

MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Thursday, February 12, 2009

The Board convened at 10:00 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present for Supervisor Suits (109 votes)

Pledge of Allegiance.

On motion by Supervisor Degear, seconded by Supervisor Cary, the minutes of the previous meeting was dispensed with and adopted as filed.

COMMUNICATIONS

1. Copy of a resolution from Yates County – Approval/Support of Continuation of Empire Zone Program.
- 2 Correspondence from the Smithfield Community Association reporting that the loan made to the Association to purchase a 1.7 acre piece of Gerrit Smith Estate has now been paid back

REPORTS

1. NYS Department of Transportation Single Audit Reports Prepared by Toski, Schaefer & Co. for year ended December 2007 and December 2008.
2. Department of Ag. & Markets Bureau of Weights & Measures Annual Report for year 2008.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA And Cazenovia Sewer District:	\$ 3,746,836.22
Miscellaneous Accounts:	\$ 564,315.95

At this time the Hamilton Boys Soccer Team along with Coach Brian Latella were recognized for winning the 2008 Class D State Championship. County Administrator Paul Miller read aloud and presented a proclamation to the team and the Board applauded them for their exceptional achievement.

At 10:20 a.m. Chairman Becker announced the scheduled Public Hearing on the Review of Requests for Additions to Agricultural Districts. Supervisor Jaquay made a motion to open the hearing, seconded by Supervisor Moran and carried.

Mr. Jack Miller, Director of Planning gave an over-view on the five local farms that are requesting inclusion in the agricultural districts. He reviewed all of the requests on maps of the agricultural districts provided for this public hearing.

There being no one wishing to speak, Chairman Becker asked for a motion to close the hearing. Supervisor DiVeronica made that motion, seconded by Supervisor Rafte and carried.

By Supervisor Bargabos:

RESOLUTION NO. 13-09

IN RESPECT TO THE DEATH OF JOHN F. CAEZZA

WHEREAS, John F. Caezza departed from this life on January 7, 2009; and

WHEREAS, John Caezza was the Supervisor from the Town of Eaton from 1994 until 1995; and

WHEREAS, John Caezza will long be remembered for his dedicated service to Madison County and his numerous contributions to our community,

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors hereby expresses our deepest sympathy to his family in their bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the family of John Caezza.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 14-09

IN RESPECT TO THE DEATH OF HEATHER E. WARREN

WHEREAS, Heather E. Warren departed from this life on January 30, 2009; and

WHEREAS, Heather Warren was an Office Assistant I in the County Department of Social Services since November 2006; and

WHEREAS, Heather Warren will long be remembered for her contributions as a County employee and to our community,

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors hereby expresses our deepest sympathy to her family in their bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the family of Heather Warren.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 15-09

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 a certain County employee 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 the following employee upon her retirement:

Judith F. Lee Mental Health 1994 - 2009 14 years

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

Chairman Becker asked Director of Mental Health Jim Yonai and Judith Lee to step forward. Judith was presented a gift and congratulated on her 14 years of dedicated service to the county and wished the best in her retirement.

RESOLUTION NO. 16-09

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

WHEREAS, the Center for Disease Control and Prevention Public Health Tracking Conference will be held in Washington, D.C, February 23 - 26, 2009; and

WHEREAS, Eric Faisst, Public Health Director has requested that Geoffrey Snyder, Director of Environmental Health attend said conference; and

WHEREAS, his expenses are fully funded by the National Association of County and City Health Officials and the Center for Disease Control and Prevention except for gas and tolls; 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 Geoffrey Snyder be and hereby is authorized to attend said symposium at County expense not to exceed \$120.00 for gas and tolls.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 17-09

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

WHEREAS, the Child Fatality Investigations Conference will be held October 18 – 23, 2009 in Harrisburg, Pennsylvania; and

WHEREAS, the Sheriff has requested that Eric Ali, Deputy Sheriff Sergeant and Johnathan Marshall, Deputy Sheriff attend this conference; and

WHEREAS, their expenses are fully funded by the Office of Juvenile Justice and Delinquency Prevention except for meals; 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 Eric Ali and Johnathan Marshall be and hereby are authorized to attend said conference at County expense not to exceed \$360.00 for meals.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 18-09

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

WHEREAS, the 25th National Symposium on Child Abuse will be held March 23-26, 2009 in Huntsville, Alabama; and

WHEREAS, Michael Fitzgerald, Commissioner of Social Services has requested that Karen Bright, Case Supervisor Grade-B and Julie Jones, Supervising Social Services Attorney attend this conference; and

WHEREAS, their expenses are fully funded by the Multi-Disciplinary Team grant from the Sheriff's Department; and

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

NOW, THEREFORE BE IT RESOLVED that Karen Bright and Julie Jones be and hereby are authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 19-09

**APPOINTING MEMBERS TO THE ETHICS ADVISORY COUNCIL
AND THE ETHICS BOARD**

WHEREAS, vacancies exist on the Ethics Advisory Council and the Ethics Board due to the expiration of certain terms of appointment; and

WHEREAS, the Government Operations Committee recommends the appointment of the individuals listed below,

NOW, THEREFORE BE IT RESOLVED that Douglas Lippert of Oneida and Denise Roe of Hamilton be and hereby are appointed to respective four year terms on the Ethics Board, each expiring on February 11, 2013; and

BE IT FURTHER RESOLVED that Larry Carpenter of Canastota be and hereby is appointed to a four year term on the Ethics Advisory Council expiring on February 11, 2013.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisors Bargabos, Salka and Reinhardt:

RESOLUTION NO. 20-09

**CREATING THREE FULL-TIME POSITIONS IN THE HEALTH DEPARTMENT AND
MODIFYING THE 2009 BUDGET**

WHEREAS, the Public Health Director has requested the creation of one (1) full-time Assistant Director of Patient Services and two (2) Registered Professional Nurses for the certified Home Health Agency (CHHA); and

WHEREAS, the Public Health Director is requesting these positions as a result of last year's evaluation of the CHHA by an outside consultant; and

WHEREAS, the Public Health Director believes that these positions will generate revenue for the CHHA; and

WHEREAS, the salary and fringe benefit costs for these positions will be fully funded by the revenues the positions generate; and

WHEREAS, the Public Health Services Committee will review the revenue generated by these positions during preparation of the 2010 budget and annually thereafter to ensure that the positions are fully funded; and

WHEREAS, these position requests were reviewed and approved in accordance with the vacancy review procedure by the Public Health Services and the Government Operations Committees,

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Assistant Director of Patient Services position be and hereby is created; and

BE IT FURTHER RESOLVED that two (2) full-time Registered Professional Nurse positions be and hereby are created; and

BE IT FURTHER RESOLVED that the Public Health Director be and hereby is authorized to fill the Assistant Director of Patient Services position at the 2009 salary of \$44,663 in accordance with Civil Service Law and Rule and County policies and procedures effective April 1, 2009; and

BE IT FURTHER RESOLVED that the Public Health Director be and hereby is authorized to fill the two Registered Nurse positions at the 2009 hourly rate of \$20.46 in accordance with Civil Service Law and Rule and the Agreement between the County and the New York State Nurses Association effective April 1, 2009; and

BE IT FURTHER RESOLVED that the 2009 County budget be and hereby is modified as follows:

<u>General Fund</u>		
<u>4013 Public Health Home Care</u>		
	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A1610.1320 Nursing Fees Medicare	\$1,430,703	\$1,507,845
A1610.1325 Fees Personal Care Medicaid	35,000	36,929
A1610.1330 Nursing Fees Medicaid	275,000	290,153
A1610.1340 Nursing Fees LTHHC Medicaid	400,000	422,041
A1610.1380 Nursing Fees Private Pay	20,000	21,102
A1610.1390 Nursing Fees Private Ins	<u>320,000</u>	<u>337,633</u>
Totals	\$2,480,703	\$2,615,703
Control Total		<u>\$135,000</u>
<u>Expense</u>		
A4013.1 Personal Services	\$1,737,408	\$1,833,302
A4013.810 Allocation of Fringe Benefits	0	39,106

Totals	<u>\$1,737,408</u>	<u>\$1,872,408</u>
Control Total		<u>\$135,000</u>

ADOPTED: AYES – 1120 NAYS – 271 (Cary, DiVeronica, Williams) ABSENT – 109 (Suits)

RESOLUTION NO. 21-09

**CREATING ONE FULL-TIME POSITION IN THE MENTAL HEALTH DEPARTMENT
(Supervising Staff Social Worker)**

WHEREAS, the Alcohol and Substance Abuse Clinic – ADAPT - has seen a tremendous increase in clients since the closing of the Center for Addiction Recovery and Mancuso Counseling Center; and

WHEREAS, there is a 6 - 8 week waiting list for Alcohol and Substance Abuse referrals; and

WHEREAS, the Mental Health Director has requested to create a Supervising Staff Social Worker position to alleviate the waiting list; and

WHEREAS, 100% of the cost of salary and fringe benefits of this position will be reimbursed with mental health fees; and

WHEREAS, the creation of this position has been reviewed and approved in accordance with the vacancy review procedure by the Social and Mental Health Services Committee and the Government Operations Committee; and

WHEREAS, the Social and Mental Health Services Committee will review the revenues generated by this position during preparation for the 2010 budget to ensure at least full funding of the position; and

WHEREAS, if full funding of the position does not result from mental health fees, the position will be abolished,

NOW, THEREFORE BE IT RESOLVED that one full-time Supervising Staff Social Worker position be and hereby is created; and

BE IT FURTHER RESOLVED that the Director of Community Mental Health Services be and hereby is authorized to fill said position up to the 2009 hourly rate of \$28.61 in accordance with the Agreement between Madison County and the CSEA White Collar Unit effective immediately; and

BE IT FURTHER RESOLVED that the 2009 Adopted County Budget be modified as follows:

GENERAL FUND

4309 – Mental Health Adapt Programs

<u>Revenue</u>	<u>From</u>	<u>To</u>
A1620.13 Mental Health Fees – ADAPT	\$ 531,215	\$581,414
Control Total		<u>\$ 50,199</u>

<u>Expense</u>		
A4309.1 Personal Services	\$372,531	\$414,108
A4309.810 Allocation of Fringe Benefits	<u>0</u>	<u>8,622</u>
Totals	\$372,531	\$422,730

Control Total \$ 50,199

ADOPTED: AYES – 1164 NAYS – 227 (Cary, DiVeronica) ABSENT – 109 (Suits)

By Supervisor Bargabos:

RESOLUTION NO. 22-09

ABOLISHING ONE FULL-TIME PLANNER POSITION AND CREATING A FULL-TIME ASSISTANT DIRECTOR OF PLANNING

WHEREAS, the County Planning Director has requested the creation of a full-time Assistant Director of Planning position; and

WHEREAS, the Planning Director does not plan on filling a vacant Planner position in his departmental budget and desires to use that salary appropriation (\$36,801) toward the Assistant Director of Planning salary and fringe benefits costs; and

WHEREAS, the salary and fringe benefits for the Assistant Director of Planning will be fully funded through existing personal services appropriations in the 2009 departmental budget; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Planning, Economic Development and Intergovernmental Affairs Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one full-time Planner position be and hereby is abolished effective immediately; and

