOVIA

WHEREAS, the Secretary of the Wellington Water District and Mt. Pleasant Water District has filed with this Board a statement showing unpaid water bills for those districts in the Town of Cazenovia, as attached;

NOW, THEREFORE BE IT RESOLVED, that under and pursuant to the provisions of Section 198 of the Town Law, said sums be and they hereby are levied against the property liable therefore and are hereby directed to be included in the 2015 tax levy of said Town of Cazenovia and that when paid, shall be turned over to the Supervisor of the Town of Cazenovia.

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

By Supervisor Degear:

RESOLUTION NO. 396-14

AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS

WHEREAS, the County has been awarded \$160,933.00 under New York State's 2014-2015 Public Safety Answering Points Operations Grant Program (2014-15 PSAP Grant); and

WHEREAS, there is no cost share associated with this grant; and

WHEREAS, this grant is identified as follows:

Awarding Agency:	NYS Division of Homeland Security and Emergency Services
Pass through Agency:	Office of Interoperable and Emergency Communications
Program Name:	2014-2015 PSAP Grant
Grant No:	PS14-1004-D00
Total Grant Amount:	\$160,933.00

WHEREAS, this grant will focus on updating of the 911 phone system to a geo-divers next generation 911 solution;

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

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

By Supervisor Bono:

RESOLUTION NO. 397-14

AUTHORIZING THE CHAIRMAN TO RENEW AN EQUIPMENT MAINTENANCE AGREEMENT WITH PRESSTEK COMPANY

WHEREAS, the Central Services Department presently has an agreement with the **Presstek Company of Des Plaines, Illinois**, for the maintenance of the offset machine and related equipment; and

WHEREAS, it is necessary to renew the maintenance agreement at this time; and

WHEREAS, the agreement is in the amount of \$3,345.19, reflecting an increase of \$65.59 over the current contract; and

WHEREAS, the County Buildings and Grounds Committee has reviewed the maintenance agreement and recommends approval by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and hereby is authorized to renew this maintenance agreement for a period of one (1) year, commencing January 1, 2015, and expiring December 31, 2015, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

RESOLUTION NO. 398-14

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

WHEREAS, the Highway, Buildings and Grounds Committee met on November 18, 2014 and authorized the **Agreement between Madison County and CSX Transportation Inc., , for the North Court Street (BIN 3365930), over CSX RR, MP QC-267.31, DOT 507330K**, Town of Lenox, Madison County, New York; and

WHEREAS, the CSX Transportation, Inc. requires County of Madison to enter an agreement for flagging and construction engineering/inspection services prior to proceeding with the bridge replacement project; and

WHEREAS, an advanced payment made payable to CSX Transportation Inc. in the sum of \$78,268.00 has been appropriated in the County Road Fund, H5197.2903, and made available to cover the cost of participation in the above phase of this project;

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 CSX Transportation, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1348 NAYS – 0 ABSENT – 152 (Salka, Ball, Rafte)

By Supervisor Goldstein:

RESOLUTION NO. 399-14

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ENVIRONMENTAL PRODUCTS AND SERVICES, INC. TO RECEIVE, PROCESS AND DISPOSE OF MADISON COUNTY'S HOUSEHOLD HAZARDOUS WASTE IN 2015

WHEREAS, the County of Madison is required pursuant to its New York State Department of Environmental Conservation approved Solid Waste Management Plan to collect, process and dispose of Household Hazardous Waste; and

WHEREAS, Environmental Products and Services, Inc. owns and operates a permitted facility in Syracuse, NY for the proper management of Household Hazardous Waste; and

WHEREAS, the County of Madison has no comparable facility and has met with Environmental Products and Services Inc. about continuing service to Madison County residents for the year 2014 at the same rates charged to the County in the year 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 & 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized and directed to enter into an Agreement with Environmental Products and Services, Inc., a copy of which is on file with the Clerk of the Board, for a total sum not to exceed \$20,000.00 for the period beginning January 01, 2015 and ending December 31, 2015.

