

MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Thursday, February 10, 2011

The Board convened at 10:30 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present.

Pledge of Allegiance.

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

COMMUNICATIONS

1. Copy of Resolution No. 584-10 from Sullivan County – Imploring the NYS Legislature to enact substantive reform of the Real Property Tax Law Section Governing Tax Exempt Criteria.
2. Thank you from the Sherburne-Earlville After-Prom Committee for the \$50 donation to last year's event.

REPORTS

1. Dept. of Ag. & Markets – Bureau of Weights & Measures Annual Report for 2010.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA And Cazenovia Sewer District:	\$ 3,658,297.74
Miscellaneous Accounts:	\$ 6,592,620.17

RESOLUTIONS

By Supervisor Bargabos:

RESOLUTION NO. 20-11

**AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE
STOP-DWI**

WHEREAS, the Community Anti-Drug Coalition of America (CADCA) is holding its annual leadership conference in National Harbor, Maryland from February 7 – 10, 2011; and

WHEREAS, The Prevention Resource Center sponsored Stephen Goodfriend, Madison County STOP DWI Coordinator's, involvement in a Community Anti-Drug Coalition of America NYS Training Academy during the year 2010; and

WHEREAS, Stephen Goodfriend requested to attend said conference and graduation ceremony; and

WHEREAS, his expenses are fully funded by the Prevention Resource Center; and

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

NOW, THEREFORE BE IT RESOLVED that Stephen Goodfriend was authorized to attend said conference at no cost to the County.

ADOPTED: AYES – 1500 NAYS - 0

RESOLUTION NO. 21-11

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

WHEREAS, the National Immunization Conference will be held in Washington DC on March 27, 2011 through March 31, 2011; and

WHEREAS, Eric Faisst, Public Health Director has requested that Gina Relyea, RN II attend said conference; and

WHEREAS, lodging, meals and registration expenses will be paid for by NYSACHO and the baggage and shuttle expense will be paid by ARRA Immunization funds; and

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

NOW, THEREFORE BE IT RESOLVED that Gina Relyea be and hereby is authorized to attend said training at no cost to the County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 22-11

RE-APPOINTING MEMBERS TO THE ETHICS ADVISORY

COUNCIL AND THE ETHICS BOARD

WHEREAS, the term of Gair S. Meres, member of Ethics Advisory Council will expire February 13, 2011; and

WHEREAS, the term of Douglas Lippert, member of the Ethics Board will expire February 11, 2011; and

WHEREAS, the term of Peter Dunn, Esq., member of the Ethics Board will expire February 13, 2011; and

WHEREAS, the Government Operations Committee recommends their re-appointment;

NOW, THEREFORE BE IT RESOLVED, that Gair S. Meres, of Hamilton, be and hereby is re-appointed to an additional four year term on the Ethics Advisory Council expiring on February 10, 2015; and

BE IT FURTHER RESOLVED, that Douglas Lippert of Oneida, be and hereby is re-appointed to an additional four year term on the Ethics Board expiring on February 10, 2015; and

BE IT FURTHER RESOLVED, that Peter Dunn, Esq. of Oneida, be and hereby is re-appointed to an additional four year term on the Ethics Board expiring on February 10, 2015.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 23-11

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

WHEREAS, management personnel in the Health, Maintenance, Mental Health and Solid Waste Departments, as well as the Madison County Sewer District, 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 (no increase since 2004); and,

NOW, THEREFORE BE IT RESOLVED that the managers in the Maintenance, Mental Health and Solid Waste departments as well as the

Madison County Sewer District 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 when they provide primary or back-up on-call coverage except as modified below; and

BE IT FURTHER RESOLVED that the managers in the titles of Director of Community Health Services and Assistant Director of Patient Services shall receive \$300.00 per week when they provide primary on-call coverage; and

BE IT FURTHER RESOLVED that these rates are effective through December 31, 2011.

ADOPTED: AYES – 1465 NAYS – 35 (Degear)

RESOLUTION NO. 24-11

FIXING THE SALARIES FOR DEPUTY CORONERS IN THE DISTRICT ATTORNEY’S OFFICE FOR 2011

WHEREAS, the Board of Supervisors did not authorize the payment of appropriated money in the 2011 County budget for the Madison County Coroner and Deputy Coroners; and

WHEREAS, the District Attorney has assigned additional responsibilities to two Deputy Coroner positions as a result of a vacant Deputy Coroner position which the District Attorney does not intend to fill at this time; and

WHEREAS, the District Attorney recommends redistribution of salary for the two Deputy Coroner positions because of their additional responsibilities and the unfilled vacancy; and

WHEREAS, the salary and fringe benefits for the Deputy Coroners will be funded through appropriations in the previously approved 2011 Medical Examiners & Coroners budget at no additional total cost as noted below:

Department 1185: Medical Examiners and Coroners

	<u>2010 Adopted Budget</u>	<u>2011 Adopted Budget</u>
1020 Coroner	\$4,500	\$4,500
1030 Deputy Coroner	\$4,500	\$6,550
1040 Deputy Coroner	\$4,500	\$4,500
1050 Deputy Coroner	\$4,500	\$6,150
1060 Deputy Coroner	\$4,100	\$0

Total Personal Services \$21,700 \$21,700

NOW, THEREFORE BE IT RESOLVED that the 2011 compensation of Coroner and Deputy Corners is in accordance with the amounts appropriated in the 2011 Medical Examiners and Coroners Budget as noted above. Said compensation shall be effective retroactively from January 1, 2011 – December 31, 2011 and shall be payable on a bi-weekly basis.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 25-11

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ZOHO CORPORATION

WHEREAS, it is necessary to enter into an agreement for the annual software license renewal for the desktop management software used by the Information Technology Department to maintain, update and support computers used by Madison County; and