BE IT FURTHER RESOLVED that one (1), full-time Assistant Director of Planning position be and hereby is created; and

BE IT FURTHER RESOLVED that any salary and fringe benefits costs for the Assistant Director position will be fully funded with existing personal services appropriations; and

BE IT FURTHER RESOLVED that the Planning Director be and hereby is authorized to fill the Assistant Director of Planning position at a 2009 salary not to exceed \$48,362 in accordance with Civil Service Law and Rule and County policies and procedures effective immediately.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 23-09

CREATING ONE FULL-TIME POSITION IN THE SHERIFF’S DEPARTMENT

WHEREAS, the New York State Commission of Correction did a staffing analysis of the Madison County jail last fall and required the creation of more Corrections Officer positions; and

WHEREAS, after the Sheriff and his staff reviewed staffing alternatives and negotiated with the Commission, the Commission will require the creation of only one, full-time Corrections Officer at this time; and

WHEREAS, after reviewing the Sheriff’s Department budget, the Government Operations Committee and the Finance, Ways and Means Committee recommend that the Sheriff fund the full-time position with existing personnel appropriations in the 2009 budget that is anticipated as a result of vacancies and decreased overtime throughout the year; and

WHEREAS, the Sheriff has agreed to attempt to fund the position with existing appropriations based on his current knowledge of staffing at this point in time; and

WHEREAS, the creation of this position was reviewed and approved in accordance with the vacancy review procedure,

NOW, THEREFORE BE IT RESOLVED that one, full-time Corrections Officer position be and hereby is created; and

BE IT FURTHER RESOLVED that the Sheriff be and hereby is authorized to fill said vacancy at the 2009 hourly rate of \$15.75 in accordance with the Agreement between Madison County and Teamsters Local 182 effective March 2, 2009.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 24-09

ABOLISHING A PUBLIC HEALTH EDUCATOR II AND CREATING A YOUTH PROGRAM DEVELOPMENT SPECIALIST

WHEREAS, the Public Health Director has requested to abolish a Public Health Educator II position; and

WHEREAS, the Youth Bureau Director has requested the creation of a Youth Program Development Specialist position; and

WHEREAS, the salary and fringe benefits for the position are fully funded by the ACT for Youth grant; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Public Health Services Committee, Social and Mental Health Services Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one (1), full-time position of Public Health Educator II be and hereby is abolished effective February 12, 2009; and

BE IT FURTHER RESOLVED that one (1), full-time position of Youth Program Development Specialist be and hereby is created effective February 13, 2009; and

BE IT FURTHER RESOLVED that the Youth Bureau Director be and hereby is authorized to fill said position at the 2009 hourly rate of \$21.14 in accordance with Civil Service Law and Rule and the Agreement between the County and the Civil Service Employees Association, White Collar Unit effective immediately.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 25-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(PUBLIC SECTOR HR CONSULTANTS)**

WHEREAS, the Personnel Department and certain County departments will provide employee training and development opportunities during 2009; and

WHEREAS, the Personnel Department recommends the County retain Public Sector HR Consultants to conduct said training as the training provided by the firm in 2008 was well-received by employees; and

WHEREAS, said training topics will include supervisory coaching, progressive discipline, sexual harassment prevention and workplace violence prevention; and

WHEREAS, the cost of said training is \$5,050 and is appropriated in the 2009 Personnel Department budget and in the 2009 budgets of effected departments; and

WHEREAS, the Government Operations Committee recommends that the Chairman execute the agreement with Public Sector HR Consultants to provide said training,

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board be and hereby is authorized to execute the agreement with Public Sector HR Consultants effective immediately, a copy of which is on file with the Clerk to the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 26-09

**AUTHORIZING THE COUNTY TREASURER TO OBTAIN
CREDIT CARDS FROM A BANK OR FINANCIAL INSTITUTION
AND ADOPTING A USE OF CREDIT CARDS POLICY**

WHEREAS, the Madison County Board of Supervisors recognizes that there are instances where it is often impractical and more costly to process small dollar purchases through conventional procurement means; and

WHEREAS, credit cards are an essential requirement for persons traveling in the ordinary course of business, are often required when making travel arrangements, reserving hotel rooms and in securing better rates for hotels and air fares via telephone or the internet; and

WHEREAS, credit cards can yield savings and streamline purchases; and

WHEREAS, the Madison County Board of Supervisors recognizes that any authorization for even the limited use of credit cards must be accompanied by a comprehensive use policy; and

WHEREAS, the Government Operations Committee has reviewed and recommends the adoption of the attached Use of Credit Cards Policy and Procedures,

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors authorizes the County Treasurer to obtain credit cards from a bank or financial institution to be held in the name of the County of Madison; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to enter into contracts with banking institutions or credit card companies for the issuance of the credit cards; and

BE IT FURTHER RESOLVED that credit cards will only be issued to specific employees and officers named by the Finance Ways and Means Committee, including but not limited to, the Chairman of the Board of Supervisors and the County

Administrator who are authorized to approve purchases on behalf of the County utilizing these credit cards; and

BE IT FURTHER RESOLVED that the Madison County Board of Supervisors hereby adopts the Use of Credit Cards Policy and Procedures as attached and as may be amended from time to time by the Government Operations Committee within budget appropriations.

Supervisor Bargabos offered the following amendment to resolution no. 26-09, seconded by Supervisor Stepanski and carried to read as follows:

WHEREAS, the Madison County Board of Supervisors recognizes that there are instances where it is often impractical and more costly to process small dollar purchases through conventional procurement means; and

WHEREAS, credit cards are an essential requirement for persons traveling in the ordinary course of business, are often required when making travel arrangements, reserving hotel rooms and in securing better rates for hotels and air fares via telephone or the internet; and

WHEREAS, credit cards can yield savings and streamline purchases; and

WHEREAS, the Madison County Board of Supervisors recognizes that any authorization for even the limited use of credit cards must be accompanied by a comprehensive use policy; and

WHEREAS, the Government Operations Committee has reviewed and recommends the adoption of the attached Use of Credit Cards Policy and Procedures,

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors authorizes the County Treasurer to obtain credit cards from a bank or financial institution to be held in the name of the County of Madison; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to enter into contracts with banking institutions or credit card companies for the issuance of the credit cards; and

BE IT FURTHER RESOLVED that credit cards will only be issued to specific employees and officers named by the Board of Supervisors, at present specified to be the Chairman of the Board of Supervisors and the County Administrator, who are authorized to approve purchases on behalf of the County utilizing these credit cards; and

BE IT FURTHER RESOLVED that the Madison County Board of Supervisors hereby adopts the Use of Credit Cards Policy and Procedures as attached.

A final vote including the amendment was then taken:

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

MADISON COUNTY POLICIES AND PROCEDURES

- I. Subject: Use of Credit Cards Policy and Procedures
- II. Adopted: February 12, 2009
- III. Policy: The Madison County Board of Supervisors has authorized the limited use of County credit cards in order to make purchases from vendors that do not accept the County's voucher, to make purchases that can only be made on-line or via the telephone, and to obtain competitive rates for travel and lodging.
- IV. Procedures
 1. The County Treasurer is authorized to obtain credit cards from a single bank or financial institution with the card to be in the name of the County. The cards issued to Madison County employees will also bear the name of the authorized cardholder. The limit on each credit card shall be established by the Finance, Ways and Means Committee, not to exceed \$10,000 per card. Retail store credit cards shall be prohibited. Fuel credit cards are authorized for use in the Sheriff's Department only.
 2. Authorized cardholders are listed as an addendum to this policy. This listing will be reviewed by the Government Operations Committee and amended by the Board of Supervisors periodically to add and remove authorized cardholders as needed. The addendum to the policy may be updated without amending the entire policy. The County Treasurer is prohibited from being listed as a cardholder to provide for the segregation of duties and safeguarding of funds.
 3. Madison County credit cards shall be used for the following purposes: purchases from vendors that do not accept the County's vouchers; purchases that can only be made on-line or via the telephone; and purchases of airline tickets, car rental, hotel accommodations and gasoline for County vehicles when necessary.
 4. The use of the County credit card for personal use is expressly prohibited. Personal use includes but is not limited to the following: alcoholic beverages; meals; entertainment; laundry service; valet service; unauthorized high-speed internet service; movie rentals and other non-essential hotel room charges.
 5. Except as otherwise expressly provided, purchases, payments, travel and other actual and necessary expenses for which a credit card is used shall be

- incurred in accordance with, and shall be subject to all laws, rules, regulations, policies and procedures applicable to charges incurred by Madison County employees. Employees are still required to obtain an approved Requisition or Request for Travel and Conference Form prior to purchases and travel as applicable.
6. Any illegal or unauthorized expense or improper usage of the credit card shall be subject to disciplinary action including repayment by the employee incurring the expense. In the event of unauthorized or improper usage of the credit card, disciplinary and/or legal action may result. Disciplinary action may also include but is not limited to revocation of credit card privileges and termination of employment.
 7. Any employee authorized to make a purchase with a credit card shall be responsible for obtaining and retaining all original, signed and itemized receipts for items or services purchased and remitting same to the County Treasurer to provide for timely review and payment. The employee will be responsible for reimbursing the County in the absence of original, signed and itemized receipts or other supporting documentation as required. This reimbursement will be made immediately upon knowledge of the failure to produce the required documentation. If reimbursement to the County is not made for these unsupported charges, the employee may be subject to disciplinary and/or legal action as described above.
 8. The County Treasurer shall review all documentation in the same manner as other County expenses and either allow or disallow, in whole or in part, the charges.
 9. The County Treasurer shall review all original, signed and itemized receipts and credit card statements. Following such review, if finding the charges are appropriate, the County Treasurer shall process the credit card statement for payment by the date that payment is due to avoid any financial charges, even if payment has yet to be approved as a claim before the Board of Supervisors. If the County Treasurer determines that there are inappropriate or unauthorized charges, the County Treasurer shall notify the Chair of the Board within timeframes that will allow for timely payment or dispute of the charges in question to the issuing bank.
 10. Authorized cardholders are responsible for the safeguarding of their County credit card at all times. Lost or stolen cards shall be reported immediately to the County Treasurer.
 11. This policy will be reviewed by the Government Operations Committee on a periodic basis and said Committee will recommend policy amendments to the full Board of Supervisors as deemed necessary.

Richard O. Bargabos, Chairman
Government Operations Committee

**Addendum to Madison County Use of Credit Cards Policy and Procedures
Authorized Cardholders**

1. John Becker, Chairman – Board of Supervisors
2. Paul Miller, County Administrator

RESOLUTION NO. 27-09

AMENDING THE TRAVEL AND EXPENSE REIMBURSEMENT POLICY

WHEREAS, the Madison County Travel and Expense Reimbursement Policy was reviewed by the County Administrator, department heads and the Government Operations Committee for the purpose of streamlining requests for travel within New York State by employees when an overnight stay is required; and

WHEREAS, the Government Operations Committee reviewed the amendments to the procedures as are attached and recommends same for adoption by the Board of Supervisors,

NOW, THEREFORE BE IT RESOLVED that the Madison County Travel and Expense Reimbursement Policy be and hereby is amended to streamline the travel request procedure; and

BE IT FURTHER RESOLVED, that the Government Operations Committee be and hereby is authorized to amend the procedures in the Travel and Expense Reimbursement Policy and Procedures in the future within existing budget appropriations.