This Resolution shall take effect January 01, 2015.

ADOPTED: AYES – 1348 NAYS - ABSENT – 152 (Salka, Ball, Rafte)

RESOLUTION NO. 400-14

AUTHORIZING AGREEMENT FOR 2015 MISCELLANEOUS ENGINEERING/ LAND SURVEYING SERVICES

WHEREAS, Madison County is in need of a variety of miscellaneous engineering/ land surveying services with regard to the County's solid waste management system and facilities; and

WHEREAS, Delta Engineers, Architects & Land Surveyors, P.C. possesses the special skills and training required to perform the engineering/ land surveying services in connection with the County's solid waste management system and facilities; and

WHEREAS, the Solid Waste/Recycling Committee has reviewed and approved the Delta Engineers, Architects & Land Surveyors, P.C. proposal; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board is hereby authorized and directed to enter into an Agreement with Delta Engineers, Architects & Land Surveyors, P.C. to furnish professional engineering/ land surveying services to assist the Solid Waste Department in determining available space and compaction rates in the operating West-Side landfill. The estimated cost of services contemplated by said Agreement is \$2,300.00 for each quarterly survey completed and not to exceed an annual total of \$9,200.00. This is the same annual total for professional engineering/ land surveying services paid in 2014. A copy of said Agreement is filed with the Clerk of this Board; and

BE IT FURTHER RESOLVED, that this Agreement shall cover the period from January 1, 2015 and shall terminate on December 31, 2015; and

BE IT FURTHER RESOLVED, that funds from the Solid Waste Department engineering accounts will be utilized to cover the cost of the engineering services proposed.

ADOPTED: AYES – 1403 NAYS – 0 ABSENT – 97 (Salka, Ball with Supervisor Rafte arriving at 10:20 a.m.)

RESOLUTION NO. 401-14

AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES FOR 2015 GROUNDWATER MONITORING AND MISCELLANEOUS ENGINEERING

WHEREAS, Madison County is in need of a variety of miscellaneous engineering services with regard to the County's solid waste management system and facilities; and

WHEREAS, Barton and Loguidice Engineering possesses the special skills and training required to perform the engineering services in connection with the County's solid waste management system and facilities; and

WHEREAS, the Solid Waste/Recycling Committee has reviewed and approved the Barton and Loguidice Engineering proposal; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board is hereby authorized and directed to enter into an Agreement with Barton and Loguidice, P.C. Consulting Engineers, a professional corporation, to furnish professional engineering services in connection with the County's solid waste management system, including landfill expansion. The estimated cost of services contemplated by said Agreement is not to exceed \$300,000. A copy of said Agreement is filed with the Clerk of this Board; and

BE IT FURTHER RESOLVED, that this Agreement shall cover the period from January 1, 2015 and shall terminate on December 31, 2015; and

BE IT FURTHER RESOLVED, that funds from the Solid Waste Department engineering accounts will be utilized to cover the cost of the engineering services proposed.

ADOPTED: AYES – 1403 NAYS - ABSENT – 97 (Salka, Ball)

RESOLUTION NO. 402-14

EXPRESSING THE COUNTY'S INTENT TO PARTICIPATE IN LOCAL COMMUNITY CLEAN-UP PROGRAMS IN THE YEAR 2015

WHEREAS, Madison County Municipalities, community groups, not for profit organizations and other governmental agencies will be conducting clean-up programs of county roadsides, streams, parks and other public areas or buildings during the year 2015; and

WHEREAS, The Solid Waste Committee has recommended that the Director of the Solid Waste and Sanitation Department be authorized to issue a free permit to Madison County Municipalities, community groups, not for profit organizations and other governmental agencies interested in cleaning up sections of roadway, streams, parks or other public areas or public buildings; and