WHEREAS, the Government Operations Committee has reviewed and approves of this software license renewal; and

WHEREAS, the software license renewal is for one year, commencing on March 2, 2011, in the amount of six thousand, four hundred and forty-five dollars (\$6,445.00),

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to enter into a software license renewal with **ZOHO Corporation**, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 26-11

APPOINTING MEDICAID CORPORATE COMPLIANCE OFFICER

WHEREAS, the Madison County Medicaid Corporate Compliance Plan names the County Administrator or designee as the Corporate Compliance Officer; and

WHEREAS, the County Administrator has retired; and

WHEREAS, the Government Operations Committee recommends the appointment of Mark Scimone, Administrative Assistant to the Chairman of the Board of Supervisors as Corporate Compliance Officer until a permanent appointment to the title of County Administrator is made,

NOW, THEREFORE BE IT RESOLVED that Mark Scimone be and hereby is appointed Corporate Compliance Officer.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 27-11

APPOINTING THE ADMINISTRATIVE ASSISTANT TO THE CHAIRMAN OF THE BOARD OF SUPERVISORS AS RECORDS ACCESS OFFICER

WHEREAS, the Madison County Board of Supervisors previously appointed the County Administrator as Records Access Officer; and

WHEREAS, the County Administrator has retired; and

WHEREAS, in the absence of a County Administrator, the Government Operations Committee recommends the appointment of Mark Scimone, Administrative Assistant to the Chairman of the Board of Supervisors as Records Access Officer until a permanent appointment to the title of County Administrator is made,

NOW, THEREFORE BE IT RESOLVED that the Administrative Assistant to the Chairman of the Board of Supervisors be and hereby is appointed as records Access Officer for Madison County effective immediately.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 28-11

AUTHORIZING THE CHAIRMAN TO EXECUTE AN AMENDMENT TO AGREEMENT WITH EXCELLUS HEALTH PLAN, INC.

WHEREAS, the County has entered into an agreement with Excellus Health Plan, Inc., to provide certain administrative services relative to the County's participation in the Retiree Drug Subsidy Program; and

WHEREAS, the purpose of the amendment is to attest that there have been no material changes to the County's participation status in the Retiree Drug Subsidy Program, and that all information pertaining to the County in the original agreement with Excellus Health Plan, Inc. remains materially unchanged; and

WHEREAS, this amendment will be effective January 1, 2011 through December 31, 2011;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and hereby is authorized to execute an amendment to agreement with Excellus Health Plan, Inc., a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS- 0

RESOLUTION NO. 29-11

DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY AND AUTHORIZING A SETTLEMENT WITH ERIE INSURANCE GROUP

WHEREAS, a Madison County automobile assigned to the Public Health Department, identified as a 2005 Ford Focus sedan, VIN #1FAFP34N55W297807, was involved in a motor vehicle accident which caused extensive damage to the County vehicle; and

WHEREAS, the accident was the fault of the driver of the other vehicle; and

WHEREAS, the adjuster of the at-fault driver's insurance company, Erie Insurance Group, has deemed the automobile to be totaled; and

WHEREAS, the County is in agreement that the automobile is indeed totaled; and

WHEREAS, Erie Insurance Group has offered the County \$7,514.00 as full and final settlement of this claim; and

WHEREAS, Erie Insurance Group has requested that the title of said vehicle be transferred to Erie Insurance Group; and

WHEREAS, in accordance with the Madison County Disposal of Obsolete and/or Surplus County Personal Property Policy and Procedures, County personal property is required to be declared obsolete and/or surplus by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that said County automobile is hereby declared surplus property; and

BE IT FURTHER RESOLVED that the title of said vehicle be transferred to Erie Insurance Group; and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to accept \$7,514.00 as full and final settlement of this claim.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Salka:

RESOLUTION NO. 30-11

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH PLANNED PARENTHOOD MOHAWK HUDSON, INC.

WHEREAS, the Public Health Department operates a Diagnostic and Treatment Center; and

WHEREAS, Resolution # 3-11, Authorizing the Chairman to Enter Into Agreements with Public Health Department Contractors was passed on January 4, 2011 which included Planned Parenthood; and

WHEREAS, Planned Parenthood Mohawk Hudson, Inc. has requested a change to the contract; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Planned Parenthood Mohawk Hudson, Inc. in the form as is on file with the Clerk of The Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 31-11

AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ENTER INTO AN ASSET PURCHASE AGREEMENT (L. WOERNER, INC., d/b/a HCR)

WHEREAS, Madison County Department of Health operates a certified home health agency and a long term home health care program; and

WHEREAS, the Board of Supervisors has passed resolution 518-10 declaring its intention to accept the proposal of L. Woerner, Inc., d/b/a HCR to assume the certified home health agency and a long term home health care program functions in Madison County; and

WHEREAS, L. Woerner, Inc., d/b/a HCR desires to purchase from the County, and the County desires to sell to L. Woerner, Inc., d/b/a HCR, certain assets owned by County that are used in connection with the County's operation of the certified home health agency and a long term home health care program for the sum of \$900,000.00; and

WHEREAS, both the Board of Health and the Public Health Services Committee feel it most expeditious to enter into an Asset Purchase Agreement with L. Woerner, Inc., d/b/a HCR for the sale of these assets;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into a Asset Purchase Agreement with L. Woerner, Inc., d/b/a HCR, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1459 NAYS – 41 (Ball)

RESOLUTION NO. 32-11

RE-APPOINTING A MEMBER TO THE MADISON COUNTY BOARD OF HEALTH

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

WHEREAS, Dr. John Endres' appointment to the Board of Health expires on December 31, 2010; and