MADISON COUNTY POLICY AND PROCEDURES

- I. **SUBJECT:** Madison County Travel and Expense Reimbursement Policy and Procedure
- II. **ISSUED:** March 31, 1982 - Travel Regulations and Reimbursement
July 13, 1982 - Travel Policy
Revised: April 29, 1985
August 3, 1987
June 13, 1989
October 2, 1990
August 27, 1991
September 8, 1992
January 27, 1994
January 28, 1999

March 30, 2000
April 27, 2000
March 31, 2005
March 30, 2006
June 30, 2006
December 7, 2007
February 12, 2009

- III. POLICY: Officials and employees may be authorized to attend business meetings, conferences, seminars or training sessions in accordance with the annual budget appropriation and the policy and procedure herein set-forth.

TRAVEL REQUESTS - CONFERENCES, SEMINARS, TRAINING SESSIONS

When an official or department head wishes to attend an in-state conference, seminar or training session not involving an overnight stay, he/she must complete a Request for Conference and Travel Form and have it signed by the **County Administrator**. When an employee wishes to attend an in-state conference, seminar or training session he/she must receive the approval of their department head. No form is required. When an official or employee wishes to attend a conference, seminar or training session which involves an overnight stay he/she must adhere to the following procedure:

- A. Complete a Request for Conference and Travel Form. Attached to the form must be the description/agenda of the conference, seminar or training session as well as a detailed description of all costs associated with this request. All requests submitted without this information shall be returned without further review or approval.
- B. Contact Department Head for approval. Department Head reviews the request and determines its appropriateness. Funds must be in the departmental budget appropriation to cover the expected cost.
- C. Department Head contacts the legislative committee chairperson and obtains legislative committee approval. **[DELETE]**
- D. **[Delete: Upon approval by the legislative committee],** The Department Head submits the request to the **County Administrator for review and approval**. All requests must be submitted at least thirty calendar days prior to the scheduled date(s) of the conference, seminar or training session. **The County Administrator shall determine whether or not the travel will be granted. The County Administrator will review the request for travel for appropriateness, as well as, the most cost effective means of travel and lodging. If approved, the County Administrator will sign the request form and return it to the appropriate Department Head.**
- E. All requests to attend out-of-state conferences, seminars or training sessions require the approval of the Board of Supervisors in advance of the scheduled date

of the conference, seminar or training session. If requested, an employee who attends an out-of-state conference shall be required to provide a written summary report to the appropriate legislative committee within one month of return from the conference regarding the value of the conference workshops to the County and to the individual employee.

F. Pursuant to General Municipal Law, in the absence of prior written approval for attendance at a conference, seminar or training session, any related vouchers may be disallowed.

EXPENSE REIMBURSEMENT - GENERAL GUIDELINES

A. All claims for reimbursement should be properly itemized and supported. Receipts for such items as lodging, public transportation, registration fees, parking charges, Thruway tolls, and meals should be attached. No reimbursement will be made unless properly documented and supported by receipts, etc. Only receipts supplied by the service provider will be acceptable proof for reimbursement purposes.

B. Each member of the Board of Supervisors of this County shall be reimbursed his/her necessary expenses, within the limitations set forth by this policy, including mileage, incurred by attendance at regular and special meetings of the Board of Supervisors, as well as all Committee meetings and other required meetings approved by the Board Chairman. Reimbursement for meals within the County shall not be approved.

C. As required by County Law, Section 369 and General Municipal Law, Section 77-b, claims submitted by an officer or employee for reimbursement of expenses should indicate the reason for the travel or expense and the authorization for incurring it. "A person is guilty of offering a false instrument for filing in the first degree when, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision thereof, he offers or presents it to a public office or public servant with the knowledge or belief that it will become a part of the records of such public office or public servant." "Offering a false instrument for filing in the first degree is a Class E felony." (Penal Law, Section 175.35).

D. Only the actual and necessary expenses essential to the performance of official duties will be reimbursed, as limited by the provisions of this policy. Expenditures for laundry, valet service, theater and entertainment, etc., are personal charges and will not be approved.

E. Whenever possible, officers and employees should utilize County vouchers for payments for conference registration, lodging, etc.

PETTY CASH FUND

A. A petty cash fund will be administered through the Treasurer's office to provide up to \$30 per day toward approved out-of-pocket expenses for meals, parking and tolls

incurred during overnight assignments, overnight training and/or overnight conferences of three (3) consecutive days or more in any workweek.

- B. Requests for a specified amount of petty cash must be submitted with the County Travel Request Form.
- C. Funds remaining from forwarded petty cash must be returned to the Treasurer's office upon the employee's return to work following the approved travel.
- D. Receipts from the service provider for all incurred expenses must be provided to the Treasurer's office. If an employee fails to provide appropriate receipts, the employee must reimburse the petty cash fund, accordingly.
- E. Approved and documented expenses incurred in excess of forwarded petty cash will be reimbursed in accordance with the County's voucher process.

EXPENSE REIMBURSEMENT - MEALS

- A. Reimbursement for meals while on official business within or outside of Madison County shall be for actual and necessary cost (including gratuities not to exceed 15%) only in accordance with a per diem rate of up to \$30.00 per day.
- B. Reimbursement for meals while on official business in a major metropolitan area shall be for actual and necessary cost (including gratuities not to exceed 15%) only in accordance with a per diem rate of up to \$50.00 per day.
- C. Meals purchased before or after meetings held in Madison County shall only be reimbursed when purchased within Madison County.
- D. All requests for meal reimbursement outside of Madison County must state the purpose of the meal and, in cases requesting reimbursement for multiple meals, must state the names of individuals who attended.
- E. Meals must be itemized and the cost of each shown separately.

EXPENSE REIMBURSEMENT - TRANSPORTATION BY COUNTY OWNED AUTOMOBILES

- A. When travel is required by officers and employees County vehicles should be utilized to the maximum extent.
- B. County vehicles are not to be used for personal purposes. However, the County vehicle may be driven to and from home when attending an evening meeting on County business.

C. All County vehicles shall participate in the Department of Highway operated gasoline distribution system. Other sources of gasoline are authorized only when traveling in County vehicles outside the County.

D. Receipts for items such as tolls, parking, etc., must be obtained and submitted with a voucher for reimbursement. In the absence of appropriate receipts for such items, the cost will not be reimbursed.

EXPENSE REIMBURSEMENT - TRANSPORTATION PERSONALLY OWNED VEHICLES

A. When travel is required by officers and employees County vehicles should be utilized to the maximum extent. Use of personally owned vehicles is to be limited to those items when County vehicles are not available.

B. Officers and employees who use their own vehicles for the express purpose of conducting County business for job-related duties shall be reimbursed at the current IRS mileage rate. Claims must indicate dates, purpose and points of travel.

C. Receipts for items such as tolls, parking, etc., must be obtained and submitted with a voucher for reimbursement. In the absence of appropriate receipts for such items or for claims not itemized showing the dates, purpose and points of travel the cost will not be reimbursed.

D. Charges for gasoline, accessories, repairs, depreciation, anti-freeze, towage and other similar expenditures will not be allowed.

EXPENSE REIMBURSEMENT - TELEPHONE CHARGES

A. Claims for reimbursement of long distance telephone calls must be fully documented. Information such as the name of the party called, place called, date of call and statement of official business must be indicated on the voucher in order to receive reimbursement.

EXPENSE REIMBURSEMENT - LODGING

A. Accommodations shall be reasonable and shall be reimbursed at actual and necessary cost consistent with facilities available and proximity to the location of the conference, seminar, training session or business meeting attended.

B. Where double or multiple occupancy has occurred, the official or employee may only claim the actual and necessary cost of his/her single occupancy.

C. Overnight lodgings will be reimbursed only where such is required for the conduct of County business. Such lodgings must be in the interest of safe travel and not merely for the convenience of the County officer or employee.

REQUEST FOR OUT-OF-STATE CONFERENCE AND TRAVEL FORM

To Be Completed By Employee: (Please Print)

NAME: _____

TITLE: _____

DEPARTMENT: _____

CONFERENCE NAME: _____

LOCATION OF CONFERENCE: _____

TIME AND DATE OF CONFERENCE: _____

PURPOSE OF CONFERENCE: _____

MODE OF TRAVEL: _____

ESTIMATED COST: Transportation \$ _____
Lodging \$ _____
Meals \$ _____
Registration \$ _____
Total \$ _____

Signature

Date

TO BE COMPLETED BY DEPARTMENT HEAD:

Budget Code _____
Reimbursement Source(s) and Rate (s) _____

I approve the attendance at the aforementioned conference.

Signature

Date

TO BE COMPLETED BY LEGISLATIVE COMMITTEE:

The above employee is approved for attendance at the aforementioned conference.

Signature

Date

TO BE COMPLETED BY GOVERNMENT OPERATIONS COMMITTEE:

The above employee is approved for attendance at the aforementioned conference.

Signature

Date

TO BE COMPLETED BY THE CLERK TO THE BOARD OF SUPERVISORS:

The above employee is approved for attendance at the aforementioned out of state conference.

Date of Board Meeting: _____

Resolution Number: _____

Signature

Date

**REQUEST FOR CONFERENCE AND TRAVEL FORM
(For In-State Travel with or without Overnight Stay)**

To Be Completed By Employee: (Please Print)

NAME: _____

TITLE: _____

DEPARTMENT: _____

CONFERENCE NAME: _____

LOCATION OF CONFERENCE: _____

TIME AND DATE OF CONFERENCE: _____

PURPOSE OF CONFERENCE: _____

MODE OF TRAVEL: _____

ESTIMATED COST: Transportation \$ _____

Lodging \$ _____

Meals \$ _____

Registration \$ _____

Total \$ _____

TO BE COMPLETED BY DEPARTMENT HEAD:

Signature

Date

Budget code _____

Reimbursement Source(s) and Rate (s) _____

TO BE COMPLETED BY COUNTY ADMINISTRATOR:

I approve the attendance at the aforementioned conference.

Signature

Date

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 28-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO
AN AGREEMENT TO RENT THE WAMPSVILLE FIRE DEPARTMENT HALL**

WHEREAS, the Madison County Department of Personnel from time to time administers Civil Service tests and in the past has utilized the Wampsville Fire Department's Hall as the location for certain tests with a large number of candidates; and

WHEREAS, the Wampsville Fire Department is requiring the County of Madison to enter into a written agreement with them in order to utilize the space; and

WHEREAS, the term of the agreement is for the calendar year 2009 and certain tests will be given on dates when the hall is available at a cost of \$125 per day; and

WHEREAS, the Government Operations Committee recommends that the County enter into this agreement to permit the administration of certain civil service tests at this location in 2009,

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and hereby is authorized and directed to enter into a Hall Loan Agreement with the Wampsville Fire Department as is on file with the Clerk of the Board.