WHEREAS, to implement the plan, the Solid Waste Committee agreed that participants be issued special landfill permits which will allow them to dispose of the collected waste at the Madison County Landfill free of charge during the regular hours of operation, and

NOW, THEREFORE, BE IT RESOLVED, That the Madison County Board of Supervisors hereby:

- 1) Agree to have the Madison County Department of Solid Waste and Sanitation be a major participant in the community clean-up programs during the year 2015, and

- 2) Authorizes the issuance of a Special Waste Permit upon recommendation of the Solid Waste Director, to be issued without charge to Madison County Municipalities, community groups, not for profit organizations and other governmental agencies for disposition of solid waste found in and about Madison County Towns, Villages or City of Oneida, providing that during the year 2014 not more than twenty five (25) tons be accepted from each such Town, Village, City of Oneida or other governmental agency. Such Special Waste Permits shall be issued for each clean-up program upon completion of an application in the form that shall be prescribed by the Solid Waste Director.

This Resolution shall take effect January 1, 2015.

ADOPTED: AYES – 1403 NAYS – 0 ABSENT – 97 (Salka, Ball)

By Supervisor Pinard:

RESOLUTION NO. 403-14

AUTHORIZING THE MODIFICATION OF THE 2015 TENTATIVE COUNTY BUDGET

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

General Fund

1010 Legislative Board

Expense

	<u>From</u>	<u>To</u>
A1010.1010 Deputy Chairman	\$7,500	\$6,180
A1010.1018 Supervisors	285,000	245,765
A1010.8130 Social Security Expense	<u>35,900</u>	<u>32,797</u>
Totals	<u>\$328,400</u>	<u>\$284,742</u>

Net Decrease in 2015 Tax Levy **\$43,658**

Percentage Decrease in 2015 Tax Levy **0.134%**

9030 Social Security & Medicare Expense

Expense

A9030.8200 Social Security Expense	\$1,556,378	\$1,553,275
A9030.8210 Allocation of FICA Expense	<u>(1,556,378)</u>	<u>(1,553,275)</u>
Control Totals	<u>\$-0-</u>	<u>\$-0-</u>

**DEFEATED: NAYS – 1080 AYES – 323 (Goldstein, Pinard, Bradstreet, Henderson)
ABSENT – 97 (Salka, Ball)**

By Supervisor Becker:

RESOLUTION NO. 404-14

AUTHORIZING THE MODIFICATION OF THE 2015 TENTATIVE COUNTY BUDGET

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

General Fund

1170 Public Defender

Expense

	<u>From</u>	<u>To</u>
A1170.4715 Legal Defense Bureau Contract	\$444,523	\$453,304

3110 Sheriff Department

Expense

A3110.22 Automobiles	\$240,000	\$368,000
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9901 Contribution to Other Funds

Expense

A9901.9410 Contribution to Road Machinery	<u>\$1,812,338</u>	<u>\$1,912,338</u>
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Totals	<u>\$2,496,861</u>	<u>\$2,733,642</u>
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Net Increase in 2015 Tax Levy **\$236,781**

Percentage Increase in 2015 Tax Levy **0.722%**

Road Machinery Fund

5130 Road Machinery Repairs and Expense

Expense

DM5130.2908 Trucks, Pickup	<u>\$200,000</u>	<u>\$300,000</u>
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Control Total		<u>\$100,000</u>
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Revenue

DM5031.10 Contribution from General Fund	<u>\$1,812,338</u>	<u>\$1,912,338</u>
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Control Total		<u>\$100,000</u>
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ADOPTED: AYES – 1375 NAYS – 28 (Goldstein) ABSENT – 97 (Salka, Ball)

PUBLIC COMMENT PERIOD

Speakers:

- 1. Carol Warren Babcock spoke regarding the proposed construction of a compression station in southern Madison County. Several articles of correspondence including fact sheets, letters, reports and resolutions were given to the Clerk for the record.**

There being no further business, the Board stands recessed until 6:00 p.m. tonight when another public hearing will be held on the Tentative County Budget for 2015.