WHEREAS, upon review, both the Board of Health and the Public Health Services Committee feel it appropriate to extend Dr. John Endres' term to the Madison County Board of Health;

NOW, THEREFORE BE IT RESOLVED that Dr. John Endres is re-appointed to the Board of Health effective January 1, 2011 through December 31, 2016.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 33-11

AUTHORIZING MODIFICATION OF THE 2010 ADOPTED COUNTY BUDGET

WHEREAS, the Public Health Department has several accounts with insufficient appropriations to cover all expenses that will occur in the current year: and

WHEREAS, the Board of Health and Public Health Services Committee recommends approval of these budget modifications;

NOW, THEREFORE BE IT RESOLVED, that the 2010 Adopted County Budget be modified as follows:

General Fund

4010 Public Health Administration

<u>Expense</u>		<u>From</u>	<u>To</u>
A4010.489	Photo Copy Usage/Lease	\$ 10,000	\$ 14,000
A4010.4038	Information Technology Services	<u>55,176</u>	<u>51,176</u>
	Control Total	<u>\$ 65,176</u>	<u>\$ 65,176</u>

4013 Public Health Homecare

<u>Expense</u>			
A4013.41047	Health Assessment Expense	\$ 1,690	\$ 1,890
	LTHHC		
A4013.41046	LTHHC Misc. (Home Maint.)	<u>4,000</u>	<u>3,800</u>
	Control Total	<u>\$ 5,690</u>	<u>\$ 5,690</u>

4016 Public Health Federal and State Grants

<u>Expense</u>			
A4016.112	Personal Services Bioterrorism	\$ 20,219	\$ 23,856
A4016.4911	Emergency Preparedness	<u>102,475</u>	<u>98,838</u>
	Control Total	<u>\$122,694</u>	<u>\$122,694</u>

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 34-11

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE PROFESSIONAL PRACTICE GROUP – CHILD PSYCHIATRY

WHEREAS, the Madison County Mental Health Department has indicated a desire to provide child psychiatry services to the clients of the Department, and;

WHEREAS, the Mental Health Department has recently lost the services of a New York State licensed psychiatrist who is Board Certified in Child Psychiatry and has a severe backlog in providing initial intake examinations and on-going clinical treatment to child and adolescent clients, and:

WHEREAS, the Professional Practice Group (PPG) has representatives who are New York State licensed psychiatrists who are Board Certified in Child

and Adolescent Psychiatry and who individually and collectively possess the expertise, special skills and experiences to perform services in connection herewith, and;

WHEREAS, the Mental Health Department finds the services of the PPG and its representatives to be necessary in order to successfully implement the intended child and adolescent psychiatry services program, and;

WHEREAS, the PPG has indicated a willingness to participate and provide a Board Certified Child Psychiatrist at the rate of \$220 per hour for an average of 15 hours (15) hours per week of psychiatric services - provided either on-site at the Mental Health Department or through tele-psychiatry - with a 10% administrative fee on all billable services and the total cost for 2011 not to exceed \$175,000;

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 Professional Practice Group in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Cary & Salka:

RESOLUTION NO. 35-11

TAKING THE PLEDGE TO PARTICIPATE IN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S CLIMATE SMART COMMUNITIES PROGRAM

WHEREAS, the County of Madison (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments which is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change could endanger our infrastructure, economy and livelihoods; harm our farms, orchards, ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, it is important for communities to continue to find opportunities to improve and adopt policies and technologies that can create a more sustainable and economically sound future;

NOW, THEREFORE, BE IT RESOLVED that the County of Madison, in order to reduce greenhouse gas emissions and adapt to a changing climate, will

1. Pledge to Combat Climate Change by Becoming a Climate Smart Community

Use the development of new policies and plans as opportunities to set goals to reduce GHG emissions. Help individuals set goals to reduce GHG emissions through encouraging actions such as taking the ENERGY STAR® pledge. Work cooperatively with neighboring communities to ensure that efforts complement and reinforce one another. As an official signal of commitment and for access to technical resources, sign on to a widespread climate campaign such as ICLEI Local Governments for Sustainability – Climate Protection campaign.

2. Set Goals, Inventory Emissions, Move to Action

Develop a Climate Action Plan with the assistance of Central New York Regional Planning and Development Board, local officials and community members to review the issues and propose a plan of action to reduce GHG emissions. Gather data, inventory GHG gas emissions, and establish baselines for local government operations and community sectors. Through the Climate Action Plan, develop quantifiable interim GHG emission targets consistent with emission reduction goals and propose a schedule and financing strategy to meet them. Take advantage of available resources like The Climate Registry, which has developed a standardized method for reporting emissions inventories, and ICLEI to track and evaluate progress.

3. Decrease Energy Demand for Local Government Operations

Through the Climate Action Plan, set goals to reduce electricity use for local government operations.

Existing Public Facilities. Inventory current building electricity usage and identify opportunities for conservation and efficiency retrofits. Obtain energy assessments from the New York State Energy Research and Development Authority (NYSERDA), the New York Power Authority, the Long Island Power Authority or other professionals. Consider actions such as purchasing energy efficient equipment and appliances, such as ENERGY STAR®; improving lighting, heating, and cooling efficiency; setting thermostats for maximum energy conservation; decreasing plug load from office equipment; and increasing pump efficiency in water and wastewater systems.

New Public Buildings. Strive to implement energy efficient design standards such as U.S. Green Building Council Leadership in Energy and Environmental Design standards for new local government buildings.

Infrastructure. Incorporate energy efficient technologies and operations and maintenance practices into municipal street lighting, traffic signals, and water and wastewater treatment facilities.