ADOPTED: AYES – 1106 NAYS – 285 (Becker) ABSENT – 109 (Suits)

By Supervisor Salka:

RESOLUTION NO. 29-09

AUTHORIZING COUNTY ATTORNEY TO COMMENCE A LAWSUIT

WHEREAS, the Madison County Department of Health manages the Physically Handicapped Children's Program; and

WHEREAS, James and Colleen Mason, parents and guardians of Anthony and James Mason are responsible for services rendered; and

WHEREAS, Mr. & Mrs. Mason have a balance of \$4,386 that is owed to the Madison County Department of Health; and

WHEREAS, the Madison County Department of Law has made numerous attempts to collect this debt;

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney of his designee is hereby authorized to commence suit against James and Colleen Mason to collect the past due balance of \$4,386 owed to the County of Madison.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 30-09

AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH HONEYWELL

WHEREAS, the Public Health Department operates a duly Certified Home Health Agency (CHHA) and Long Term Home Health Care Program (LTHHCP); and

WHEREAS, the Health Department was selected to receive the Telemedicine Demonstration Program grant that allowed the agency to purchase equipment and implement the telemedicine program for patients; and

WHEREAS, the technology for connectivity has improved since the implementation in 2007; and

WHEREAS, Resolution 552-08 was approved on December 29, 2008 to purchase the Lifestream Platform that allows connectivity to any computer; and

WHEREAS, both the Board of Health and the Public Health Services Committee feel it most expeditious to amend the agreement with HoneyWell HomeMed for these services beginning December 10, 2008; and

WHEREAS, the cost of said services is reimbursed through patient billing and/or Article 6 funding;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the agreement with HoneyWell HomeMed effective December 10, 2009, as is on file with the Clerk of the Board.

AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 31-09

CALLING UPON THE NEW YORK STATE LEGISLATURE TO REJECT GOVERNOR PATERSON'S PROPOSED 2009-2010 STATE BUDGET CUTS TO HOME CARE

WHEREAS, Governor David A. Paterson has proposed **an unprecedented half-billion dollars** in home care cuts in his 2009-10 Executive State Budget proposals; and

WHEREAS, these cuts have the potential to seriously effect vital services for hundreds of patients in Madison County who are disabled, chronically ill, medically frail and/or recovering from an illness and who require or prefer to receive essential skilled nursing, home health aide, therapy and other needed care at home instead of in a facility setting; and

WHEREAS, the Governor's Budget also contains several far-reaching, detrimental changes to the home care delivery infrastructure that would even further deepen the enormous financial burden thrust upon the home care community; and

WHEREAS, these structural changes to the home care delivery system alone would jeopardize the viability of home care in Madison County and New York State while promising little in the way of actual savings to the state's Medicaid system; and

WHEREAS, if enacted, these proposed home care cuts and structural changes to the home care system may leave providers, including Madison County with little choice but to scale back services, make cuts to our workforce – the very backbone of our state's opportunity for economic recovery – or else cease providing home care services altogether; and

WHEREAS, Congress has introduced a stimulus package that includes a temporary increase in the Federal Medicaid Assistance Percentage (FMAP) provided to states – including as much as \$7.6 to \$9.75 billion in extra funding for New York State – yet Governor Paterson has not committed to protect these funds from being used for non-healthcare purposes; and

WHEREAS, since home care is a cost-effective alternative to care provided in the hospital or nursing home, the loss of home care services will ultimately lead to higher health care costs – through an increase in re-hospitalizations, emergency room use and other high-cost services – as well as a significant deterioration in the quality of life for hundreds of Madison County residents who would be left with no choice but to remain longer in the hospital, enter a nursing home, or forgo preventive, chronic care management and post-acute care altogether;

NOW, THEREFORE BE IT RESOLVED, that we the Board of Supervisors of Madison County call upon the New York State Legislature to reject the Governor's home care cuts during negotiations over a final 2009-10 New York State Budget; and

BE IT FURTHER RESOLVED, that we the Board of Supervisors of Madison County call upon the Governor and New York State Legislature to protect any FMAP increase from use for non-Medicaid purposes.

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this Resolution to Governor David Paterson, Assemblyman William Magee, Senator David Valesky, the New York State Association of Counties and all others deemed necessary and proper.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 32-09

AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH THE STANLEY CENTER FOR THE ARTS AND MODIFYING THE 2009 COUNTY BUDGET

WHEREAS, the Madison County Department of Health has been selected to receive the Art Creating Community Decentralization grant; and

WHEREAS, the Madison County Health Department has the expertise to accomplish the necessary tasks of the work plan; and

WHEREAS, grant funds are available with funding being provided as follows:

Awarding Agency: Stanley Center for the Arts
Program Name: Art Creating Community Decentralization grant
Grant Period : January 1, 2009 – December 31, 2009
Private Funds: 100%
Grant Total: \$1,700

WHEREAS, the Madison County Board of Health and the Public Health Services Committee believe that it is appropriate for the Department to work on this project; and

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to enter the agreement with the Stanley Center for the Arts as is on file with the Clerk of the Board of Supervisors; and

BE IT FURTHER RESOLVED, that the 2009 Adopted County Budget be modified as follows:

**Public Health Department
A4010 Public Health – Administration**

Expense	<u>From</u>	<u>To</u>
A4010.4103 Art Grant Expenses	\$0	\$1,700
Total	\$0	\$1,700
Control Total		<u>\$1,700</u>

Revenue
A2705.3030 Private Contribution

Stanley Center for the Arts Grant	\$0	\$1,700
Total	\$0	\$1,700
Control Total		<u>\$1,700</u>

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisor Salka:

RESOLUTION NO. 33-09

AUTHORIZING CHAIRMAN TO RENEW AN AGREEMENT FOR INTERPRETER SERVICES

WHEREAS, the County Mental Health Department is required to provide services for certain of its clients; and

WHEREAS, these services may need communication access between client and clinician; and

WHEREAS, there is a current need for an interpreter to provide qualified sign language services to clients who attend the Outpatient Mental Health Clinic; and

WHEREAS, the 2009 Mental Health Department budget provide funds for the purchase of these services; and

WHEREAS, this resolution has been reviewed and approved by the Social and Mental Health Services Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be hereby authorized to enter into an agreement with Resource Center for Independent Living (RCIL), 409 Columbia Street, Utica, New York, for the provision of interpreter services to the Mental Health Department and be paid at the rate of \$60 for up to 72 hours, \$4320 paid in advance, a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 34-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO A MAINTENANCE AGREEMENT WITH HARLAND TECHNOLOGY SERVICES

WHEREAS, it is necessary to enter into a maintenance agreement for the care and annual upgrade of the psychological testing software that is used by the Mental Health Department; and

WHEREAS, the Social and Mental Health Services Committee has reviewed and approved of this maintenance agreement; and

WHEREAS, the maintenance agreement is for the year 2009 in the amount not to exceed \$288.00;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to execute an agreement, a copy of which is on file with the Clerk to the Board of Supervisors, on behalf of the County with Harland Technology Services to provide services in accordance with the maintenance agreement.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisors Salka & Reinhardt:

RESOLUTION NO. 35-09

AMENDING AGREEMENT AND MODIFYING THE 2009 ADOPTED COUNTY BUDGET

WHEREAS, the Office of Alcoholism and Substance Abuse Services has selected Madison County Council on Alcoholism and Substance Abuse, Inc. (dba BRiDGES) to receive funding for two new initiatives – Parents Who Host Lose the Most: Don't be a Party to Underage Drinking Media Campaign (\$5,500) and EUDL Prevention and Law Enforcement Partnership(\$15,000); and

WHEREAS, the Social and Mental Health Committee has approved modifying the contract with Madison County Council on Alcoholism & Substance Abuse (dba BRiDGES); and

WHEREAS, it is necessary to modify the 2009 budget to account for these additional 100% State Aid funds;

NOW, THEREFORE, BE IT RESOLVED that the 2009 Adopted County Budget be modified as follows:

<u>GENERAL FUND</u>		
<u>4250 – Madison County Council on Alcohol & Drugs</u>		
<u>Revenue</u>	FROM	TO
A3490.1020 St Aid MCCASA	\$ 60,000	\$ 80,500
Control Total		<u>\$ 20,500</u>
<u>Expense</u>		
A4250.4271 Council on Alcohol & Drugs	\$351,289	\$371,789
Control Total		<u>\$ 20,500</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, 2009 through December 31, 2009 with Madison County Council on Alcoholism & Substance Abuse (dba BRiDGES).

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisor Salka:

RESOLUTION NO. 36-09

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT
FOR HOME ENERGY ASSISTANCE WEATHERIZATION PROGRAM**

WHEREAS, in accordance with Section 97 of the New York State Social Services Law, local districts are required to administer the Low Income Home Energy Assistance Program; and

WHEREAS, The New York State Office of Temporary and Disability Assistance provides a Home Energy Assistance Program (HEAP) Weatherization Referral and Packaging (WRAP) allocation for the home weatherization and repair/replacement of heating equipment for low-income households;

WHEREAS, the Department lacks the necessary staff and expertise to perform these services; and

WHEREAS, Stoneleigh Housing is an agency with a demonstrated ability to develop and implement a full-service package of services for home weatherization and heating equipment repair/replacement; and

WHEREAS, 49 persons were served, which includes 32 furnace replacements and 37 furnace repairs, in the 2007 – 2008 contract year; and

WHEREAS, the funding for this service is reimbursable through the New York State Office of Temporary and Disability Assistance Home Energy Assistance Program at a rate of 100 percent; and

WHEREAS, a copy of this agreement is on file with the Clerk to the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and is hereby authorized to renew an agreement with Stoneleigh Housing, for the period October 1, 2008, to September 30, 2009, for the performance of these services at a cost of \$15,000, the same amount as the 2007 – 2008 contract year;

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 37-09

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LIBERTY RESOURCES, INC., FOR FAMILY REUNIFICATION

WHEREAS, the Commissioner of Social Services of the County of Madison is charged with the responsibility for the administration of all child welfare services in the County of Madison at public expense pursuant to Section 395 et seq. of the Social Services Law; and

WHEREAS, the Madison County Department of Social Services has experienced an increase in costly Juvenile Delinquent/Persons in Need of Supervision (JD/PINS) placements over the last several years; and

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, an intensive preventive services and after-care services program would serve to prevent many of these costly placements and would allow for the early discharge of several children from residential placement; and

WHEREAS, these services were provided to approximately 30 children and their families per month during the last year through this program; and

WHEREAS, Liberty Resources, a private not-for-profit agency, has the recognized capacity to provide these services and has offered to do so for an amount of funds not to exceed \$505,148, the same as the 2008 contract period; and

WHEREAS, these funds are reimbursed at an approximate rate of 63.7 percent; and

WHEREAS, a copy of this agreement is on file with the Clerk to the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and is hereby authorized to renew an agreement with Liberty Resources for the period January 1, 2009, to December 31, 2009, for the performance of these services at a total cost not to exceed \$505,148.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 38-09

APPOINTING A MEMBER TO THE MADISON COUNTY YOUTH BOARD

WHEREAS, the Madison County Board of Supervisors must approve the appointment of members to the Madison County Youth Board, which acts as a community advisory board to the Madison County Youth Bureau; and

WHEREAS, the following individual has been recommended by the membership of the Madison County Youth Board for appointment to the Youth Board and has been approved by the Social & Mental Health Services Committee;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors do hereby appoint **Katey Cordary**, P.O. Box 306, Wampsville to the Madison County Youth Board for a term commencing on February 1, 2009 and expiring on December 31, 2010.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 39-09

RE-APPOINTING A MEMBER TO THE MADISON COUNTY YOUTH BOARD

WHEREAS, the Madison County Board of Supervisors must approve the appointment of members to the Madison County Youth Board, which acts as a community advisory board to the Madison County Youth Bureau; and

WHEREAS, the following individual has been recommended by the membership of the Madison County Youth Board for re-appointment to the Youth Board and has been approved by the Social & Mental Health Services Committee;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors do hereby re-appoint **Lisa Reeves**, Canastota to the Madison County Youth Board for a 2 year term commencing on January 1, 2009 and expiring on December 31, 2010.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 40-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH AIDS COMMUNITY RESOURCES, INC.

