

MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Tuesday, September 8, 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 Goldstein (28 votes) and Supervisor Ball (43 votes).

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

COMMUNICATIONS

Acknowledgement Received from Assemblyman Magee's office regarding our Board resolution No. 301-15 – Correction Law in Relation to Restraint of Pregnant Prisoners during childbirth.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$ 2,522,232.37
Miscellaneous Accounts:	\$ 1,555,829.75

UNFINISHED BUSINESS

Res. No. 314-15 Authorizing the Entry into an Agreement to Buy and Sell., Tabled by Supervisor Pinard, seconded by Supervisor Bargabos on Aug. 11, 2015. On motion by Supervisor Salka, seconded by Supervisor Rafte, this resolution was **PULLED**.

Res. No. 315-15 Adopting Local Law No. 2 for the Year 2015, Tabled by Supervisor Pinard, seconded by Supervisor Reinhardt on Aug. 11, 2015. On motion by Supervisor Salka, seconded by Supervisor Rafte, this resolution was **PULLED**.

By Supervisor Degear, Chairman
Government Operations Committee:

RESOLUTION NO. 322-15

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

WHEREAS, the Madison County Board of Supervisors believes that County employees should be recognized for their faithful service to the public; and

WHEREAS, recognition of the distinguished service of certain County employees with an upcoming retirement is in order,

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Robert Durfee, Kathleen Coughlin and Linda Gaut upon their retirement.

Robert G. Durfee	Communications	1978 - 2015
Kathleen F. Coughlin	Sheriff's	2003 - 2015
Linda S. Gaut	Social Services	2004 - 2015

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

Chairman Becker called E911 Director Paul Hartnett and Mr. Rob Durfee to step forward. Mr. Hartnett stated that Rob Durfee was the voice you heard for over thirty years when placing a call to the 911 Center. He was a reliable and caring employee and will be missed. Mr. Durfee was presented a gift and thanked for his many years of dedicated service to the county. Also asked to step forward were Sheriff Riley, Kathleen Coughlin, DSS Commissioner Mike Fitzgerald and Linda Gaut. Kathleen worked the mid-night shift for many years at the Sheriff's Department. She thanked everyone and commented that she has enjoyed her employment with Madison County. She will be coming back to work on a part-time basis. Commissioner Fitzgerald stated that Linda Gaut was a pleasure to work with, someone with a great attitude. She was thanked for her years of services and wished a happy retirement.

RESOLUTIONS – PREFERRED AGENDA

**By Supervisor Reinhardt, Chairman
Finance, Ways and Means Committee:**

RESOLUTION NO. 323-15

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH HARBRIDGE CONSULTING GROUP, LLC

WHEREAS, the Governmental Accounting Standards Board (GASB) issued Statement No. 45, establishing accounting and reporting standards regarding the costs and financial obligations that governments incur for post-employment benefits other than pensions (OPEB) offered by state and local governments; and

WHEREAS, Madison County implemented GASB Statement No. 45 beginning in 2008; and

WHEREAS, Harbridge Consulting Group, LLC has successfully performed the County's actuarial valuations since the adoption of this Statement; and

WHEREAS, Harbridge Consulting Group, LLC has submitted a proposal to provide the County with an interim valuation for fiscal years 2015 and 2017 at a cost of \$3,000 per year, and a full valuation for fiscal years 2016 and 2018 at a cost of \$11,700 per year, which reflects an overall increase of \$600, or 2.3%, for the four-year engagement.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to renew an agreement with Harbridge Consulting Group, LLC, as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 324-15

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

WHEREAS, the County utilizes customized software applications developed and maintained by Systems East, Inc.; and

WHEREAS, Systems East, Inc. has submitted their proposal for 2016 at a cost of \$18,348.00, which reflects an increase of \$1,057.00, or approximately 6.1% compared to the prior year; and

WHEREAS, the proposal provides for maintenance, supportive services and web hosting fees, if applicable, for the following software applications:

Delinquent tax collection system
Employee health insurance tracking system
Certificate of residency program

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

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 325-15

AUTHORIZING CHAIRMAN TO SIGN A CONTRACT WITH THE MADISON COUNTY CHILDREN’S CAMP FOR 2015

WHEREAS, Section 224 of the County Law authorizes the Board of Supervisors to contract with not-for-profit organizations, associations and agencies for the purposes enumerated in said section; and

WHEREAS, the Board of Supervisors in adopting the budget for the year 2015, pursuant to the provisions of Article 7 of the County Law has allocated to the following organization the amount set forth opposite the name of said organization:

A7989	Madison County Children’s Camp	10,000.00
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NOW THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and he hereby is empowered to enter into a contract with the organization listed above.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

**By Supervisor Stepanski, Chairman
Health and Human Services Committee:**

RESOLUTION NO. 326-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH ENCOMPASS HEALTH HOME

WHEREAS, Madison County Early Intervention program is currently providing service coordination and special instruction services to qualifying children; and

WHEREAS, NYS Health Home Program has developed an improved model of coordination of care, service integration and utilization of services by Medicaid beneficiaries with Encompass Health Home; and

WHEREAS, Encompass Health Home has requested a Memorandum of Understanding with Madison County Early Intervention Services to establish a cooperative agreement to assure

coordination and integration of services to manage and improve the overall well-being of its enrollees;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter an agreement with Encompass Health Home at no cost to the County, effective immediately, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 327-15

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENT
WITH OCCUPATIONAL HEALTH CLINICAL CENTER/FAMILY MEDICINE MEDICAL
SERVICE GROUP (OHCC)**