Vehicle Fleet and Commuting. Improve the average fuel efficiency of local government fleet vehicles. Discourage vehicle idling and encourage bicycling, car-pooling and public transit for employees. Strive to enhance its public transit system to offer more viable transportation options for its citizens. Consider reducing the number of vehicles; converting fleet vehicles to sustainable alternative fuels; and using electric vehicles where possible.

4. Encourage Renewable Energy for Local Government Operations

Supply as much of the local government's power, heat and hot water needs as possible from solar, wind, and small hydro through purchase or direct generation.

5. Realize Benefits of Recycling and Other Climate Smart Solid Waste Management Practices

Expand the "reduce, reuse and recycle" approach to waste management in local government operations and in the whole community. Reduce the amount of solid waste generated – continue to promote backyard composting, implement incentives that encourage a reduced trash volume, and educate residents on how to prevent waste. Continue to promote reuse by providing a space for drop-off or trade of reusable goods. Continue to provide recycling receptacles in local government buildings and outdoor spaces and encourage duplex printing in government offices, the composting of food scraps and green waste, and adopting a comprehensive green purchasing program.

6. Promote Climate Protection through Community Land Use Planning

Combat climate change by encouraging low-emissions development that is resilient to climatic changes. When updating land use policies, building codes or community plans, strive to include provisions to combat climate change; reduce sprawl; preserve and protect open space, biodiversity, and water supplies; promote compact, transit-oriented, mixed-use, bikeable and walkable communities; promote infill development; minimize new development in floodplains; maintain or establish healthy community forests; and promote best forest management practices and encourage tree planting, especially along waterways, to increase shading and to absorb carbon dioxide.

7. Plan for the Future

Use future-oriented practices, policies, and strategies, to appropriately guide growth and development which includes taking into account any potential climate change impacts (such as flooding, drought, and extreme temperatures) that

could affect the community. Factor potential risks into long-term investments and decision-making.

8. Support a Green Innovation Economy

Identify opportunities to incorporate climate protection, sustainability and environmental goods and service industries into economic development plans. Encourage workforce development training and school curricula that support the emerging green collar job sector, including renewable energy and energy efficiency, as well as climate smart solid waste management practices. Procure climate smart goods and services for local government operations and support modernizing of local and national electricity grids.

9. Inform and Inspire the Public

Lead by example. Highlight local government commitment to reducing energy use, saving tax dollars, and adapting to changing conditions. Demonstrate the benefits of energy savings, energy efficiency, and renewable energy projects by hosting open houses; distributing fliers; holding local meetings; working with school districts, colleges, and universities to develop climate change curricula and programs; engaging faith-based communities in climate protection; and regularly communicating community climate protection goals and progress to constituents.

10. Commit to an Evolving Process

Acknowledge that research and policy on climate protection are constantly improving and evolving. Be willing to consider new ideas and commit to update plans and policies as needed. Compare successes, cooperate and collaborate with neighboring communities to redirect less-effective actions and amplify positive results.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Cary:

RESOLUTION NO. 36-11

ENDORING THE CONCEPT OF LOCAL MUNICIPALITIES CONSIDERING SOLICITATION REGISTRATION ORDINANCES

RESOLVED, that the County hereby endorses the concept of local municipalities considering solicitation registration ordinances and directing the County Attorney to provide a template ordinance for further action by such municipalities and their legal counsel.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 37-11

**APPOINTING A MEMBER TO THE CENTRAL NEW YORK REGIONAL
MARKET AUTHORITY**

RESOLVED, that Becca Jablonski, Madison County's Agricultural Economic Development Specialist, be appointed to fill a Madison County seat of the Central New York Regional Market Authority, commencing immediately and to serve at the pleasure of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 38-11

**AUTHORIZING SUBMISSION OF APPLICATION FOR A
COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, Madison County may submit an application for funding for community development activities to New York State under the Office for Community Renewal; and

WHEREAS, Madison County proposes to apply for funds for direct homeownership assistance; and

WHEREAS, Madison County has followed a citizen participation plan in developing the proposed application; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign and submit the application for funding from New York State on behalf of Madison County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 39-11

**AUTHORIZING THE CHAIRMAN TO APPLY FOR A RURAL BUSINESS
ENTERPRISE GRANT THROUGH THE USDA RURAL DEVELOPMENT**

WHEREAS, the County of Madison is eligible to apply for the United States Department of Agriculture's Rural Business Enterprise Grant; and

WHEREAS, the County of Madison lost over 35% of its dairy farms between 1997 and 2007; and

WHEREAS, the dairy industry remains the most important segment of agriculture in terms of gross sales; and

WHEREAS, the County of Madison has recognized the need for agricultural economic development through their financing of the Agricultural Economic Development Program; and

WHEREAS, the grant will allow the County to purchase a piece of dairy processing equipment to be used by Madison County dairy farmers to add value to their raw milk product; and

WHEREAS, the grant does not require matching funds.

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman of the Board to sign a grant application through USDA Rural Development for a Rural Business Enterprise Grant, in the amount not to exceed \$99,900.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 40-11

SUPPORTING NEW YORK STATE ASSEMBLY BILL A28 IN SUPPORT OF NET METERING OF MICRO HYDROELECTRIC POWER GENERATION

WHEREAS, under the Laws of New York State, electric power generation from the renewable sources of wind and sunlight are afforded certain benefits encouraging their spread; and

WHEREAS, the generation of micro hydroelectric power from flowing water is a similarly renewable power generation technology and worthy of similar encouragement and incentives; and

WHEREAS, New York State Assemblyman Cahill has introduced a Bill (A28) to the NYS Assembly that authorizes the interconnection and net metering of micro hydroelectric generating equipment with electric corporations operating in New York State;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors supports according of full equality of such benefits to micro hydroelectric power generation under the Laws of New York State as proposed in Assembly Bill A28; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Senator David Valesky, Assemblyman William Magee, to Chairman of the State Senate Committee on Energy and Telecommunications George Maziarz, and to Chairman of the Assembly Committee on Energy Kevin Cahill, and Governor Andrew Cuomo.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 41-11