WHEREAS, the need has been identified for peer driven health education/risk reduction information concerning HIV and other sexually transmitted diseases; and

WHEREAS AIDS Community Resources, Inc. has the skills and expertise to provide this services; and

WHEREAS, the Madison County Youth Bureau desires to renew the agreement with AIDS Community Resources, Inc to operate the school-based Teaching Awareness Through Friends (TATF) Peer Education program for a 6 month period; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with AIDS Community Resources, Inc. in the amount of \$ 1,250 for the operation of the TATF Peer Education program during the period of January 1, 2009 – June 30, 2009, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 41-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MADISON COUNTY COUNCIL ON ALCOHOLISM & SUBSTANCE ABUSE, INC. (DBA BRIDGES)

WHEREAS, the need has been identified for school-based alcohol and drug abuse prevention and education services for youth; and

WHEREAS the Madison County Council on Alcoholism & Substance Abuse, Inc. has the experience and expertise to provide this service; and

WHEREAS, the Madison County Youth Bureau desires to renew the agreement with the Madison County Council on Alcoholism & Substance Abuse, Inc to operate the 'INROADS' school-based prevention and education program for a 6 month period; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with the Madison County Council on Alcoholism & Substance Abuse, Inc in the amount of \$ 9,074 for the operation of the 'INROADS' program during the period of January 1, 2009 – June 30, 2009, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 42-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH COMMUNITY ACTION PROGRAM FOR MADISON COUNTY

WHEREAS, the need has been identified for mentoring services to provide youth with positive adult role models and opportunities for positive adult interactions; and

WHEREAS Community Action Program operates the Mentoring Partnership program which matches screened adult mentors with youth throughout Madison County; and

WHEREAS, the Madison County Youth Bureau desires to renew the agreement with Community Action Program to operate the Mentoring Partnership program for a 6 month period; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with Community Action Program for Madison County in the amount of \$ 3,750 for the operation of the Mentoring Partnership program during the period of January 1, 2009 – June 30, 2009, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 43-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH JIM MARSHALL FARMS FOUNDATION, INC.**

WHEREAS, there continues to be a need for counseling services for teens; and

WHEREAS the Jim Marshall Farms Foundation, Inc. piloted a free teen counseling program at a non-traditional farm setting in 2008; and

WHEREAS, the Madison County Youth Bureau desires to renew the agreement with the Jim Marshall Farms Foundation, Inc. for the continuation of the Teen Counseling program for a 6 month period; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with the Jim Marshall Farms Foundation, Inc. in the amount of \$ 2,000 for the operation of the Teen Counseling program during the period of January 1, 2009 – June 30, 2009, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 44-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH PROJECT CAFÉ, INC.**

WHEREAS, the need has been identified for supervised after-school programs for youth during the 3 PM – 6 PM hours, when research shows that unsupervised youth are most likely to either commit crimes, be victimized or engage in unhealthy activities; and

WHEREAS Project Café, Inc. operates a model after-school program for middle and high school youth in Cazenovia; and

WHEREAS, the Madison County Youth Bureau desires to renew the agreement with Project Café, Inc. to operate the After-School program for a 6 month period; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with Project Café, Inc. in the amount of \$ 3,900 for the operation of the After-School Program during the period of January 1, 2009 – June 30, 2009, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 45-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH LIBERTY RESOURCES, INC.**

WHEREAS, the need has been identified for a temporary, safe housing option for runaway and homeless youth under the age of 18 to use while services are being put into place to facilitate their eventual reunification with their families; and

WHEREAS Liberty Resources Inc. has the experience and expertise to provide this service; and

WHEREAS, the Madison County Youth Bureau desires to renew the Agreement with Liberty Resources, Inc. to operate the 'Safe Place for Youth' Interim Family Home program for runaway and homeless youth; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with Liberty Resources, Inc. in the amount of \$36,000 for the operation of the 'Safe Place for Youth' Interim Family Home program during the period of January 1, 2009 – June 30, 2009, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisors Ball & Reinhardt:

RESOLUTION NO. 46-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT AND MODIFYING THE 2009 COUNTY BUDGET (RECRUITMENT AND RETENTION PROGRAM)

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

WHEREAS, the State grant award is identified as follows:

Awarding Agency:	NYS Division of Criminal Justice Services
Program Name:	Recruitment and Retention Program
Award Year:	1/1/09 – 12/31/09
Contract Number:	LG08-0886-10
Total Grant Amount:	\$9,461

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

BE IT FURTHER RESOLVED, that the adopted 2009 County budget be modified as follows:

General Fund
1167 District Attorney-Aid to Prosecution Grant

<u>Expense</u>		<u>From</u>	<u>To</u>
A1167.1	Personal Services	\$25,000	\$34,461
<u>Revenue</u>			
A3032.02	St Aid DA Recruitment & Retention Program	<u>0</u>	<u>9,461</u>
	Control Totals		<u>\$ 0</u>

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 47-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(AID TO PROSECUTION)**

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

WHEREAS, the State grant award is identified as follows:

Awarding Agency:	NYS Division of Criminal Justice Services
Program Name:	Aid to Prosecution Program
Award Year:	4/1/08 – 12/31/09
Contract Number:	AP08-0881-56
Total Grant Amount:	\$39,503

WHEREAS, the initial budget for this grant was established in the 2009 budget,

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

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

BY Supervisor Bargabos:

RESOLUTION NO. 48-09

**ESTABLISHING A STIPEND IN THE DISTRICT ATTORNEY'S OFFICE
(Recruitment and Retention Program)**

WHEREAS, the District Attorney's Office has been awarded a recruitment and retention grant from New York State; and

WHEREAS, the Government Operations Committee has reviewed and approved the District Attorney's request to establish a stipend utilizing this grant; and

WHEREAS, the recommendations of the District Attorney for the award of this stipend has been reviewed and positively endorsed by the Criminal Justice, Public Safety and Telecommunications Committee; and

WHEREAS, said stipend will cease if said grant funding is abolished or diminishes,

NOW, THEREFORE, BE IT RESOLVED that the following 2009 stipend is established and shall be payable in the second pay period of each month of 2009 effective in February 2009:

First Assistant District Attorney \$9,461

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 49-09

**ESTABLISHING STIPENDS FOR 2009 FOR EMPLOYEES IN THE DISTRICT
ATTORNEY’S OFFICE
(Aid to Prosecution Grant)**

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

WHEREAS, the District Attorney has requested to use a portion of the grant funding to establish stipends for employees in the office who will perform duties related to felony prosecutions; and

WHEREAS, said stipends will cease if said grant funding is abolished or decreases; and

WHEREAS, the recommendations of the District Attorney for the award of these stipends have been reviewed and positively endorsed by the Criminal Justice, Public Safety and Telecommunications Committee; and

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

NOW, THEREFORE BE IT RESOLVED that stipends for 2009 be and hereby are established as follow:

First Assistant District Attorney	\$7,000
Second Assistant District Attorney	7,000
Confidential Secretary	4,000
4 th Assistant District Attorney	3,000

BE IT FURTHER RESOLVED that said 2009 stipends shall be payable in the second pay period of each month of 2009 effective in February 2009; and

BE IT FURTHER RESOLVED that said stipend will be reevaluated subject to continued Aid to Prosecution grant funding in the next State budget.

ADOPTED: AYES – 1391 NAYS- 0 ABSENT – 109 (Suits)

By Supervisors Ball and Reinhardt:

RESOLUTION NO. 50-09

AUTHORIZING THE MODIFICATION OF THE 2009 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2009 Adopted County budget be modified as follows:

General Fund

	<u>From</u>	<u>To</u>
<u>A6010 –Social Service Administration</u>		
<u>Expense</u>		
6010.2102 Computer Software	<u>\$74,983</u>	<u>\$73,483</u>
<u>A1680-Information Technology</u>		
<u>Expense</u>		
A1680.4200 Consultant Expense	<u>\$ 0</u>	<u>\$ 1,500</u>
Control Total	<u>\$ 74,983</u>	<u>\$ 74,983</u>

Supervisor Salka offered the following amendment to resolution no. 50-09, seconded by Supervisor Reinhardt and carried to read as follows:

General Fund

	<u>From</u>	<u>To</u>
<u>6010 Social Service Administration</u>		
<u>Revenue</u>		
A4611 Federal Aid Food Stamp Admin	<u>\$464,227</u>	<u>\$465,727</u>
Control Total		<u>\$ 1,500</u>
<u>Expense</u>		
A6010.2102 Computer Software Expense	<u>\$ 74,983</u>	<u>\$ 76,483</u>
Control Total		<u>\$ 1,500</u>
<u>1680 Information Technology</u>		
<u>Revenue</u>		
A2801.1410 Interfund Revenue DSS	<u>\$ 86,187</u>	<u>\$ 87,687</u>
Control Total		<u>\$ 1,500</u>
<u>Expense</u>		
A1680.4200 Consultant Expense	<u>\$ 0</u>	<u>\$ 1,500</u>
Control Total		<u>\$ 1,500</u>

A final vote including the amendment was then taken:

ADOPTED: AYES – 1329 NAYS – 62 (Degear, Bargabos) ABSENT – 109 (Suits)

RESOLUTION NO. 51-09

MODIFYING THE 2009 COUNTY BUDGET

RESOLVED, that the 2009 Adopted County budget be modified as follows:

General Fund

3315 – Special Traffic Programs-STOP DWI

Expense

A3315.41	Travel Expenses (Mileage)	980	680
A3315.4911	Office Supply & Expense (outside)	0	300

Control Totals		<u>\$ 980.00</u>	<u>\$ 980.00</u>
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ADOPTED: AYES – 1391 NAYS – 0 ABSENT- 109 (Suits)

RESOLUTION NO. 52-09

MODIFYING THE ADOPTED 2009 COUNTY BUDGET

WHEREAS, the Madison County Sherriff has identified four patrol vehicles that, due to high mileage and usage, have reached life expectancy; and

WHEREAS, replacement vehicles are available for purchase on New York State Office of General Services Contract No. PC64274 (21412-PF-ES) for a base price of \$19,895 each; and

WHEREAS, additional equipment such as light bars, cages and other necessary emergency equipment must be installed to make the replacement vehicles serviceable for use as patrol vehicles; and

WHEREAS, purchase and installation of the additional equipment is estimated to cost \$6,300 per vehicle; and