WHEREAS, Madison County is responding to resident's health concerns pertaining to the proposed gas compressor station by conducting lung function testing for these residents as part of a more comprehensive health assessment; and

WHEREAS, OHCC has the expertise and equipment to conduct the lung function test, and will provide all data collected and analysis of the data to Madison County Department of Health; and

WHEREAS, the County will reimburse OHCC up to \$7,200 for this service;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter an agreement with OHCC effective September 1, 2015 through December 1, 2015, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1429 NAYS - ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 328-15

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH BERKSHIRE FARM
CENTER AND SERVICES FOR YOUTH**

WHEREAS, the Department of Social Services is mandated to provide preventive services to at-risk children and families designed to prevent foster care placements and to reduce the lengths of costly foster care and residential placements; and

WHEREAS, the Department of Social Services has had success in the past several years in providing intensive preventive services for Persons in Need of Supervision (PINS) and their families so would now like to expand to other high-needs individuals; and

WHEREAS, the Madison County Department of Social Services has experienced costly Juvenile Delinquent (JD) placements for several years; and

WHEREAS, this intensive preventive service program is based on sound evidence-based practices and is effective in other counties around New York State; and

WHEREAS, this program worked with 25 youth in the past year with over eighty-five percent (85%) of them avoiding subsequent placement in detention or residential care; and

WHEREAS, Berkshire Farm Center and Services for Youth, has the recognized capacity to provide these services and has offered to do so for an amount not to exceed \$4,408.08 for the period September 1, 2015, to December 31, 2015; and

WHEREAS, upon Board of Supervisors' approved Resolution Number 249-12, Madison County applied for and was awarded a grant through the New York State Division of Criminal Justice Services (DCJS) to work with youth charged with Juvenile Delinquency; and

WHEREAS, ninety percent (90%) of the funds necessary for this program will be provided through a grant with the New York State Division of Criminal Justice Services, which will total \$39,672.70; and

WHEREAS, of the remaining ten percent (10%) of the funds necessary for this program (\$4,408.08), sixty-two percent (62%) of those funds (\$2,733.01) will be provided through the Supervision and Treatment Services for Juveniles Program from New York State such that only \$1,675.07 will need to be provided through local county funds; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to renew an agreement on behalf of the County of Madison with Berkshire Farm Center and Services for Youth in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 329-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT AND MODIFYING THE 2015 ADOPTED COUNTY BUDGET FOR PUBLIC HEALTH PREPAREDNESS GRANT

WHEREAS, the Madison County Department of Health has been working on Public Health Preparedness by implementing emergency procedures and has successfully completed the past work plans through Health Research; and

WHEREAS, Health Research Inc., has approved the 2015-2016 budget in the amount of \$52,096 from July 1, 2015 through June 30, 2016; and

WHEREAS, to meet the deliverables of this contract, the County must complete a Point of Distribution exercise; and

WHEREAS, TREX Planning Associates has the expertise to assist and has submitted a proposal that meets the requirement, the cost of said proposal shall not exceed \$2,600; and

WHEREAS, the Board of Health and Health and Human Service Committee believes it is appropriate and in the best interest of Madison County to modify the grant funds and to accomplish the required work for Public Health Emergency Preparedness;

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

Public Health Department
A4016 Federal and State Grants
Expense

From

To

A401640.549150 Emergency Preparedness Exp	\$10,210	<u>\$23,855</u>
Control Total		<u>\$13,645</u>

Revenue

A401640.444895 Federal Aid – Emergency Prep.	\$47,248	<u>\$60,893</u>
Control Total		<u>\$13,645</u>

BE IT FURTHER RESOLVED, that the County enter an agreement with TREX Planning Associates to assist with the required drill, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1429 NAYS - ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 330-15

AUTHORIZING THE DRINKING WATER ENHANCEMENT GRANT RENEWAL AND MODIFYING THE 2015 BUDGET

WHEREAS, the Madison County Public Health Department has been successfully administering the Drinking Water Enhancement Grant, providing additional services to the residents of Madison County; and

WHEREAS, this New York State funding is available to Madison County for the contract period of April 1, 2015 through March 31, 2016; and

WHEREAS, Madison County’s total share for the twelve month period is \$ 108,745; and

WHEREAS, both the Board of Health and the Health and Human Services Committee feel it expeditious to accept this funding and continue the additional environmental services in this area;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an agreement with New York State Department of Health for the contract period of April 1, 2015 to March 31, 2016, 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

4090 Public Health Environmental		From	To
<u>Expense</u>			
A409040.51004	PWS Enhancement Grant	\$ 3,000	<u>\$ 9,010</u>
	Control Total		<u>\$ 6,010</u>
<u>Revenue</u>			
A409040.434020	State Aid Public Water Supply	\$107,705	<u>\$113,715</u>
	Control Total		<u>\$ 6,010</u>

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 331-15

AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT MODIFICATION

WHEREAS, Madison County has an existing contract with Coordinated Care Services, Inc. (CCSI); and

WHEREAS, the Mental Health Department requires the services of CCSI to provide audit services to review departmental financial information which would result in an increase of up to \$5,000 to the existing contract.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board is 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 Coordinated Care Services, Inc.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 332-15

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

WHEREAS, the Office of Mental Health has reallocated funding for Liberty Resources, Inc., for Ongoing Integrated Supported Employment Services costs;