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

WHEREAS, funds have been made available through the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for water quality improvement projects; and

WHEREAS, Madison County, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Madison County Board of Supervisors

1. That Chairman John M. Becker or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation; and
4. That this Resolution take effect immediately.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Ball:

RESOLUTION NO. 42-11

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT
FOR BARBER SERVICES**

WHEREAS, Joseph Esper, a barber, has been providing services to the Madison County Jail as requested by the Sheriff; and

WHEREAS, the agreement is in the amount of \$11.50 per haircut and represents no increase from the previous year; and

WHEREAS, the term of this agreement shall begin January 1, 2011 and end December 31, 2011; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and he is hereby authorized to enter into agreement on behalf of the County of Madison with Joseph Esper, a barber, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 43-11

AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT

WHEREAS, the Central New York Psychiatric Center Forensic Unit provides services at the Central New York Psychiatric Center in the Town of Marcy, County of Oneida; and

WHEREAS, the Forensic Unit has the capability of providing forensic services for the Sheriff's Department of surrounding counties which have inadequate facilities for treating mentally ill inmates; and

WHEREAS, the Madison County Sheriff's Department is in need of these services at a cost of \$165.00 per day, per inmate, which is a \$25.00 increase from the previous agreement; and

WHEREAS, this agreement shall become effective on January 1, 2011 and expire on December 31, 2013; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and he is hereby authorized to enter into agreement on behalf of the County of Madison with the County of Oneida for Forensic Services, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Ball & Reinhardt:

RESOLUTION NO. 44-11

AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT

WHEREAS, BRiDGES has received a 2011 NYS Enforcing Underage Drinking Laws Prevention and Law Enforcement Partnership Grant; and

WHEREAS, the Sheriff’s Office will conduct off and on-premise compliance checks of licensed establishments; and

WHEREAS, BRiDGES hereby agrees to pay \$5,000 to the Madison County Sheriff’s Office for the above mentioned services; and

WHEREAS, the Federal awards grant is identified as follows; and

Awarding Agency: Office of Juvenile Justice and Delinquency Prevention
Pass-through Agency: NYS Office of Alcoholism and Substance Abuse Services
Catalog #: 93.958
Program Name: 2011 NYS Enforcing Underage Drinking Law Prevention and Law Enforcement Partnership Grant
Award Period: January 1– June 30, 2011
Federal Funds %: 100%
Total Grant Amount: \$5,000; and

WHEREAS, the funding agencies have approved the following budget for this project during the project period of January – June 2011; and

<u>3110 Sheriff’s Department</u>		
<u>Expense</u>	From	To
A3110.41029Enforcing Under Age Drinking Laws Grant	<u>\$ 0</u>	<u>\$ 5,000</u>

	Control Total		<u>\$ 5,000</u>
<u>Revenue</u>			
A4389.6020	Fed Aid-Enforcing Under Age Drinking Laws	<u>\$ 0</u>	<u>\$ 5,000</u>
	Control Total		<u>\$ 5,000</u>

WHEREAS, this agreement has been reviewed and approved by the Criminal Justice, Public Safety, and Telecommunications Committee and also the Finance, Ways and Means Committee; and

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

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Degear:

RESOLUTION NO. 45-11

**INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF MADISON
AND THE TOWN OF CAZENOVIA**

WHEREAS, the Public Works Committee on December 14, 2010 has authorized the Madison County Highway Department to enter into an agreement giving the Town of Cazenovia responsibility and control of parking along East Lake Road and North Lake Road; and

WHEREAS, the Town has created a parking ordinance along East Lake Road and North Lake Roads, which are both County roads; and

WHEREAS, the County is responsible for installing and maintaining parking signs; and

WHEREAS, the Town agrees to assume the responsibility of installing and maintaining “No Parking” signs, so as to be able to maintain continuity between the creation of the parking ordinance and the installation of the required signs; and

WHEREAS, it has been determined by the respective Highway Departments of each party that it would be to the advantage of each party for the Town to maintain control and maintenance of the “No Parking” signs along East Lake Road and North Lake Road;

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

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Degear and Reinhardt:

RESOLUTION NO. 46-11

AUTHORIZING THE MODIFICATION OF 2011 COUNTY BUDGET

RESOLVED, that the 2011 Adopted County Budget be modified as follows:

Road Machinery Fund

5130 Road Machinery Fund Expense

		<u>From</u>	<u>To</u>
DM5130.4034	Car Wash Expense	0	500
DM5130.4820	Repair Parts	<u>320,000</u>	<u>319,500</u>
	Control Total	<u>\$320,000</u>	<u>\$320,000</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor DiVeronica:

RESOLUTION NO. 47-11

AUTHORIZING 5-YEAR SOLID WASTE DISPOSAL AGREEMENTS WITH COMMERCIAL PERMIT HOLDERS

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

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

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

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

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

BE IT FURTHER RESOLVED, the Solid Waste Disposal Agreement shall cover the period from January 1, 2011 through December 31, 2016; and

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

1. **ABSCOPE ENVIRONMENTAL**
2. **BISTROW TRUCKING**
3. **DB REMODELING**
4. **D.R. CASEY CONSTRUCTION**
5. **H R REFUSE**
6. **HALDENWANG, ROBERT**
7. **KEN JOHNSON G.C. LLC**
8. **NYE AUTOMOTIVE GROUP**
9. **SUPERIOR WASTE REMOVAL INC.**
10. **TOP GUN CONSTRUCTION**

On motion by Supervisor Henderson, seconded by Supervisor Goldstein this resolution was amended to remove Superior Waste Removal, Inc.. and moving Top Gun Construction up to line 9. Carried.