2ND DAY OF ANNUAL SESSION CONTINUED - NOVEMBER 18, 2014 – 6:00 p.m.

The Board reconvened at 6:00 p.m. with all members present except for Supervisor Stepanski (45 votes).

Chairman Becker announced and called for a motion to open the scheduled public hearing on the 2015 Tentative County budget. Supervisor Goldstein made the motion to

open the hearing, seconded by Supervisor Henderson and carried. After asking for speakers, and no one wishing to speak, Chairman Becker asked for a motion to close the hearing. Supervisor Degear made the motion to close the hearing, seconded by Supervisor Moses and carried.

RESOLUTIONS

By Supervisor Degear:

RESOLUTION NO. 405-14

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE (Solid Waste)

WHEREAS, the 2014 Plastics Symposium will be held on December 4, 2014, in Harrisburg, PA; and

WHEREAS, James Zecca, Director of Solid Waste Management has requested to attend said conference; and

WHEREAS, his expenses are funded through appropriations in the 2014 Department of Solid Waste budget; and

WHEREAS, this request has been reviewed and approved by the Solid Waste and Recycling Committee, and the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED that James Zecca be and hereby is authorized to attend said conference at County expense not to exceed \$281.

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

RESOLUTION NO. 406-14

APPOINTING AN ADMINISTRATOR OF THE PLAN TO PROVIDE COUNSEL FOR INDIGENT DEFENDANTS AND ESTABLISHING THE 2015 COMPENSATION RATE

WHEREAS, by resolution of the Madison County Bar Association the Madison County Attorney's office has been designated to provide the administration of the plan to provide legal representation for indigent defendants in criminal actions during 2015; and

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

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

WHEREAS, the Government Operations Committee has reviewed the compensation rate for this position and recommends the 2015 annual rate be \$7,040;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby appoints Tina Wayland-Smith as Administrator of Assigned Counsel for Indigent Defendants at the 2015 annual rate of \$7,040; and

BE IT FURTHER RESOLVED, that this appointment is effective January 1, 2015 through December 31, 2015.

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

RESOLUTION NO. 407-14

RENEWING A STIPEND FOR THE ADMINISTRATIVE ASSISTANT TO THE COUNTY ATTORNEY TO PROVIDE ADMINISTRATIVE ASSISTANCE FOR THE ASSIGNED COUNSEL PROGRAM FOR 2015

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

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

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

NOW, THEREFORE BE IT RESOLVED that a stipend of \$5,000 be and hereby is established for the Administrative Assistant to the County Attorney for 2015, payable on a monthly basis.

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

RESOLUTION NO. 408-14

RENEWING THE STIPEND FOR THE ON-CALL SYSTEM FOR CERTAIN COUNTY MANAGERS

WHEREAS, management personnel in the Health, Maintenance and Solid Waste Departments provide on-call coverage; and

WHEREAS, the Board of Supervisors has approved stipends for these managers since 1994; and

WHEREAS, the Government Operations Committee has reviewed the compensation for this on-call system and recommends that the Board authorize continuation of the stipend at the existing rates,

NOW, THEREFORE BE IT RESOLVED that the managers in the Maintenance and Solid Waste departments shall receive \$50.00 per week when they provide primary or backup on-call coverage except as modified below; and

BE IT FURTHER RESOLVED that the managers in the Health Department shall receive \$100.00 per week for on-call coverage; and

BE IT FURTHER RESOLVED that these rates are effective through December 31, 2015.