WHEREAS, the Criminal Justice Committee has reviewed these purchases and has recommended that the four new vehicles be procured for service as patrol vehicles at a total estimated cost of \$104,780;and

NOW, THEREFORE, BE IT RESOLVED, that the Adopted 2009 County Budget be modified as follows:

General Fund

1990 Contingent Fund

Expense

From

To

RESOLUTION NO. 54-09

**APPOINTING A MEMBER TO THE MADISON COUNTY
TRAFFIC SAFETY BOARD**

RESOLVED, that David Meeker of Wampsville, New York be and he is hereby appointed to the Madison County Traffic Safety Board for a three (3) year term commencing on November 12, 2008 and expiring on November 11, 2011 and Carrie Hunt of Canastota, New York be and she is hereby appointed to the Madison County Traffic Safety Board for a three (3) year term commencing on November 29, 2008 and expiring November 28, 2011.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisor Moran:

RESOLUTION NO. 55-09

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

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

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

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

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

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

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

vacated by the resignation of Fay Lyon, commencing on February 12, 2009, and expiring on February 13, 2013; and be it further

RESOLVED, that Calvin Wood of Wood Road, DeRuyter, NY 13052 be reappointed as a farm member to the Madison County Agricultural and Farmland Protection Board for a four-year term commencing on February 12, 2009 and expiring on February 13, 2013.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 57-09

**AUTHORIZING AGREEMENT FOR PROFESSIONAL SERVICES
IN SUPPORT OF IMPLEMENTATION OF FARMLAND PROTECTION PLAN**

WHEREAS, New York State has an approved Madison County’s Agriculture and Farmland Protection Plan; and

WHEREAS, implementation of goals and objectives identified in the Plan are essential to realization of the benefits of the approved plan; and

WHEREAS, Cornell Cooperative Extension of Madison County is able to provide professional services in support of such implementation; and

WHEREAS, Cooperative Extension has agreed to provide those services for a sum not to exceed \$1,700, the entire funding to come from funds appropriated for the purpose in the 2009 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is authorized to sign a contract (a copy of which is on file with the Clerk of this Board) with Cooperative Extension to deliver the required services.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 58-09

**AMENDING AND EXTENDING CONTRACT WITH MADISON COUNTY COMMUNITY
ACTION PARTNERSHIP FOR PROGRAM IMPLEMENTATION SERVICES FOR
MADISON COUNTY’S COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, Madison County received community development grants from the U.S. Department of Housing and Urban Development for a “Direct Home Ownership Assistance Program;” and

WHEREAS, Madison County contracts with the Madison County Community Action Partnership to implement and assist in the administration of the County's Direct Home Ownership Assistance Program; and

WHEREAS, the Community Action Partnership proposes extending their program implementation and administrative services for four months from March 1, 2009 through June 30, 2009 to assist in program delivery and administration of outstanding First Time Home Buyers Assistance program grants; and

WHEREAS, these program services are paid for out of program income monies received under the Federal HUD Direct Home Ownership Assistance Program grants and at a cost not to exceed \$10,320;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract extension with the Madison County Community Action Partnership, a copy of which is on file with the Clerk of this Board.

ADOPTED: AYES – 1328 ABSTAIN – 63 (Bono) NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 59-09

EXTENDING AGREEMENT FOR PROFESSIONAL SERVICES FOR COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES PROGRAM

WHEREAS, Madison County has received a variety of grants from the US Department of Housing and Urban Development (HUD) and New York State Small Cities CDBG Programs; and

WHEREAS, these programs require specialized technical expertise and assistance regarding the provision of public financing for economic and community development projects; and

WHEREAS, Madison County has an agreement with H. Sicherman & Company to provide the specialized program delivery and administrative services in connection with the program; and

WHEREAS, H. Sicherman & Company has agreed to continue to provide those services on an hourly basis on request up to a maximum of \$10,000, with the entire funding for the contract to come from grants, loan fees and repayments;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is authorized to sign a contract extension (a copy of which is on file with the Clerk of this Board) with H. Sicherman & Company to deliver the required services.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 60-09

AUTHORIZING APPROVAL OF GUARANTOR RELEASE

WHEREAS, Madison County maintains an Economic Development Loan Fund to assist businesses in job creation and job retention; and

WHEREAS, 3314 Seneca Turnpike, LLC. was granted a loan in the amount of \$75,000 on August 9, 2005; and

WHEREAS, 3314 Seneca Turnpike, LLC. desires to release Penny A. Hastings and Stephen F. Hastings as guarantors as part of selling their interest to Barbara L. Taylor; and

WHEREAS, 3314 Seneca Turnpike, LLC. loan has a current balance of \$42,297.62; and

WHEREAS, 3314 Seneca Turnpike, LLC. is requesting Madison County to release Penny A. Hastings and Stephen F. Hastings as guarantors in order to complete the sale of the partners' interest to Barbara L. Taylor.

WHEREAS, the approval of the guarantor release request will maintain the operation of the existing business in Madison County;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors approves the release of Penny A. Hastings and Stephen F. Hastings as guarantors; and be it further

RESOLVED, that the Madison County Board of Supervisors authorize the Treasurer of Madison County to sign the Release Agreement and any related documents on behalf of Madison County.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 61-09

AUTHORIZING THE COUNTY ATTORNEY TO COMMENCE A LAWSUIT

WHEREAS, the County of Madison administers an Economic Development Revolving Loan program; and

WHEREAS, Larch Hill Lab, LLC, borrowed money from the Economic Development Revolving Loan Fund program and signed a Note and Mortgage which were duly filed with the Madison County Clerk; and

WHEREAS, Larch Hill Lab, LLC, is now in default pursuant to the terms of the Note and Mortgage; and

WHEREAS, the Note and Mortgage executed by Larch Hill Lab, LLC, were also personally guaranteed; and

NOW, THEREFORE BE IT RESOLVED, that the County Attorney or his designee is hereby authorized to commence suit against Larch Hill Lab, LLC, any of the personal guarantors, or any other responsible parties to collect the monies due and owing to the County of Madison pursuant to the Note and Mortgage and related documents now on file with the clerk of the Board of Supervisors.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 62-09

AUTHORIZING THE COUNTY ATTORNEY TO COMMENCE A LAWSUIT

WHEREAS, the County of Madison administers an Economic Development Revolving Loan program; and

WHEREAS, JWD Goods, Inc., borrowed money from the Economic Development Revolving Loan Fund program and signed a Note and Mortgage which were duly filed with the Madison County Clerk; and

WHEREAS, JWD Goods, Inc., is now in default pursuant to the terms of the Note and Mortgage; and

WHEREAS, the Note and Mortgage executed by JWD Goods, Inc., were also personally guaranteed; and

NOW, THEREFORE BE IT RESOLVED, that the County Attorney or his designee is hereby authorized to commence suit against JWD Goods, Inc., any of the personal guarantors, or any other responsible parties to collect the monies due and owing to the County of Madison pursuant to the Note and Mortgage and related documents now on file with the clerk of the Board of Supervisors.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 63-09

AUTHORIZING AN AGRICULTURAL ECONOMIC DEVELOPMENT LOAN

WHEREAS, Madison County maintains an Agricultural Economic Development Revolving Loan Fund (AEDRLF) to help create or expand value-added and direct marketing opportunities; and

WHEREAS, Kenneth C. Mangine & Kristina S. Mangine, dba Nature's Blessing, seek to expand their existing business and have requested a loan in the amount of \$10,000 to purchase building materials for a greenhouse and other equipment; and

WHEREAS, the expansion project will satisfy one of the objectives for which the AEDRLF was created, as well as creating one part-time position by year two and possibly one full time position by year five;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors approve a loan to Kenneth C. Mangine & Kristina S. Mangine, dba Nature's Blessing, in the amount of \$10,000; and be it further

RESOLVED, that the Madison County Board of Supervisors authorize the Treasurer of Madison County to sign the documents necessary to close the loan on behalf of Madison County.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 64-09

SUPPORT FOR THE CONTINUATION OF THE EMPIRE ZONE PROGRAM

WHEREAS, the economic stability and sustainability of Madison County is vital to its residents and businesses; and,

WHEREAS, the County of Madison is desirous of a balanced economy existing of a range of various types of business, industry, tourism and recreations; and,

WHEREAS, the County of Madison is cognizant of the need for additional commercial and industrial growth to attain such economic stability and sustainability; and,

WHEREAS, the tax revenue generated by businesses throughout Madison County and the State of New York provide much needed relief to the individual taxpayers and their families; and,

WHEREAS, the New York State Empire Zone program has been a proven stimulus in the growth and revitalization of weakened local economies throughout New York State; and,

WHEREAS, the New York State Empire Zone program has been successful in attracting and retaining thousands of jobs to its sponsoring counties; and,

WHEREAS, the New York State Empire Zone program has shown great promise for the economy of Madison County through both increased interest of prospective

businesses inquiring from outside of New York State and the provision of critical assistance to local companies ready for growth; and,

WHEREAS, the New York State Empire Zone program has a planned sunset date of June 30, 2011; and,

WHEREAS, the Governor's proposed budget will make sweeping changes to the Empire Zone program that may lead to litigation, company relocation and loss of credibility to New York's economic development efforts; and,

WHEREAS, increasing New York's already high cost of doing business by raising business fees and taxes, significantly cutting the state's business development budget, and tarnishing the credibility of our economic development efforts would make New York less competitive;

NOW, THEREFORE BE IT RESOLVED, that the Madison County board of Supervisors in anticipation of promise for new job creation within its Empire Zones, hereby requests the State of New York to continue its Empire Zone stimulus program beyond 2011 to June 30, 2017; and be it further

RESOLVED, that the New York State Legislature, in an effort to maintain continuity and to stimulate positive momentum, is encouraged to enact legislation what will make the Empire Zone program less bureaucratic, less complex, more targeted, and less costly; and be it further

RESOLVED, that any Empire Zone program changes raising the benefit-cost ratio threshold for Empire Zone Business Certification for manufacturing enterprises from that currently in effect are not made retroactive for such businesses already certified under a lower benefit-cost ratio

RESOLVED, that New York's economic development incentive programs exist to offset one of the nation's most unattractive state business climates, and if tax and regulatory reform were enacted, New York would not need such programs; and be it further

RESOLVED, as lawmakers work on the state budget, it is absolutely critical they do not add more burdens to employers – whether through taxes, fees, wage mandates or regulations; and be it further

RESOLVED, that the Empire Zone Coordinator is hereby directed to forward this resolution in support of continuing the Empire Zone and in opposition to making the Certification benefit-cost ration threshold retroactive to Governor David Paterson, Senate Majority Leader Malcolm Smith, Senate Minority leader Dean Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canistrari , Assembly Minority Leader James Tedisco, Senator David Valesky, Assemblyman William Magee, the Madison County Board of Supervisors, Commissioner of Empire State Development

Marisa Lago, and Randal Coburn Director of the Empire Zone program to encourage and enlist their support.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 65-09

AUTHORIZATION TO EXTEND CONTRACT WITH BIRNIE BUS, INC.