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

<u>4316 Mental Health - Liberty Resources</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A431640 434909 St. Aid Integrated Support	\$20,245	\$25,786
Control Total		<u>\$ 5,541</u>
<u>Expense</u>		
A431640 542720 Integrated Supported Employ	20,245	\$25,786
Control Total		<u>\$ 5,541</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 – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 333-15

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 Madison County Council on Alcoholism and Substance Abuse, Inc., (d.b.a. BRiDGES), for their INROADS program; and

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

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

General Fund

4250 Madison County Council on Alcohol & Drugs

	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A425040 444880 Federal Aid MCCASA	\$293,445	\$302,445
Control Total		<u>\$ 9,000</u>

Expense

A425040 542710 Council on Alcohol & Drugs	\$293,445	\$302,445
Control Total		<u>\$ 9,000</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 Madison County Council on Alcoholism and Substance Abuse, Inc., (d.b.a. BRiDGES).

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

**By Supervisor Degear, Chairman
Criminal Justice, Public Safety Committee:**

RESOLUTION NO. 334-15

**AUTHORIZING THE CHAIRMAN TO APPLY FOR A GRANT FROM THE
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES –
FY2015 TACTICAL TEAM TARGETED GRANT PROGRAM**

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

WHEREAS, the County of Madison is eligible to apply for a grant from the New York State Division of Homeland Security and Emergency Services to improve the Sheriff's tactical team capabilities and help to develop new response capabilities as it relates to high-risk incidents; and

WHEREAS, this grant would support the Sheriff's efforts in establishing a tri-county special operations unit in partnership with the Sheriffs of Chenango and Cortland Counties; and

WHEREAS, the award under this program would not exceed \$100,000;

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

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 335-15

AUTHORIZING THE CHAIRMAN TO APPLY FOR A NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES (DHSES) 2015 CRITICAL INFRASTRUCTURE GRANT PROGRAM (CIGP)

WHEREAS, the County of Madison is eligible to apply for a New York State Division of Homeland Security and Emergency Services (DHSES) 2015 Critical Infrastructure Grant Program (CIGP) for up to \$50,000; and

WHEREAS, the priority focus for the FY2015 CIGP is government owned critical infrastructure sites and special event or seasonal at-risk locations; and

WHEREAS, the application must be coordinated with at least two first responder agencies with prevention and/or protection responsibilities. These must be law enforcement, fire department, emergency management, information technology professionals, or public works agencies; and

WHEREAS, grant funding under the FY 2015 CIGP may be used for certain planning, equipment, training and exercise costs allowable under the State Homeland Security Program (SHSP) for up to \$50,000.00; and

WHEREAS, Madison County Emergency Management and Information Technology departments have recognized the need to acquire equipment for IT firewall and fallback service for the internet for critical infrastructure protection;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman of the Board to sign any and all necessary contract documents for a New York State Division of Homeland Security and Emergency Services (DHSES) 2015 Critical Infrastructure Grant Program (CIGP) in an amount not to exceed \$47,000.00.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT- 71 (Goldstein, Ball)

**By Supervisor Bono, Chairman
Highway, Buildings and Grounds Committee:**

RESOLUTION NO. 336-15

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

WHEREAS, Madison County entered an agreement with Labella Associates, D.P.C to provide engineering and design services to make the County Courthouse handicap accessible on all floors and to all locations within the building; and

WHEREAS, Madison County would like to proceed to the next step to include a concept design of all floors levels to determine if there is enough space within the current building to

support all Courthouse functions over the next 20 years and provide the County with a new safe, secure and efficient layout for Courthouse operations; and

WHEREAS, the programmatic requirements will be mutually developed with Madison County, the New York State Office of Court Administration (OCA) and with Labella Associates, D.P.C.'s expertise in designing municipal courtrooms throughout New York and other states; and

WHEREAS, in addition, the Courthouse will be in need of additional external and internal Courthouse repairs and potential upgrades to mechanical, electrical and plumbing systems needed to be studied and costs estimated by Labella; and

WHEREAS, any areas of potential renovation and or repairs need to be tested for potential hazardous materials including a final report and estimate for removal; and

WHEREAS, the cost shall not exceed Thirty Thousand dollars (\$30,000.00); and

WHEREAS, LaBella will provide an opinion of construction and project costs based on square foot cost estimate and propose a concept schedule for design and construction; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement for professional services with Labella Associates, D.P.C in the form that is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 337-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH C&S ENGINEERS, INC.

WHEREAS, the Public Works Committee met on August 19, 2015 and authorized the Madison County Highway Department to proceed with the Supplemental Design Services and Construction/Inspection Services for the Eaton Road Bridge over Electric Light Creek (CR 105, (BIN 3308830), Town of Eaton, Madison County; and

WHEREAS, the firm C&S Engineers, Inc., has provided Supplemental Agreement No. 1 for additional ROW work in the amount of Fourteen thousand four hundred twenty-three dollars and no cents (\$14,423.00), and Supplement Agreement No. 2 for Construction/Inspection in the amount of One hundred ten thousand fifty-four dollars and sixteen cents (\$110,054.16); and

WHEREAS, the cost for Supplemental No. 1 & No. 2 has been appropriated in the County Road Fund Budget, H519750 529001; and

WHEREAS, Federal and State funds have been secured for this project at 80% Federal, 15% State and 5% Local;

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 C&S Engineers, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