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

RESOLUTION NO. 409-14

APPOINTING A BUDGET OFFICER AND A DEPUTY BUDGET OFFICER

WHEREAS, by Resolution No. 433-11, Cindy Edick, County Treasurer was appointed as Budget Officer commencing January 1, 2012; and

WHEREAS, Mark Scimone was appointed as Deputy Budget Officer commencing January 1, 2012; and

WHEREAS, the Finance, Ways and Means and Government Operations Committees recommend that Cindy J. Edick, County Treasurer be appointed as Budget Officer and that Mark A. Scimone, County Administrator be appointed Deputy Budget Officer for the 2015 calendar year,

NOW, THEREFORE, BE IT RESOLVED that Cindy J. Edick be and hereby is appointed Budget Officer and shall maintain the 2014 stipend of \$10,000, paid on a biweekly basis effective January 1, 2015,

BE IT FURTHER RESOLVED that Mark A. Scimone be and hereby is appointed Deputy Budget Officer effective January 1, 2015, again at no additional compensation.

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

By Supervisor Degear and Reinhardt:

RESOLUTION NO. 410-14

AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS

WHEREAS, the county has been awarded \$89,253.00 from the Public Safety Answering Point (PSAP) Sustainment Grant; and

WHEREAS, there is no cost share associated with this grant; and

WHEREAS, this grant is identified as follows:

Awarding Agency:	NYS Division of Homeland Security and Emergency Services
Pass through Agency:	Office of Interoperable and Emergency Communications
Program Name:	2013-2014 PSAP Sustainment Grant
Grant No:	PS13-1001-D00
Total Grant Amount:	\$89,253.00

WHEREAS, the PSAP Sustainment Grant is for reimbursement to counties for operating expenses in a PSAP, other than personal service; 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 the NYS Office of Interoperable and Emergency Communications, in the form as is on file with the Clerk of the Board.

<u>Revenue</u>	<u>Amount</u>
A3389.6510	\$89,253.00
St Aid Master Site Homeland Security Reimb.	

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

By Supervisor Reinhardt:

RESOLUTION NO. 411-14

AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT WITH SIMPLIFILE FOR E-RECORDING IMPLEMENTATION IN THE COUNTY CLERK’S OFFICE

WHEREAS, the appropriate management of local government records is essential for efficient and effective government, and

WHEREAS, the County Clerk acting as Recording Officer, performs the duties prescribed by law in the recordation, indexing, imaging and archiving of all Madison County land records, and

WHEREAS, Chapter 549 of the Laws of 2011 amended the laws of the State of New York in order to allow recording officers in the State of New York to accept electronic recording of instruments affecting real property, subject to the rules and regulations established by the State of New York’s electronic facilitator (the “Electronic Facilitator”), and

WHEREAS, Title 9, Part 540.7(h), of the NYCRR provides that, prior to submitting electronic instruments to the Recording Officer for recording, the Registered Submitter shall be required by the Recording Officer to agree to terms and conditions required by the Recording Officer, which shall include the rights and responsibilities of both the Recording Officer and the Registered Submitter when participating in electronic recording, including, at a minimum, the terms and conditions set forth in Title 9, Part 540.7(i), of the NYCRR (the “Terms and Conditions Agreement”) and

WHEREAS, this agreement has been reviewed and approved by the Finance, Ways and Means Committee noting that this will incur no costs to the county and will increase efficiencies in the Madison County Clerk’s office;

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 allowing for said agreement to facilitate the electronic filing/recording by its customers of documents with Madison County, and be it further

RESOLVED, the agreement authorize qualifying documents for filing/recording in official records, and outlines the requirements of electronically recording documents to assure that recording transactions submitted are legally valid and enforceable.

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

RESOLUTION NO. 412-14

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

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

WHEREAS, that New York State has by legislation extended that authorization to expire on November 30, 2015; and

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

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

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

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

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

1. The 1 percent sales tax be re-authorized and set to expire on November 30, 2017;
2. The City of Oneida be allowed to pre-empt one half of the proposed reauthorized 1 percent tax on sales within the City;
3. The County be authorized to distribute by assessment the entire 1 percent sales tax collected outside the City.