Final vote:

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 48-11

AUTHORIZING THE PURCHASE OF A WATER TRUCK FROM THE TOWN OF GEORGE TOWN FOR USE BY THE DEPARTMENT OF SOLID WASTE

WHEREAS, the Madison County Department of Solid Waste requires the use of a water truck for the daily operation of the Westside Landfill; and

WHEREAS, pursuant to Madison County Purchasing Policy and Procedures with respect to purchasing second hand equipment from other government entities, the Department obtained a quote from the Town of

Georgetown for the sale a used 1999 Freightliner (FL80) truck with 4,800 miles; and

WHEREAS, the offer has been reviewed by the Solid Waste/Recycling Committee and they recommend that the Department of Solid Waste purchase the truck from the Town of Georgetown; and

WHEREAS, the Department of Solid Waste and Sanitation has sufficient funds in its Solid Waste Department Equipment Account for such purchase; and

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is hereby authorized to purchase the 1999 Freightliner (FL80) truck from the Town of Georgetown for the total sum of Nineteen thousand five hundred dollars and zero cents (\$19,500.00).

ADOPTED: AYES – 985 NAYS – 494 (Degear, Suits, Cary, Bargabos, Becker) ABSTAIN – 21 (Coye)

By Supervisors DiVeronica and Cary:

RESOLUTION NO. 49-11

Project Action: Agriculture and Renewable Energy Park

**ESTABLISHING MADISON COUNTY AS
LEAD AGENCY, DETERMINING THAT THE PROPOSED PROJECT IS A
TYPE I ACTION UNDER SEQRA AND MAY HAVE A SIGNIFICANT ADVERSE
IMPACT ON THE ENVIRONMENT REQUIRING PREPARATION OF A
GENERIC ENVIRONMENTAL IMPACT STATEMENT, SETTING TIME, DATE
AND LOCATION OF A PUBLIC MEETING TO RECEIVE COMMENTS ON A
DRAFT SCOPING DOCUMENT**

WHEREAS, Madison County is proposing to transfer to a not for profit corporation referred to as the Capital Resources Corporation ("CRC"), established by the County for the purpose of fostering economic development within a proposed Agriculture and Renewable Energy Park ("ARE Park") approximately 295 acres of land currently owned by Madison County on Buyea Road in the Town of Lincoln, Madison County, New York (the "Project"); and

WHEREAS, on January 4, 2011, Madison County caused a letter and Part 1 of the Environmental Assessment Form to be sent to other potentially "involved agencies" and "interested agencies" (as these quoted terms are defined in the State Environmental Quality Review Act [SEQRA] Regulations found at 6 NYCRR Part 617), indicating Madison County's ("County") desire to serve as "lead agency" (as this quoted term is defined in the SEQRA Regulations) through the SEQRA coordinated review process for the Project; and

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

WHEREAS, the County has determined that the Project is a Type I action under SEQRA and after reviewing the Environmental Assessment Form and the criteria for determining significance set forth in the SEQRA regulations, the County finds that the Project may have a significant impact on the environment requiring the preparation of a Generic Environmental Impact Statement pursuant to the SEQRA regulations; and

WHEREAS, the County as Lead Agency has caused a Draft Scoping Document to be prepared setting forth a proposed scope for an environmental review to be documented in a Draft Generic Environmental Impact Statement and now desires to set the date, time and location for a public scoping meeting to receive verbal comments as well as a deadline for submittal of written comments regarding the draft scoping document;

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

BE IT FURTHER RESOLVED, that based upon an examination of the EAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the County's knowledge of the area surrounding the Project, the County makes the determination that the Project may have a significant adverse environmental impact and that the Project will require the preparation of a Generic Environmental Impact Statement; and

BE IT FURTHER RESOLVED, that as a consequence of such findings and declaration and in compliance with the requirements of SEQRA, Madison County, as lead agency, hereby directs the Director of the Madison County Planning Department in accordance with 6 NYCRR § 617 to file a copy of the Positive Declaration for the Project in accordance with the SEQRA Regulations; and

BE IT FURTHER RESOLVED, that Madison County, as lead agency, hereby directs the Director of the Madison County Planning Department to publish the Draft Scoping Document for purposes of public review on the County website as well as a notice of such availability in the Environmental Notice Bulletin and other publications specified by the SEQRA regulations; and

BE IT FURTHER RESOLVED, that a public scoping meeting be held on March 7th, 2011 at 7:00 PM on the second floor of the Madison County Office Building in the Supervisors' Chambers; and

BE IT FURTHER RESOLVED, that written comments on the Draft Scoping Document be submitted to the Director of the Madison County Planning Department at P.O. Box 606, Wampsville, New York 13163 no later than March 25, 2011; and

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

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Reinhardt:

RESOLUTION NO. 50-11

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT
FOR A MID-YORK FOUNDATION GRANT
AND MODIFYING THE 2011 BUDGET**

WHEREAS, the Mid-York Foundation, a Charitable Not-For-Profit Corporation, has chosen to award Madison County with a grant; and

WHEREAS, this grant will enable the County Clerk's office to purchase a map cabinet for the secure storage and retrieval of 200 archival and historic maps; and

WHEREAS, the total grant amount is \$3,000;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and hereby is authorized to execute the necessary agreement in connection with this grant (a copy of which is on file with the Clerk of the Board); and

BE IT FURTHER RESOLVED, that the 2011 adopted County budget be modified as follows:

General Fund

Madison County Clerk

Expense

A1410.2025 Map Cabinet

From

To

\$0

\$3,000

Control Total

\$3,000

Revenue

A2770.7045 Misc Revenue

Mid-York Foundation Grant

\$0

\$3,000

Control Total

\$3,000

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 51-11

**AUTHORIZING THE CHAIRMAN TO RENEW A SERVICE AGREEMENT
WITH ASR SYSTEMS GROUP INC.**

WHEREAS, the Madison County Clerk has a Kardex Lektriever 2000 L130 S/N 33049 that is used to store court records and pistol permits; and

WHEREAS, it is cost effective to maintain a service agreement on this machine, with the agreement covering a one-year period beginning March 1, 2011, and ending on February 29, 2012, in the amount of \$1,296.90; and

WHEREAS, this agreement has been reviewed and approved by Finance Ways and Means Committee and is included in the Madison County Clerk's 2011 budget;

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 ASR Systems Group, Inc. in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 52-11

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

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

Gerald Rockwell
5626 East Lake Rd.
Hamilton, NY 13346

Tax Map #138.-1-40.11
4.69 Acres & Residence
Town of Madison

WHEREAS, the 2009 Town and County tax bill was in the amount of \$1,460.98 and the owner paid this amount on January 9, 2009; and

WHEREAS, the 2009 Town and County tax bill reflected a 1.0 unit charge in the amount of \$129.19 for being within the Aquatic Growth Control District in error; and

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

WHEREAS, the Director of Real Property Tax Services recommends approval of this application,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be and hereby is directed to refund the 2009 Town and County Taxes in the amount of \$129.19 due to this error.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 53-11

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

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

Gerald Rockwell
5626 East Lake Rd.
Hamilton, NY 13346

Tax Map #138.-1-40.11
4.69 Acres & Residence
Town of Madison

WHEREAS, there are unpaid 2010 Town and County taxes in the amount of \$5,450.63; and

WHEREAS, the unpaid 2010 Town and County taxes reflect a 1.0 unit charge in the amount of \$129.19 for being within the Aquatic Growth Control District in error ; and

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

WHEREAS, the Director of Real Property Tax Services recommends approval of this application,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be and hereby is directed to credit the 2010 Town and County Taxes in the amount of \$129.19 with interest and penalty due to this error.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 54-11

AUTHORIZING THE MODIFICATION OF THE 2011 COUNTY BUDGET

BE IT RESOLVED that the 2011 Adopted County Budget be modified as follows:

General Fund

<u>Expense</u>	<u>From</u>	<u>To</u>
<u>1010 Legislative Board</u>		
A1010.4130 County Administrator Recruitment	\$ -	\$ 12,649
<u>1325 County Treasurer</u>		
A1325.2110 Payroll Software Upgrade	-	85,000
A1325.2115 Kronos Time & Attendance System	20,000	153,818
<u>1362 Tax Advertising & Expense</u>		
A1362.4133 Repayment NYS DEC Loan	-	45,000
A1362.4134 Repayment NYS Lien	-	67,378
<u>1420 County Attorney</u>		
A1420.4010 Land Claim Expense	50,000	181,632
A1420.4014 Legal Expense Assessment Review	1,000	14,897
A1420.4208 Professional Legal Counsel	75,000	78,722
<u>1620 County Buildings</u>		
A1620.2715 Architectural & Engineering Expense	7,000	55,000
A1620.2905 Courthouse Window	-	12,000
A1620.2910 Carpet Replacement-COB	5,000	14,850
A1620.4046 Energy Efficiency Implementation RFP 10	-	143,995
<u>1680 Information Technology</u>		
A1680.2101 Network Equipment	-	3,542
A1680.2110 Computer Equipment	44,600	64,000
A1680.2926 Air Conditioning Unit	-	7,500
<u>3110 Sheriff Department</u>		
A3110.2806 New Hand Guns	500	3,100

3140 Probation

A3140.4101 Sex Offender Monitoring Software	-	2,000
A3140.4420 Electronic Monitoring Bracelets Lease	5,000	18,012

3150 Sheriff-Correctional Facility

A3150.2911 Electronic Door Panel System	-	2,985
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6010 Social Services Administration

A6010.2901 Building Renovations	30,000	45,000
A6010.40104 Maintenance/Software Support	-	60,012

6143 Madison County Energy Fund

A6143.41094 Energy Fund Expense	-	5,500
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7110 Madison County Parks

A7110.4041 Maintenance & Development (Parks)	43,900	74,900
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7510 Historian

A7510.4106 Portrait Conservation	1,500	3,500
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Total Appropriations	283,500	1,154,992
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Control Total \$ 871,492

1620 County Buildings

Revenue

A4089.1030 Fed Aid NYSERDA RFP 10	-	138,596
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A599 Appropriated Fund Balance	6,550,386	7,283,282
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Control Total \$ 871,492

County Road Fund

5110 Maintenance of Roads & Bridges

Expense

D5110.450030 Eaton Road Bridge (Design)	\$ -	\$ 208,164
D5110.450031 Center Road Bridge Culvert	-	24,463
D5110.4732 Equipment Rental Screen/Misc Equip	15,000	30,000

5113 Consolidated Highway Program

<u>Expense</u>		
D5113.4733 Contract Paving	800,000	976,907
	<hr/>	<hr/>
Total Appropriations	815,000	1,239,534
	<hr/>	<hr/>
Control Total		<u>\$ 424,534</u>

5110 Maintenance of Roads & Bridges

Revenue

D3589.10 State Aid Marchiselli Eaton Road	-	31,225
D4589.10 Fed Aid Eaton Road Bridge	-	166,531
	<hr/>	<hr/>
Total Revenue	-	197,756
	<hr/>	<hr/>

D599 Appropriated Fund Balance	700,000	926,778
	<hr/>	<hr/>
Control Total		<u>\$ 424,534</u>