**By Supervisor Henderson, Member
Solid Waste and Recycling Committee:**

RESOLUTION NO. 338-15

**ACCEPTING BID AND AWARDING CONTRACT FOR THE MADISON COUNTY
DEPARTMENT OF SOLID WASTE AND SANITATION A.R.E. PARK SANITARY SEWER
PROJECT NO. 1A GENERAL CONSTRUCTION**

WHEREAS, the New York State Department of Environmental Conservation has approved design and construction of the A.R.E. Park Sanitary Sewer Project No. 1A General construction; and

WHEREAS, bids were duly received and opened on August 27, 2015 for Bid. Ref. No. 15-28 – No.1A General Construction; and

WHEREAS, all bids have been canvassed and reviewed by Barton and Loguidice Engineering and the Solid Waste/Recycling Committee who have made their recommendations to award to the lowest responsible bidder having no exceptions to the contract documents;

NOW, THEREFORE, BE IT RESOLVED, that the County accept and award the bid to the following corporation being the lowest responsible bidder:

**North Country Contractors, Inc.
23892 US Route 11
Calcium, New York 13616**

Contract Amount \$2,415,000.00

BE IT FURTHER RESOLVED, that upon receipt of the signed contracts and other related and required contract documents, copies of which are on file with the Clerk of this Board, that the Chairman of this Board of Supervisors be and is hereby authorized and directed to execute the same on behalf of the County of Madison.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 339-15

**ACCEPTING BID AND AWARDING CONTRACT FOR THE MADISON COUNTY
DEPARTMENT OF SOLID WASTE AND SANITATION A.R.E. PARK SANITARY SEWER
PROJECT NO. 1B ELECTRICAL CONSTRUCTION**

WHEREAS, the New York State Department of Environmental Conservation has approved design and construction of the A.R.E. Park Sanitary Sewer Project No. 1-B electrical construction; and

WHEREAS, bids were duly received and opened on August 27, 2015 for Bid. Ref. No. 15-28 – No.1B Electrical Construction; and

WHEREAS, all bids have been canvassed and reviewed by Barton and Loguidice Engineering and the Solid Waste/Recycling Committee who have made their recommendations to award to the lowest responsible bidder having no exceptions to the contract documents;

NOW, THEREFORE, BE IT RESOLVED, that the County accept and award the bid to the following corporation being the lowest responsible bidder:

**S.C. Spencer Electric, Inc.
5940 Spencer Road
Constableville, New York 13325**

Contract Amount \$98,100.00

BE IT FURTHER RESOLVED, that upon receipt of the signed contracts and other related and required contract documents, copies of which are on file with the Clerk of this Board, that the Chairman of this Board of Supervisors be and is hereby authorized and directed to execute the same on behalf of the County of Madison.

ADOPTED: AYES -1 429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 340-15

**ACCEPTING BID AND AWARDING CONTRACT FOR THE MADISON COUNTY
DEPARTMENT OF SOLID WASTE AND SANITATION A.R.E. PARK SANITARY SEWER
PROJECT NO. 2 LANDFILL CONSTRUCTION**

WHEREAS, the New York State Department of Environmental Conservation has approved design and construction of the A.R.E. Park Sanitary Sewer Project No. 2 Landfill Construction; and

WHEREAS, bids were duly received and opened on August 27, 2015 for Bid. Ref. No. 15-28 – No.2 Landfill Construction; and

WHEREAS, all bids have been canvassed and reviewed by Barton and Loguidice Engineering and the Solid Waste/Recycling Committee who have made their recommendations to award to the lowest responsible bidder having no exceptions to the contract documents;

NOW, THEREFORE, BE IT RESOLVED, that the County accept and award the bid to the following corporation being the lowest responsible bidder:

**Henderson Bros. Contracting, Inc.
PO Box 788 47 Gildner Road
Central Square, NY 13036**

Contract Amount \$310,571.00.00

BE IT FURTHER RESOLVED, that upon receipt of the signed contracts and other related and required contract documents, copies of which are on file with the Clerk of this Board, that the Chairman of this Board of Supervisors be and is hereby authorized and directed to execute the same on behalf of the County of Madison.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTIONS – REGULAR AGENDA

By Supervisor Degear, Chairman
Government Operations Committee:

RESOLUTION NO. 341-15

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

WHEREAS, the 2015 NCA Chapter Summit will be held October 28-30, 2015, in Salt Lake City, UT; and

WHEREAS, Allen Riley, Sheriff, has requested that Renee Smith, Madison County Child Advocacy Center Program Director, attend this conference; and

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

WHEREAS, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications 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 – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 342-15

AUTHORIZING THE MODIFICATION OF THE 2015 ADOPTED COUNTY BUDGET

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

Modification No. 1

Modification/Grant # 5

General Fund

1171 Public Defender Grants

Revenue

	<u>From</u>	<u>To</u>
A117110 433905 St. Aid Indigent Legal Services	\$-0-	\$75,892

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

A117110 547571 ILSF Legal Defense	-0-	45,000
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A117110 547581 ILSF Legal Defense CLE	-0-	6,000
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A117110 547591 ILSF Legal Defense Disbursements	<u>-0-</u>	<u>24,892</u>
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Control Total		<u>\$75,892</u>
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Modification No. 2

General Fund

1620 County Buildings

Expense

	<u>From</u>	<u>To</u>
A162010 527030 Parking Lot Paving	\$213,400	\$194,000

A162010 527031 Parking Lot Sealing	19,580	17,800
A162010 527032 Parking Lot Striping	7,150	6,500
A162010 527033 Sidewalks	213,785	213,550
A162010 527034 Curbing	60,500	55,000