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

RESOLUTION NO. 413-14

AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2014 Adopted County budget be modified as follows:

Modification No. 1

General Fund

1410 County Clerk

Expense

A1410.4741 Repairs/Digitization

From

To

\$8,450

\$13,176

Control Total \$4,726

Revenue

A1255.30 Web Service Fees	\$6,000	\$10,353
A1255.40 NYS DMV Web Retention	<u>\$3,038</u>	<u>\$3,411</u>

Control Total \$4,726

Modification No. 2

Road Machinery Repairs & Expense Fund

5130 Road Machinery Fund

Expense

	<u>From</u>	<u>To</u>
DM5130.2960 Excavator	87,000	84,000
DM5130.4826 Diesel	495,000	453,000
DM5130.4820 Repair Parts	<u>229,700</u>	<u>274,700</u>

Control Total \$811,700 \$811,700

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

By Supervisor Bono:

RESOLUTION NO. 414-14

**AUTHORIZING THE CHAIRMAN TO TERMINATE A
CONTRACT WITH THYSSENKRUPP ELEVATOR**

WHEREAS, the County entered into an agreement with ThyssenKrupp Elevator Service for elevator inspection and periodic maintenance; and

WHEREAS, the effective dates of the agreement do not align with the quarterly billing periods established by ThyssenKrupp; and

WHEREAS, ThyssenKrupp is unable to pro-rate quarterly billing to reflect rate changes within the quarter; and

WHEREAS, the County Office Building elevator is undergoing modernization, which should impact the type and extent of work required on that equipment; and

WHEREAS, the County's Standard Independent Contractor Agreement contains a clause allowing the County to terminate an agreement with 30 (thirty) days' notice; and

WHEREAS, the County Highways, Buildings and Grounds Committee reviewed and approved the matter at its November 18, 2014, meeting and recommended the cancellation of the agreement; and

WHEREAS, the Chairman of the Madison County Board of Supervisors has the authority to cancel said agreement;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and hereby is authorized to sign a letter giving ThyssenKrupp Elevator

notice of the County's intent to cancel said service agreement, a copy of which is on file with the Clerk of the Board of Supervisors.

ADOTPED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

By Supervisor Reinhardt:

RESOLUTION NO. 415-14

AUTHORIZING TOWNS, VILLAGE AND CITY MUNICIPAL GRANTS

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), rendering the properties not subject to property tax retroactively and prospectively.

WHEREAS, pursuant to the Settlement Agreement Madison County is to receive certain annual payments from the State of New York.

WHEREAS, it is the desire of this Board of Supervisors to provide a share of such payments for the affected towns' and city's 2015 and Village's 2014-2015 fiscal years, to mitigate the impact on such municipalities of the newly tax exempt status of certain properties owned by the OIN.

WHEREAS, to that end Madison County intends to make grants, namely a one-time payment essentially equal to the lost property taxes for current OIN titled parcels in each municipality (calculated based on the assessed value of the parcels at the tax rate in effect on the Effective Date of the Settlement Agreement, March 4, 2014), 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 municipalities.

WHEREAS, while the Board does not commit to payments in future years, 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 municipalities set forth therein totaling \$178,165.67.

ADOPTED: AYES – 1455 NAYS – 0 ABSENT – 45 (Stepanski)

By Supervisor Ball:

RESOLUTION NO. 416-14

AUTHORIZING THE MODIFICATION OF THE 2015 TENTATIVE COUNTY BUDGET

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

General Fund		
<u>7450 Museum</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A7450.4101 Chittenango Canal Museum	<u>\$30,000</u>	<u>\$-0-</u>
Net Decrease in 2015 Tax Levy		<u>\$30,000</u>
Percentage Decrease in 2015 Tax Levy		<u>0.092%</u>

DEFEATED: NAYS – 1136 AYES – 319 (Salka, Shwartz, Goldstein, Ball, Rafte) ABSENT – 45 (Stepanski)