WHEREAS, Birnie Bus, Inc. of Rome, New York is authorized by the New York State Department of Transportation to provide public transportation service within Madison County; and

WHEREAS, Birnie Bus, Inc. has requested sponsorship by the County for State Transit Operating Assistance; and

WHEREAS, Section 119-r of the General Municipal Law authorizes a county to enter into agreements with private bus companies for the performance of certain transportation operations; and

WHEREAS, Section 18-b of the Transportation Law and Section 182-a of the Laws of 1981 authorize a State Transit Operating Assistance Program for transportation services open to the public, including services offered by Birnie Bus, Inc. and provides that the County may make application to the New York State Department of Transportation for State Transit Operating Assistance which requires a local matching of funds; and

WHEREAS, it is proper for carriers to contribute to the County the said matching funds; and

WHEREAS, Madison County currently contracts with Birnie Bus, Inc. to provide public transportation services in Madison County; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman, on behalf of the Madison County Board of Supervisors is authorized to extend until December 31, 2009 the agreement with Birnie Bus, Inc. for the provision of transportation services open to the public and requiring that Birnie Bus, Inc. shall provide the aforesaid matching funds to the County; and

BE IT FURTHER RESOLVED, that the agreement with said carrier shall continue to specify that there shall be no cost to the county other than administration of the agreement and that the carrier shall save the county harmless; and

BE IT FURTHER RESOLVED, that in the event of a reduction in the state funding, an evaluation be made as to the continuation of the county sponsorship; and

BE IT FURTHER RESOLVED, that the Chairman of the Board is authorized to apply for State Transit Operating Assistance funds under Section 18-b of the Transportation Law and Section 182-a of the Laws of 1981.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisors Moran and Reinhardt:

RESOLUTION NO. 66-09

MODIFYING THE 2009 ADOPTED COUNTY BUDGET AND AMENDING A CONTRACT

WHEREAS, it is a goal of Madison County to explore and market potential building sites with the proposed Agricultural and Renewable Energy (ARE) Park; and

WHEREAS, Madison County currently has a contract with the Madison County Industrial Development Agency (IDA) for certain economic development services; and

WHEREAS, the IDA has, to this end, undertaken to prepare conceptual site and development plans for such ARE Park potential building sites; and

WHEREAS, the Madison County IDA has need of additional funding, beyond that which was requested in the original 2009 budget for County support of the IDA, to pay for planning and engineering services in connection with this undertaking;

NOW, THEREFORE, BE IT RESOLVED, that the 2009 Adopted County Budget be modified as follows:

<u>General Fund</u>	<u>From</u>	<u>To</u>
<u>8020 – Planning</u>		
<u>Expense</u>		
A8020.4724 Economic Development	\$ 112,864	\$ 131,164
Control Total		<u>\$ 18,300</u>
A1990.4444 Contingent Fund	\$ 888, 592	\$ 870,292
Control Total		<u>\$ 18,300</u>

And be it further

RESOLVED, that the Chairman of the Madison County Board of Supervisors is authorized to sign the contract amendment with the Madison County Industrial Development Agency, a copy of which is on file with the Clerk of this Board, to include payment of the \$18,300 for said planning and engineering services.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisor Hammond:

RESOLUTION NO. 67-09

AUTHORIZING THE CHAIRMAN TO SIGN A RECYCLING OPERATION AGREEMENT AND GROUND LEASE WITH MADISON-CORTLAND COUNTY CHAPTER, NYSARC, INC.

WHEREAS, MADISON-CORTLAND COUNTY CHAPTER, NYSARC, INC. (“A.R.C.”) a Not-For-Profit Corporation, maintaining its principal place of business at 701 Lenox Ave, Oneida, NY 13421, has for almost twenty years operated the County’s Materials Recycling Facility at the Madison County Landfill site in order to process source separated recyclable materials that are generated in Madison County; and

WHEREAS, the A.R.C. desires to continue its operation of the Materials Recycling Facility; and

WHEREAS, it is the mutual interest of Madison County and A.R.C. for A.R.C. to continue operation of the Materials Recycling Facility in accordance with the terms and conditions of the proposed Agreement and associated Ground Lease. (Copies of said Agreement and Ground Lease are filed with the Clerk of this Board); and

WHEREAS, the Madison County Board of Supervisors has considered the environmental impacts associated with the operations agreement and Ground Lease with A.R.C. and has previously determined that it will result in a positive impact on the environment and that no significant adverse impacts are evident; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board be and is hereby authorized and directed to enter into an Agreement and Ground Lease with the Madison County Chapter, NYSARC, Inc. in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 68-09

AUTHORIIZNG 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;

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, 2006 through December 31, 2010; 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. DJB Enterprises

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 69-09

WAIVING FOR 45 DAYS THE MIMIMUM GAS PAYMENT DUE FROM WASTE MANAGEMENT RENEWABLE ENERGY AND OFFSETTING EQUIPMENT PAYMENTS BY THE COUNTY AGAINST FUTURE GAS PAYMENTS

WHEREAS, the County of Madison, New York and Waste Management Renewable Energy L.L.C. (hereinafter referred to as “WM”) entered into a contract dated December 11, 2007 entitled Landfill Gas and Facilities Site Lease and Gas Purchase Agreement (hereinafter referred to as the “Agreement”); and

WHEREAS, pursuant to the terms of said Agreement WM is required to make certain minimum payments to Madison County for delivery of landfill gas to a renewable energy facility being constructed by WM; and

WHEREAS, WM has diligently constructed the renewable energy facility and made application for the various permits and interconnection agreements required to complete the project and place it in service in accordance with the Agreement and project schedule; and

WHERAS, the final commissioning of the facility has been delayed by certain matters outside the control of WM causing the first gas payment by WM to become due and owing before any gas has actually been delivered to the project; and

WHEREAS, the Agreement provides for WM to purchase and incorporate into the project certain equipment for the recovery of excess heat from the generator with the County reimbursing WM for said equipment; and

WHERAS, WM has proposed to amend the contract to simplify the financial arrangements between the parties by deducting said heat equipment costs from its subsequent gas payments to the County;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby agrees to waive for a 45 day period, payment by WM of the minimum gas payment under Article IV, Paragraph K(2) of the Agreement; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign an amendment to the Agreement, in substantially the same form as the proposed amendment attached hereto, providing for deduction of the heat recovery equipment cost from future gas payments to the County by WM; and

BE IT FURTHER RESOLVED, this resolution shall take effect immediately.

Supervisor Williams offered the following amendment to resolution no. 69-09, seconded by Supervisor Stepanski and carried to read as follows:

WAIVING FOR 45 DAYS THE MIMIMUM GAS PAYMENT DUE FROM WASTE MANAGEMENT AND AUTHORIZING EXPENDITURE OF FUNDS FROM THE SOLID WASTE RESERVE ACCOUNT TO PURCHASE EXCESS HEAT RECOVERY EQUIPMENT

WHEREAS, the County of Madison, New York and Waste Management Renewable Energy L.L.C. (hereinafter referred to as "WM") entered into a contract dated December 11, 2007 entitled Landfill Gas and Facilities Site Lease and Gas Purchase Agreement (hereinafter referred to as the "Agreement"); and

WHEREAS, pursuant to the terms of said Agreement WM is required to make certain minimum payments to Madison County for delivery of landfill gas to a renewable energy facility being constructed by WM; and

WHEREAS, WM has diligently constructed the renewable energy facility and made application for the various permits and interconnection agreements required to complete the project and place it in service in accordance with the Agreement and project schedule; and

WHEREAS, the final commissioning of the facility has been delayed by certain matters outside the control of WM causing the first gas payment by WM to become due and owing before any gas has actually been delivered to the project; and

WHEREAS, the Agreement provides for WM to purchase and incorporate into the project certain equipment for the recovery of excess heat from the generator with the County reimbursing WM for said equipment; and

WHEREAS, the County has obtained a grant from the NYSDEC that will reimburse the County up to 50% of the cost of the excess heat equipment and in view of the uncertainties surrounding the State budget it is deemed expedient to immediately pay WM for the excess heat equipment with funds drawn from the solid waste reserve fund to obtain said grant funds in this fiscal year; and

WHEREAS, the solid waste reserve fund should be replenished by depositing the NYSDEC grant funds together with future gas payments from WM until the reserve fund is fully restored.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby agrees to waive for a 45 day period, payment by WM of the minimum gas payment under Article IV, Paragraph K(2) of the Agreement; and

BE IT FURTHER RESOLVED, that the solid waste reserve fund shall be used immediately to reimburse WM for the purchase of excess heat recovery equipment **not to exceed \$149,138.00** with subsequent repayment of the reserve fund from future gas payments by WM and NYSDEC grant funds.

BE IT FURTHER RESOLVED, this resolution shall take effect immediately.

A final vote including the amendment was then taken:

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisor Reinhardt:

RESOLUTION NO. 70-09

**RESCINDING A PREVIOUS MODIFICATION OF THE ADOPTED 2008 BUDGET AND
SUBSTITUTING A NEW MODIFICATION TO THE ADOPTED 2008 COUNTY
BUDGET**

WHEREAS, Modification #12 in Resolution 583-08 adopted by the Board of Supervisors on December 29, 2008 contained erroneous information which could not be posted by the County Treasurer;

NOW, THEREFORE, BE IT RESOLVED, that the said Modification #12 is hereby rescinded; and

BE IT FURTHER RESOLVED, that the Adopted 2008 County Budget be modified as follows:

General Fund

3315 – Special Traffic Programs – STOP DWI

<u>Expense</u>		<u>From</u>	<u>To</u>
A3315.2004	Furniture	\$2,000	\$1,600
A3315.41	Travel Expenses (Mileage)	980	204
A3315.41019	Stop DWI Info & Educ.	5,852	5,725
A3315.41020	STOP DWI Admin. Expense	1,472	2,560
A3315.42900	Road Equipment & Supplies	550	0
A3315.4726	Deputy Sheriff's Service Contract	3,000	3,500
A3315.4911	Office Supply & Expense (outside)	<u>0</u>	<u>265</u>
	Control Totals:	<u>\$13,854</u>	<u>\$13,854</u>

ADOPTED: AYES – 1391 NAYS - 0 ABSENT – 109 (Suits)

RESOLUTION NO. 71-09

AUTHORIZING CHAIRMAN TO ENTER INTO A SERVICE AGREEMENT WITH ASR SYSTEMS GROUP INC.

WHEREAS, the Madison County Clerk has a Kardex Lektriever (s/n 33049) that stores 35,000 court documents and pistol permits on rotational shelving; and

WHEREAS, it is necessary to maintain a service agreement on this machine, such agreement being for one year beginning on March 1, 2009, and expiring on February 28, 2010 in the amount of \$1296.90;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors authorizes the Chairman of the Board to enter into an agreement with ASR Systems Group, Inc., a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 72-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ACCESS SYSTEMS FOR CONSULTING SERVICE TO FACILITATE AN EMERGENCY PREPAREDNESS AND RESPONSE PLAN FOR ARCHIVAL DOCUMENTS

WHEREAS, Madison County is a recipient of a National Endowment for the Humanities “We the People” project grant for \$5,200, accepted by the County Board of Supervisors by Resolution No. 8 dated January 6, 2009 to facilitate an emergency preparedness and response plan for archival documents; and

WHEREAS, Access Systems, 4260 Henneberry Road, Manlius, NY was the only bidder for consulting work for the above mentioned services and has agreed to undertake the project at a fee not to exceed \$5,200;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors authorize the Chairman of the Board of Supervisors be and hereby is authorized to enter into an agreement with Steve Goodfellow of Access Systems effective immediately, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 73-09

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,

Stephen Spencer
Doreen Spencer
691 Marsh Mill Rd.
Kirkville, NY 13082

Tax Map #15.-1-13.1
Town of Sullivan

WHEREAS, the 2008 Town and County tax bill reflected a Marsh Mills water unit charge of \$1,155.07 for 2.5 units; and

WHEREAS, due to a clerical error as defined under Section 550; 2(e) of the Real Property Tax Law it has been determined that the charge should have been 2.0 units in the amount of \$924.06; 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 2008 Town and County Taxes in the amount of \$231.01 due to this error.