9950 Transfer to Capital Projects Fund

Expense

A995099 594203 Transfer to Capital Projects Fund	<u>429,480</u>	<u>457,045</u>
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Control Totals	<u>\$943,895</u>	<u>\$943,895</u>
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Capital Projects Fund

1624 COB Renovations

Revenue

H162410 450312 Contribution from General Fund	<u>\$429,480</u>	<u>\$457,045</u>
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Control Total		<u>\$27,565</u>
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Expense

H162410 529803 Contingency	<u>\$-0-</u>	<u>\$27,565</u>
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Control Total		<u>\$27,565</u>
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Modification No. 3

General Fund

1620 County Buildings

Expense

A162010 529031 Architect Svcs Courthouse Project	<u>\$80,600</u>	<u>\$110,600</u>
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Control Total		<u>\$30,000</u>
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Revenue

A162010 488001 Approp of Bldg Imp Reserves	<u>\$56,928</u>	<u>\$86,928</u>
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Control Total		<u>\$30,000</u>
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Modification No. 4

General Fund

1620 County Buildings

Expense

A162010 529043 Squad Room Building Expense	<u>\$13,145</u>	<u>\$146,925</u>
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3110 Sheriff Department

Expense

A311030 540300 Misc. Building Expense	<u>11,570</u>	<u>2,790</u>
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2490 Community College Tuition

Expense

A249020 544450 Tuition Expense	<u>1,500,000</u>	<u>1,400,000</u>
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1990 Contingent Fund

Expense

A199010 544440 Contingent Fund	<u>1,765,510</u>	<u>1,740,510</u>
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Control Total	<u>\$3,290,225</u>	<u>\$3,290,225</u>
<u>Modification No. 5</u>		
<u>General Fund</u>		
<u>3021 E-911 Communications</u>		
<u>Expense</u>	<u>From</u>	<u>To</u>
A302130 529026 UPS System	\$-0-	\$27,981
<u>1990 Contingent Fund</u>		
<u>Expense</u>		
A199010 544440 Contingent Fund	<u>1,740,510</u>	<u>1,712,529</u>
Control Total	<u>\$1,740,510</u>	<u>\$1,740,510</u>
<u>Modification No. 6</u>		
<u>General Fund</u>		
<u>9061 Hospital & Medical Insurance</u>		
<u>Expense</u>	<u>From</u>	<u>To</u>
A906190 586040 Premium on HMO's	\$ 215,000	\$ 705,000
A906190 586110 Prescription Expense	1,420,000	1,370,000
A906190 586130 Medical Claims Expense	<u>6,188,960</u>	<u>5,748,960</u>
Control Total	<u>\$7,823,960</u>	<u>\$7,823,960</u>
<u>Modification No. 7</u>		
<u>County Road Fund</u>		
<u>5110 Maintenance of Roads and Bridges</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
D511050 547300 Contract Surface Treatment	\$550,000	\$510,000
<u>5112 Construction Projects</u>		
<u>Expense</u>		
D511250 547340 Asphalt Paving	<u>\$165,000</u>	\$205,000
Control Totals	<u>\$715,000</u>	<u>\$715,000</u>
<u>Modification No. 8</u>		
<u>Enterprise Environmental Landfill Fund</u>		
<u>8173 Landfill Sewer Pipeline Construction</u>		
<u>Expense</u>	<u>From</u>	<u>To</u>
EE817380 529810 Sewer Pipeline Construction	\$-0-	\$2,600,000
EE817380 529801 Legal & Administrative Expense	-0-	130,000
EE817380 529802 Engineering Expense	-0-	389,000
EE817380 529803 Contingency	<u>-0-</u>	<u>256,000</u>
Totals	<u>\$-0-</u>	<u>\$3,375,000</u>
Control Total		<u>\$3,375,000</u>
<u>Revenue</u>		
EE817380 457300 Bond Anticipation Notes	<u>\$-0-</u>	<u>\$3,375,000</u>
Control Total		<u>\$3,375,000</u>

Supervisor Degear offered the following amendment to this resolution, seconded by Supervisor Henderson and carried. The amendment adds a budget modification and reads as follows:

<u>General Fund</u> <u>3410 Office of Emergency Management</u> <u>Expense</u>	<u>From</u>	<u>To</u>
A341030 522000 Vehicles	\$35,000	\$37,250
A341030 542701 Training Tower Rental	1,400	650
A341030 544208 Search & Rescue	<u>1,500</u>	<u>-0-</u>
Control Total	<u>\$37,900</u>	<u>\$37,900</u>

A final vote with amendment included was then taken:

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

By Supervisor Reinhardt, Chairman
Finance, Ways and Means Committee:

RESOLUTION NO. 343-15

ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 3 FOR THE YEAR 2015 AND CALLING FOR A PUBLIC HEARING

WHEREAS, Supervisor Reinhardt has duly introduced proposed Local Law No. 3 for the year 2015, entitled “A LOCAL LAW OVERRIDING TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c”; 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 on Tuesday, October 13, 2015 at 2:15 p.m.; and

BE IT FURTHER RESOVLED, that the Clerk of 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 – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

COUNTY OF MADISON

A LOCAL LAW OVERRIDING TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

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

Section 1. Title: This law shall be known as “A Local Law Overriding Tax Levy Limit Established in General Municipal Law §3-c”

Section 2. Legislative Findings and Purpose:

General Municipal Law §3-c “Limit upon real property tax levies by local governments” requires 60% approval from the County Legislative Body in order to increase the county tax levy from the previous year above two (2) percent or above the rate of inflation, whichever is less. This year the projection is 1.0073 percent due to lower inflation numbers.