By Supervisor Shwartz:

RESOLUTION NO. 417-14

AUTHORIZING THE MODIFICATION OF THE 2015 TENTATIVE COUNTY BUDGET

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

General Fund		
<u>8750 Agriculture & Livestock</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A8750.42749 Cooperative Extension Contract	<u>\$293,390</u>	<u>\$313,390</u>
Net Increase in 2015 Tax Levy		<u>\$ 20,000</u>
Percentage Increase in 2015 Tax Levy		<u>0.061%</u>

ADOPTED: AYES – 1391 NAYS – 64 ABSENT – 45 (Stepanski)

RESOLUTION NO. 418-14

AUTHORIZING THE MODIFICATION OF THE 2015 TENTATIVE COUNTY BUDGET

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

General Fund

	<u>From</u>	<u>To</u>
<u>3510 Control of Animals</u>		
<u>Expense</u>		
A3510.4270 Wanderer's Rest Contract	\$93,126	\$94,989
<u>4320 Heritage Farms</u>		
<u>Expense</u>		
A4320.42703 Heritage Farm Contract	\$32,587	\$32,896
<u>4330 Mental Health-ARC Programs</u>		
<u>Expense</u>		
A4330.42707 Madison County ARC Expense	\$152,030	\$155,071
<u>6772 Programs for Aging</u>		
<u>Expense</u>		
A6772.4039 Printing Expense (In Kind)	\$7,000	\$7,140
A6772.42716 Nutrition Program (Snack)	\$122,210	\$124,654
A6772.42717 Office for Aging	\$19,582	\$19,974
A6772.42718 Elderly No-Med in Home Services	\$40,663	\$41,476
A6772.42719 Community Service Elderly	\$20,490	\$20,900
<u>6988 Community Action Program</u>		
<u>Expense</u>		
A6988.401 Community Action Program	\$45,063	\$45,964
<u>6989 Food Bank of Central New York</u>		
<u>Expense</u>		
A6989.42721 Food Bank of CNY	\$10,000	\$10,200
<u>7410 Libraries-Mid York System</u>		
<u>Expense</u>		
A7410.42739 Mid-York Library Contract	\$24,576	\$25,068
A7410.42740 Local Library Contracts	\$68,654	\$70,027
A7410.42741 Telecommunications	\$21,324	\$21,750
<u>7510 Historian</u>		
<u>Expense</u>		
A7510.42743 Madison County Historical Society	\$25,750	\$26,265
<u>7550 Madison County Fair</u>		
<u>Expense</u>		
A7550.4101 Attractions & Promotions	\$17,500	\$17,850
A7550.42746 General Fair Expenses	\$7,500	\$7,650
<u>7989 Madison County Children Camp</u>		
<u>Expense</u>		
A7989.42745 Madison County Children Camp	\$10,000	\$10,200
<u>8020 Planning</u>		
<u>Expense</u>		
A8020.4724 Economic Development Contract	\$164,616	\$167,908
<u>8025 Regional Planning Board</u>		
<u>Expense</u>		
A8025.42746 Regional Planning Board	\$22,310	\$22,756

8710 Affiliated Conservation Clubs

Expense

A8710.42747 Fish & Game Expense	\$3,500	\$3,570
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8745 Soil & Water Conservation District

Expense

A8745.42748 Soil & Water Conservation	\$154,500	\$157,590
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8750 Agriculture & Livestock

Expense

A8750.42750 Agricultural Economic Development	<u>\$91,264</u>	<u>\$93,089</u>
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Totals	<u>\$1,154,245</u>	<u>\$1,176,987</u>
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Net Increase in 2015 Tax Levy		<u>\$22,742</u>
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Percentage Increase in 2015 Tax Levy		<u>0.069%</u>
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On motion by Supervisor Degear, seconded by Supervisor Salka, this resolution is TABLED.

The Board stands recessed until Friday, December 5, 2014.