ADOPTED: AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

RESOLUTION NO. 74-09

AMENDING THE EXISTING FEE SCHEDULE FOR THE REAL PROPERTY TAX SERVICES OFFICE

WHEREAS, Resolution No. 75 of 2002 established a new fee schedule for the Real Property Tax Services Office; and

WHEREAS, the purpose of this resolution is to amend the existing fee schedule to include Pictometry images with parcel overlay; and

WHEREAS, the Finance, Ways and Means Committee approved the amendment at their regular monthly meeting January 30, 2009,

NOW, THEREFORE BE IT RESOLVED, that the attached fee schedule, for work performed by the Real Property Tax Services Office, shall take effect upon approval of this resolution.

AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

**Madison County Real Property
FEE SCHEDULE**

Description	Size	Rate	Municipal Rate
Small Tax Maps (Black&White)	18"x24"	\$5.00	\$3.00
County Set of Small Tax Maps (Black&White)	18"x24"	\$250.00	--
Large Tax Maps (Black&White)	30"x40"	\$10.00	\$5.00
County Clerks Filed Maps (Black&White)	Varies	\$5.00	--
Aerial Tax Maps (Infrared Color/Pictometry)	30"x40"	\$15.00	\$10.00
Pictometry Image with Parcel Overlay	8.5"x11"	\$5.00	--
Additional copy of same Pictometry layout at time of creation.	8.5"x11"	\$1.00	--

Description	Type	Minimum Cost	Additional Cost
Data Information retrieved through Real Property Tax Services Database	Digital	\$25.00	\$.01 additional record
	Paper Copy	\$25.00	\$.25 per page
Labels printed through Real Property Tax Services Database	Labels	\$25.00	\$.05 additional Label

Specialty Items	Cost
School District Boundaries	\$10.00
Special Districts Boundaries	\$10.00
Parcel Count Per Town	\$10.00

Assessed Valuation per Town	\$10.00
County Index Tax Map Sections	\$10.00
Sales Activity	\$10.00
Windmills	\$10.00
Utilities	\$10.00
Arcview Shapefile of County Parcel Polygons only	\$350.00
Real Property Tax Services Database	\$350.00
PC Arc/Info: Parcel Coverages only	\$5.40 per section
PC Arc/Info: All Coverages	\$6.20 per section
PC Arc/Info: Converted Coverages	\$7.80 per section

765 maps for Madison County

Ordering Instructions

To order any of the above items send an email to carol.brophy@co.madison.ny.us . In the subject line of your email enter Purchasing Tax Maps. In the body of your email include the map section number, size, and quantity of each map you wish to purchase.

Once your email has been received a reply will be sent stating the total cost for your purchase. Please make checks payable to "Madison County Treasurer."

Send your check to:
Purchasing Tax Map
Real Property Tax Services
Madison County
PO Box 638
Wampsville, NY 13163

Once payment has been received, your map(s) will be printed and mailed to you folded and placed in a large envelope.

By Supervisors Degear and Reinhardt:

RESOLUTION NO. 75-09

MODIFYING THE ADOPTED 2009 BUDGET AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TOWNE ENGINEERING

WHEREAS, the County has budgeted to replace two (2) boilers in the Veterans Building at an estimated cost of \$70,000 and completion of this replacement project

requires the design and specification documents necessary to solicit competitive bids from contractors; and

WHEREAS, four boilers currently installed in the County Office Building are a maintenance burden and challenge to maintain on an on-going basis; and

WHEREAS, one of the four County Office Building boilers has become unserviceable due to corrosion attributable to design and construction of the boiler and requires a complete rebuild at a cost estimated to exceed \$18,000 due to a cracked water jacket; and

WHEREAS, an additional County Office Building boiler that was rebuilt in 2005 due to an explosion even now requires daily monitoring and attention by either the County Maintenance personnel or outside technicians; and

WHEREAS, the two remaining County Office Building boilers are of the same vintage, design and construction as the two boilers previously mentioned; and

WHEREAS, the defects associated with the on-going maintenance problems of the County Office Building boilers are no longer covered by warranty; and

WHEREAS, there is substantial risk that if even one of these boilers breaks down causing an interruption in service which in turn would create severe disruption of County services and significant unbudgeted expense on top of any expenses associated with programmed boiler replacement, and

WHEREAS, replacement of the existing Veterans Building and County Office Building boilers with high efficiency gas fueled boilers, if properly designed and installed would qualify for an energy efficiency rebate program offered by National Grid estimated to be approximately \$10,000 in value for each boiler; and

WHEREAS, the design and specifications necessary to solicit competitive bids and to secure rebates for boiler replacements in the County Office Building and the Veterans Building is beyond the capability of County staff; and

WHEREAS, Towne Engineering specializes in design and engineering of heating ventilation and air conditioning systems and has previously developed design recommendations for boiler replacement in the Department of Social Services Building that corrected design flaws existing since the building was originally designed;

WHEREAS, Towne Engineering has agreed to provide analysis, design and specifications for boiler replacement for the Veteran's Building and County Office Building boiler replacement at a fixed cost of \$ 9,500 for each building; and

WHEREAS, the replacement of the County Office Building boilers is an unbudgeted expense;

NOW, THEREFORE, BE IT RESOLVED, that the Adopted 2009 County Budget is hereby modified as follows to design and solicit bids to replace the County Office Building Boilers; and

General Fund	<u>From</u>	<u>To</u>
<u>Expense</u>		
A599 Appropriated Fund Balance	\$5,100,000	\$5,265,000
Control Total		\$ <u>165,000</u>
1620 County Buildings		
<u>Expense</u>		
A1620.2908 Boiler Replacement Expense	\$ 0	\$ 165,000
Control Total		\$ <u>165,000</u>

BE IT FURTHER RESOLVED, That the Chairman is authorized to enter into a contract, a copy of which is on file with the Clerk of the Board, with Towne Engineering for engineering services for design and engineering to replace boilers in the County Office Building and the Veteran’s Building.

AYES – 1391 NAYS – 0 ABSENT – 109 (Suits)

By Supervisor Cary:

RESOLUTION NO. 76-09

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

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

WHEREAS, after review by the Administration and Oversight Committee, alterations need to be made to the Social & Mental Health Services Committee; and

WHEREAS, the proposed amendment to Rule No. 6 has been made in writing, offered, and laid upon the table for more than 24 hours prior to this meeting in accordance with Rule No. 25 of the Rules of the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that Rule No. 6 of the Rules of the Board of Supervisors of Madison County be and is hereby amended (as underlined) effective immediately and with respect to the following committee listing and responsibilities shall provide as follows:

Rule 6. (Remove JTPA from Social & Mental Health Services Committee and add JTPA to Planning, Economic Development, Environmental & Intergovernmental Affairs Committee):

(NEW) Social and Mental Health Services: responsible for the administration and operation of all services as prescribed by the New York State Department of Social Services and the Federal Food Stamp Program, County Youth Bureau and Youth Services, Project Heap, Veterans Affairs, Housing for the Elderly/low Income, SNACK, RSVP, Office for the Aging, day care services, the Mental Health Department, including the Association for Retarded Citizens, Sequin Community Services and facilities, and the Community Action Program for Madison County, Inc.

(NEW) Planning, Economic Development, Environmental & Intergovernmental Affairs: responsible for the County Planning Department, the development, implementation, and ongoing evaluation of Madison County's long range planning program, the County Planning Board, community development, public transportation, tourism, economic development, the Industrial Development Agency, the Environmental Management Council, public lands, county parks and County Park Commission, agriculture districts and the Agriculture and Farmland Preservation Board, County Fair, historic preservation, County Historian, County Historical Society, Central New York Regional Planning and Development, Central New York Regional Market Authority, Cooperative Extension, Federated Conservation Clubs, Soil and Water Conservation District, Forest Practices, Fish and Wildlife Management, County ABC Board, Children's Camp, Mid-York Library System and JTPA.

Supervisor Cary offered an amendment to resolution no. 76-09, seconded by Supervisor Jaquay and carried to read as follows:

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

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

WHEREAS, after review by the Administration and Oversight Committee, alterations need to be made to the Social & Mental Health Services Committee; and

WHEREAS, the proposed amendment to Rule No. 6 has been made in writing, offered, and laid upon the table for more than 24 hours prior to this meeting in accordance with Rule No. 25 of the Rules of the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that Rule No. 6 of the Rules of the Board of Supervisors of Madison County be and is hereby amended (as underlined) effective immediately and with respect to the following committee listing and responsibilities shall provide as follows:

Rule 6. (Remove JTPA from Social & Mental Health Services Committee and add Employment & Training to Planning, Economic Development, Environmental & Intergovernmental Affairs Committee):

(NEW) Social and Mental Health Services: responsible for the administration and operation of all services as prescribed by the New York State Department of Social Services and the Federal Food Stamp Program, County Youth Bureau and Youth Services, Project Heap, Veterans Affairs, Housing for the Elderly/low Income, SNACK, RSVP, Office for the Aging, day

care services, the Mental Health Department, including the Madison-Cortland County Chapter NYSARC, Inc., and the Community Action Program for Madison County, Inc.

(NEW) Planning, Economic Development, Environmental & Intergovernmental Affairs: responsible for the County Planning Department, the development, implementation, and ongoing evaluation of Madison County's long range planning program, the County Planning Board, community development, public transportation, tourism, economic development, the Industrial Development Agency, public lands, county parks and County Park Commission, agriculture districts and the Agriculture and Farmland Preservation Board, County Fair, historic preservation, County Historian, County Historical Society, Central New York Regional Planning and Development, Central New York Regional Market Authority, Cooperative Extension, Federated Conservation Clubs, Soil and Water Conservation District, Forest Practices, Fish and Wildlife Management, County ABC Board, Children's Camp, Mid-York Library System and Employment & Training.

On motion by Supervisor Bargabos, seconded by Supervisor DiVeronica and in accordance with the Rules of the Board of Supervisors, this resolution was TABLED.

By Supervisor Reinhardt:

RESOLUTION NO. 77-09

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 – 1391 NAYS – 0 ABSENT – 109 (Suits)

PUBLIC COMMENT PERIOD

1. Mr. Russell Stewart, CSEA Union Representative spoke in favor of Resolution No. 21-09, the Supervising Staff Social Worker position for the Mental Health Department and for other positions before the Board this day.

There being no further business Supervisor Williams made a motion to adjourn, seconded by Supervisor Raft and carried.