Due to the cost of State mandated programs and services the Madison County Board of Supervisors has been forced to authorize the override of the State imposed tax cap in order to have sufficient funds to protect the wellbeing of the citizens of Madison County and provide essential local public health, safety, and infrastructure programs and services.

Mandated State programs and services include but are not limited to Medicaid, Public Assistance, Child Welfare, Pre-School Special Education, Indigent Defense, Early Intervention, Youth Detention and Pension costs. These State mandated programs and services require more than Thirty Million County dollars and exceeds the total prior year’s County real property tax levy.

These State mandates must be paid first before local taxes may be used for County purposes.

Madison County can effectively implement a property tax cap only if there is a meaningful action by the State of New York to control the cost of State Mandated Programs and Services and provide mandate relief.

The purpose of this local law is to comply with the requirements of General Municipal Law §3-c prior to adopting the 2016 County Budget.

Section 3. Tax Levy Limit Override

The Board of Supervisors of the County of Madison is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability:

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid, or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law which shall remain in full force and effect.

Section 5. Effective Date:

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**By Supervisor Stepanski, Chairman
Health and Human Services Committee:**

RESOLUTION NO. 344-15

**AUTHORIZING THE CHAIRMAN TO PROCLAIM SEPTEMBER AS:
NATIONAL RECOVERY MONTH**

WHEREAS, prevention of substance use and/or mental disorders does work and treatment can be effective; with an estimated 23,000,000 people are in recovery across the nation; and

WHEREAS, preventing and overcoming substance use and/or mental disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

WHEREAS, recovery goes beyond treatment and abstinence to the lifelong process of improved health, wellness and quality-of-life, and a reintegration with family and community; and

WHEREAS, recent cost benefit studies consistently find that benefits to society that result from the treatment of alcohol and/or drug use disorders include cutting drug use by 50%, reducing crime by 80%, and reducing arrests by up to 64%, as well as improving health, increasing employment, and increasing overall social functioning of the individuals who have been treated; and

WHEREAS, Madison County is fortunate to have a comprehensive continuum of prevention, treatment and recovery programs and services; and

NOW, THEREFORE BE IT RESOLVED, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and the Alcohol and Substance Abuse/Mental Health Sub-Committee of the Madison County Community Services Board invite all residents of Madison County to participate in:

National Recovery Month

AND BE IT FURTHER RESOLVED, that the Board of Supervisors call upon the people of Madison County to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "**Visible, Vocal, Valuable.**"

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein< Ball)

Chairman Becker invited Susan Jenkins, Director of BRiDGES/MCCASA to step forward and speak on this resolution. She expressed that prevention and treatment of substance abuse does work effectively. She asked that everyone observe this important event and invited everyone to attend on Thursday, September 17th from 5:30 – 7:00 p.m. on Farrier Ave. in Oneida.

**By Supervisor Salka, Chairman
Public Utility Service Committee:**

RESOLUTION NO. 345-15

AUTHORIZING THE CHAIRMAN TO ENTER INTO CONFIDENTIALITY AGREEMENTS WITH ESCOS ON BEHALF OF THE MADISON COUNTY PUBLIC UTILITY SERVICE

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

WHEREAS, Madison County is interested in evaluating the marketing and sales services of energy services companies (ESCOs) to provide markets for the sale of locally generated green energy within the County and outside County through the Public Utility Service; and

WHEREAS, in order to evaluate the desired services the County and ESCO's must exchange trade secret and competitively sensitive information concerning customers, pricing, margins and related information; and

WHEREAS, Madison County through its legal counsel has negotiated confidentiality agreements with two local ESCO's Agway Energy Services (Agway) and BlueRock Energy (BlueRock).

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to sign confidentiality agreements with Agway and BlueRock in substantially the same form as are on file with clerk of the board.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

**By Supervisor Bono, Chairman
Highway, Buildings and Grounds Committee:**

RESOLUTION NO. 346-15

**AUTHORIZING THE CHAIRMAN TO EXECUTE A MODIFICATION AGREEMENT WITH
TIOGA CONSTRUCTION CO. INC.**

WHEREAS, a Construction Services Agreement was authorized by Resolution No. 106-15 on March 10, 2015 and an initial modification thereof was authorized by Resolution No. 196-15 on May 12, 2015; and

WHEREAS, circumstances require a modification of such Agreement as to the date of completion of the work as currently provided for in the Bid Specifications of RFB #15.02, namely, from October 27, 2015 to November 30, 2015, and Modification Agreement No. 2 has been prepared to implement the same; and

WHEREAS, on September 8, 2015 the Highway, Buildings and Grounds Committee and the Highway Superintendent reviewed the terms of the Agreement pertaining to the North Court Street Bridge over CSX RR (BIN 3365930, Town of Lenox, Madison County) in need of amendment, including proposed Modification Agreement No.2; and

WHEREAS, such modification is in the best interest of the residents of Madison County to progress the project in the most efficient manner;

NOW, THEREFORE, BE IT RESOLVED, that the modification of the Agreement is approved, and the Chairman of the Madison County Board of Supervisors, be and is hereby authorized to execute Modification Agreement No.2 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 – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

**By Supervisor Henderson, Member
Solid Waste and Recycling Committee and Supervisor
Reinhardt, Chairman, Finance Ways and Means Committee:**