Road Machinery Fund

5130 Road Machinery Repairs & Expense

Expense

DM5130.2902 Salt Storage Facility	\$ -	\$ 223,602
DM5130.2922 Vehicle Exhaust Control Systems	-	3,500
DM5130.2937 Stockroom Renovations	-	21,423
	<hr/>	<hr/>

Control Total		<u>\$ 248,525</u>
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Revenue

DM4089.1030 Fed Aid NYSERDA RFP 10	-	136,796
	<hr/>	<hr/>
DM599 Appropriated Fund Balance	315,000	426,729
	<hr/>	<hr/>

Control Total		<u>\$ 248,525</u>
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Enterprise Landfill Fund

8164 Environmental Control (Landfill)

Expense

EE8164.2933 Miscellaneous Equipment	\$ 80,000	\$ 101,000
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8165 Landfill Closure Expense

Expense

EE8165.2901 General Construction WS Stage 1	-	448,750
EE8165.2902 Electrical Construction WS Stage 1	-	94,462
EE8165.2913 Miscellaneous Equipment	-	13,604
EE8165.43001 Engineering/Legal Expense	10,000	89,067
EE8165.43003 Misc. Site Work	15,000	75,000

Total Appropriations 105,000 821,883

Control Total \$ 716,883

Revenue

EE4489.1020 Fed Aid NYSERDA Solar Cap	-	224,608
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EE599 Appropriated Net Assets	-	492,275
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Control Total \$ 716,883

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Suits:

RESOLUTION NO. 55-11

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 is hereby waived for the purpose of the introduction of resolutions for the balance of this meeting; and

BE IT FURTHER RESOLVED, that portion of Rule No. 24-A calling for all resolutions to be first filed with the Chairman of the appropriate committee ten (10) days prior to the meeting, is also hereby waived to the extent of such time

limitation for the balance of this meeting; providing however, that to the extent not hereby specifically waived all such rules remain in full force and effect.

Supervisor Suits made a motion to amend this resolution, seconded by Supervisor Cary and carried, adding the following paragraph at the end of the resolution to read as follows:

BE IT FURTHER RESOLVED, that this waiver apply solely for the purpose of considering authorizing the Chairman to accept settlement regarding pharmaceutical claims negotiated on behalf of Madison County by Kirby, McInerney & Squire.

A final vote with amendment was then taken:

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Bargabos:

RESOLUTION NO. 56-11

AUTHORIZING THE CHAIRMAN TO ACCEPT SETTLEMENT

WHEREAS, Madison County entered into a retainer agreement with Kirby, McInerney & Squire in March of 2005, by Resolution 75; and

WHEREAS, Kirby McInerney & Squire were authorized to pursue claims on behalf of Madison County along with many other Counties throughout the State against pharmaceutical companies who had violated laws with regard to billing practices, and in turn had over charged Madison County on several drugs paid for by Medicaid; and

WHEREAS, Kirby McInerney & Squire has been negotiating settlements on behalf of Madison County and the many other Counties they represent; and

WHEREAS, they have recently reached a settlement with Teva and MedImmune in the amount of Nineteen Million Twenty-Four Thousand and 00/100 dollars (\$19,024,000.00), Madison County's distribution after expenses being Twenty-Five Thousand Two Hundred Ninety and 94/100 dollars (\$25,290.94); and

WHEREAS, the Government Operations Committee has reviewed and approved the settlements of these matters;

NOW, THEREFORE, BE IT RESOLVED, that the County of Madison accept the settlements set forth above in full satisfaction of the claims against Teva and MedImmune and that the Chairman of the Board of Supervisors be and

hereby is authorized to execute any necessary paperwork with regard to the acceptance of these amounts.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Reinhardt:

RESOLUTION NO. 57-11

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 – 1500 NAYS – 0

PROCLAMATION

**IN RECOGNITION OF THE WORK OF THE
MADISON COUNTY LAW ENFORCEMENT AGENCIES
AND IN
OBSERVANCE OF FEBRUARY 16, 2011 AS**

MADISON COUNTY LAW ENFORCEMENT RECOGNITION DAY

WHEREAS, Madison County has a number of excellent Law Enforcement Agencies; and

WHEREAS, this Board of Supervisors remains concerned about the continual problem of Drunk/Impaired Driving Incidents in Madison County and about the dangers, injuries, and deaths that result from impaired driving within Madison County; and

WHEREAS, the New York State Vehicle and Traffic Laws set forth certain Laws and Penalties for Driving While Intoxicated and/or for Driving While Ability is Impaired; and

WHEREAS, the Madison County Board of Supervisors through Madison County's STOP-DWI Program works with all the County's Law Enforcement Agencies, to enforce the State's Drunk/Impaired Driving Laws and to educate the citizens of Madison County about the problem of Driving Drunk/Impaired; and

WHEREAS, Madison County STOP-DWI is sponsoring a Law Enforcement Recognition Day on February 16, 2011 including a Recognition Luncheon to acknowledge the efforts of the County's Law Enforcement Agencies in enforcing the DWI Laws of the State, and to recognize the top DWI Arrest Producers from within our Law Enforcement Agencies;

NOW, THEREFORE, I, JOHN M. BECKER, Chairman of the Madison County Board of Supervisors, recognizing and applauding the work of the Madison County Law Enforcement Agencies, hereby designates February 16, 2011 as:

MADISON COUNTY LAW ENFORCEMENT RECOGNITION DAY

in Madison County and urge all residents to join in recognizing and applauding the work of the County's Law Enforcement Agencies and to personally continue the fight against impaired driving: by Planning Ahead; by Appointing a Designated Driver; and, especially, by Refusing To Let Friends Drive Drunk.

PUBLIC COMMENT PERIOD

No speakers.

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