RESOLUTION NO. 347-15

**AUTHORIZING THE PURCHASE OF ONE NEW 2015 CATERPILLAR 950M WHEEL
LOADER FOR THE DEPARTMENT OF SOLID WASTE AND SANITATION**

WHEREAS, the Board of Supervisors established a Capital Reserve Fund (Resolution No. 262, October 10, 2000) designated as the “County Landfill and Transfer Station Equipment, Machinery and/or Apparatus purchase Capital Reserve Fund”; and

WHEREAS, such Capital Reserve Fund was established for the purpose of financing, in whole or in part, the purchase of equipment, machinery and/or apparatus to be utilized for the operation and/or maintenance of the Madison County Landfill and Transfer Stations provided, however, no such purchase of any such item shall be less than \$75,000; and

WHEREAS, the Solid Waste/Recycling Committee has reviewed and approved the Solid Waste Department equipment replacement schedule which recommends purchasing the Wheel Loader this year; and

WHEREAS, the Solid Waste Department and Solid Waste/Recycling Committee has also reviewed the state contract and recommends awarding to Milton CAT - NYS Contract Award # 22063, the bidder meeting all specifications;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be and is hereby authorized to purchase one 2015 Caterpillar 950M (Fusion) Wheel Loader from Milton CAT being the lowest responsible state bidder meeting all specifications with trade allowance of \$60,000 for a Caterpillar 950H for a total price less trade in of **\$162,377.00**; and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby authorized to utilize funds from the Landfill Machinery and/or Apparatus Capital Reserve Fund to purchase such item.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

**By Supervisor Henderson, Chairman
Administration and Oversight Committee:**

RESOLUTION NO. 348-15

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

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

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

NOW, THEREFORE BE IT RESOLVED, that Rule No. 24 and 24-A are hereby waived only for the following reasons:

Acknowledging introduction of Proposed Local Law No. 4 for the Year 2015 and Calling for a Public Hearing (Real Property to Taylor).

Authorizing the Chairman to Enter an Agreement with ABC Systems, LLC for the Installation of Fire Safety Equipment.

Authorizing the Chairman to Enter into an Agreement with Chem-Aqua for Compliance with Legionella Regulations..

Resolution Regarding Gaming Revenue Generated in Madison County.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

**By Supervisor Salka, Chairman
Planning, Economic Development, Environmental and
Intergovernmental Affairs Committee:**

RESOLUTION NO. 349-15

**ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 4 FOR THE YEAR
2015 AND CALLING FOR A PUBLIC HEARING**

WHEREAS, Supervisor Salka has duly introduced proposed Local Law No. 4 of 2015, entitled “A LOCAL LAW AUTHORIZING THE CONVEYANCE OF APPROXIMATELY 1.360 ACRES OF CERTAIN REAL PROPERTY IN THE CITY OF ONEIDA TO DAVID TAYLOR AND TIMOTHY TAYLOR; and

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

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on the proposed local law in the Chamber of the Board of Supervisors at the Madison County Office Building on October 13, 2015 at 2:30 p.m., or as soon as possible thereafter; and

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

ADOPTED: AYES – 1429 NAYS – 0 ABSENT- 71 (Goldstein, Ball)

PROPOSED LOCAL LAW

**A LOCAL LAW AUTHORIZING THE CONVEYANCE OF APPROXIMATELY 1.360 ACRES
OF CERTAIN REAL PROPERTY IN THE CITY OF ONEIDA TO DAVID TAYLOR AND
TIMOTHY TAYLOR**

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

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

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

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

Section 4. The Board of Supervisors finds that due to the location and nature of the property that fair and adequate consideration is One Thousand, Five Hundred Dollars (\$1,500.00).

Section 5. The parcel contains 1.360± acres of land, more or less as shown on a Boundary Line Survey map prepared by O. Perry Tooker IV, P.L.S., dated 3 September 2015. Being a portion of the premises as conveyed by Utica Transit Corporation to County of Madison by Quit Claim Deed dated 1 February 1955 and recorded in the Madison County Clerk's office in Liber 505 of Deeds at Page 215, and is described as follows:

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

Beginning at an iron rod standing on the Northerly boundary of lands conveyed by Velton E. Taylor, David A. Taylor and Rodney A. Taylor to Timothy E. Taylor by Warranty Deed dated 30 September 2002 and recorded in the Madison County Clerk's office in Liber 1239 of Deeds at Page 314, said iron rod measured respectively N88°34'00"W 201.45 feet along the Northerly boundary of Taylor from a in iron rod standing at the intersection of the Westerly highway boundary of Hubbard Place with the Northerly boundary of Taylor, the Point of Beginning being further described as measured respectively 33± feet Southerly at right angles from Oneida Railway Company centerline station 126+80.06;

Thence from the point of beginning N88°34'00"W 899.84 feet along the Northerly boundary of Timothy E. Taylor (now or formerly) and a wire fence line to an iron pipe standing on the Easterly boundary of lands conveyed to Curtin Dairy, L.P. (now or formerly) as described in a Warranty Deed dated 27 December 2000 and recorded in the Madison County Clerk's office in Liber 1181 at Page 114, said iron pipe measured respectively 33± feet Southerly at right angles from Oneida Railway Company centerline station 135+79.90,

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

Thence S88°34'00"E 895.73 feet along the Northerly boundary of the Oneida Railway Company and also the Southerly boundary of the New York West Shore and Buffalo Railway Company to an iron rod measured respectively 33± feet Northerly at right angles from Oneida Railway Company centerline station 126+80.06,

Thence S01°26'00"W 66.00 feet through lands of the County of Madison to the point and place of beginning.

The above described parcel containing 1.360± acres of land, more or less as shown on a Boundary Line Survey map prepared by O. Perry Tooker IV, P.L.S. dated 3 September 2015.

Being a portion of the premises as conveyed by Utica Transit Corporation to County of Madison by Quit Claim Deed dated 1 February 1955 and recorded in the Madison County Clerk's office in Liber 505 of Deeds at Page 215.

Subject to any easements, covenants or restrictions of record.

Section 6. The Chairman of the Board of Supervisors is hereby authorized to convey the above described property without public bidding to David A. Taylor and Timothy E. Taylor for One Thousand, Five Hundred Dollars (\$1,500.00) and upon such other terms and conditions as are approved by resolution of the Madison County Board of Supervisors.

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

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

**By Supervisor Bono, Chairman
Highway, Buildings and Grounds Committee:**

RESOLUTION NO. 350-15

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH
ABC SYSTEMS, LLC, FOR THE INSTALLATION OF FIRE SAFETY EQUIPMENT**

WHEREAS, the County is renovating the Wampsville Fireman's Park Building into the Sheriff's Office squad room; and

WHEREAS, that renovation requires compliance with New York State and local building and fire codes; and

WHEREAS, a fire alarm system is required as part of those building codes; and

WHEREAS, ABC Systems, LLC, will install a new fire panel, smoke detectors, heat detectors, pull stations, horn/strobes, strobes and shutdown for HVAC units, install and test the equipment, protecting the overall safety of occupants of the building and bringing the County into regulatory compliance; and

WHEREAS, the Fire-Lite Fire System is non-proprietary and able to be maintained through vendors already contracting with the County for this purpose; and

WHEREAS, the County Buildings and Grounds Committee and Criminal Justice/Public Safety/Telecommunications Committee have reviewed the proposal and recommend approval by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to enter into an agreement with ABC Systems, LLC, a copy of which is on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

RESOLUTION NO. 351-15

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH
CHEM-AQUA FOR COMPLIANCE WITH LEGIONELLA REGULATIONS**

WHEREAS, the County recently was notified by New York State it must begin cleaning, inspection and testing its cooling towers for Legionella; and

WHEREAS, the County was given little notice, having to complete the first round of inspections by September 16, 2015, there was inadequate time to solicit quotes for the service; and

WHEREAS, the County operates and maintains four cooling towers on the Wampsville campus; and

WHEREAS, Chem-Aqua currently performs water testing services under contract with the County; and

WHEREAS, the Highway, Buildings and Grounds Committee has reviewed the proposal and recommends approval by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to sign the agreement with Chem-Aqua, a copy of which is on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT- 71 (Goldstein, Ball)

By Supervisor Becker, Chairman Native American Affairs Committee and Supervisor Degear, Chairman Government Operations Committee:

RESOLUTION NO. 352-15

RESOLUTION REGARDING GAMING REVENUE GENERATED IN MADISON COUNTY

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

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

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

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

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

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

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

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

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

WHEREAS, on August 20, 2015 the Oneida Nation announced that it will soon introduce table games at its Yellow Brick Road Casino

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

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

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

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

WHEREAS, a Supplemental Agreement between the state of New York and the County of Madison has been prepared, providing for Madison County to receive the same percentage of the State’s gaming revenue from operations conducted in Madison County as that provided to Oneida County;

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

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

WHEREAS, such legislation was introduced in the New York State Senate by Senator David Valesky and the New York State Assembly by Assemblyman William Magee, respectively

Senate S5670 and Assembly A7844, to approve and implement the Supplemental Agreement and revenue share;

WHEREAS, in June 2015 such legislation overwhelmingly passed the New York State Assembly 124-4 but was blocked in the New York State Senate;

WHEREAS, it is in the best interests of Madison County to seek a legislative resolution in cooperation with the Governor's office and legislative leaders, as well as to evaluate its potential legal options to assure the implementation of the same;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors reaffirms its support for the prompt enactment by the Legislature and the signing into law by the Governor of S5670 and A7844 (or their equivalent), together with the execution of the Supplemental Agreement and the implementation of its terms, and authorizes the taking of such steps by the Chairman of the Board as are reasonably necessary to achieve the same, including the engagement of Perkins-Coie to analyze and advise the County as to its legal options in seeking host county payments and its assistance in pursuit of the same.

ADOPTED: AYES – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

**By Supervisor Reinhardt, Chairman
Finance, Ways and Means Committee:**

RESOLUTION NO. 353-15

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 – 1429 NAYS – 0 ABSENT – 71 (Goldstein, Ball)

PUBLIC COMMENT PERIOD

Speakers:

- 1. Gary Padula of Canastota, New York spoke on Oneida Indian Native issues.**
- 2. Kimberly Strong – representing Lainey's Army asked Board members to please consider entering a contract with ASPCA, as our county needs more coverage with abused animals, referring to a recent case in Munnsville, New York where under nourished, sick horses were discovered. If a contract is entered into with the ASPCA, the county can save money and the ASPCA with handle all of these cases.**
- 3. Scott Ingmire, Director of Planning and Jamie Hart, Assistant Director each spoke on a program they have been working with called SMART Communities. The USEPA awarded a grant to Madison County and with this money binders were developed and were distributed to each Board member. These binders provide resources for communities to use, showing them the many opportunities that are available to them.**

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