

**MADISON COUNTY BOARD OF SUPERVISORS**  
**Meeting – Tuesday, July 12, 2011**

The Board convened at 10:30 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Bargabos (27 votes).

Pledge of Allegiance.

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

**COMMUNICATIONS**

1. Copy of a resolution from Seneca County – Urging NYS to Significantly cut the Unfunded Mandates that Cause Local Property Tax Increases Before Imposing a Cap on Local Property Taxes.

**REPORTS**

1. Madison County Department of Health Annual Report for 2010.

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services JTPA/WIA and Cazenovia Sewer District:	\$2,629,987.58
Miscellaneous Accounts:	\$ 33,913.60

**UNFINISHED BUSINESS**

**Resolution No. 193-11 – Designating Disposal of Obsolete and/or Surplus County Personal Property. Tabled By Supervisor Henderson, 2<sup>nd</sup> by: Supervisor Degear on June 14, 2011.**

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**A t this time Chairman Becker called on Sandra Eaton, Mayor for the Village of Wampsville. Ms. Eaton distributed a survey taken over the last five years showing the number of calls, specifically to the County Office Building complex, by the Wampsville Volunteer Fire Department. Each year the numbers increase and each year the number of mandated training increases. She asked that the Board consider granting a stipend to the Wampsville Fire Department and thanked the Board.**

## RESOLUTIONS

By Supervisor Reinhardt (Vice Chairman)

### RESOLUTION NO. 226-11

#### 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 Jeffrey Barlow upon his retirement.

Jeffrey P. Barlow                      Sheriff's                      1997– 2011

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

Sheriff Riley accepted a gift on behalf of Mr. Barlow who could not attend today. The Sheriff wished him a happy retirement and stated that Mr. Barlow was looking forward to spending more time playing his banjo.

### RESOLUTION NO. 227-11

#### AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE (Veterans)

**WHEREAS**, the American Legion Service Officer Training Conference will be held in Indianapolis, Indiana on July 26, 2011 through July 30, 2011; and

**WHEREAS**, Donald R. Smith, Director of Veteran's Service Agency has requested attendance at said conference; and

**WHEREAS**, his expenses for lodging, meals and transportation will be funded through appropriations in the 2011 Veteran's Service Agency budget; 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 Donald R. Smith be and hereby is authorized to attend said conference at County expense not to exceed \$1,316.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 228-11**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LOCEY & CAHILL, LLC**

**WHEREAS**, Madison County provides Medicare-eligible retirees with prescription drug benefits that are at least equivalent to those that otherwise would be provided by Medicare; and

**WHEREAS**, the Federal government makes subsidy assistance payments to the County for each Medicare Part D eligible retiree enrolled in the County's prescription drug plan and not enrolled in Medicare Part D; and

**WHEREAS**, the County is in the process of applying for a retiree drug subsidy in accordance with the Medicare Part D program for plan year 2011, anticipating budgeted revenue of \$115,000; and

**WHEREAS**, the County requires professional consulting services to continue with the application process; and

**WHEREAS**, Locey & Cahill, LLC, has the technical and professional ability to prepare the actuarial attestation statement, prepare the actuarial certification of creditable coverage, coordinate cost reporting with the pharmacy benefit manager, and coordinate the filing of the application for the County; and

**WHEREAS**, Locey & Cahill, LLC, has submitted a proposal to provide these health benefits consulting services for plan year 2011 for a fee of \$3,000, which represents no increase from their fee for plan years 2008, 2009 and 2010; and

**WHEREAS**, appropriations for these services have been included in the 2011 Adopted County Budget account CS9060.8609; and

**WHEREAS**, this agreement has been reviewed and approved by the Government Operations Committee.

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

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 229-11**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
(EMPIRE SAFETY TRAINING AND CONSULTING, INC.)**

**WHEREAS**, Empire Safety Training and Consulting, Inc. of Chittenango, New York has provided employee safety services and training for Madison County since 2001; and

**WHEREAS**, Empire Safety Training and Consulting, Inc. has agreed to provide training services at the rate of \$125.00 per hour under the grant the County received through the Hazard Abatement Board of the New York State Department of Labor; and

**WHEREAS**, the Government Operations Committee recommends the County retain the services of Empire Safety Training and Consulting, Inc. to provide this grant-funded training,

**NOW, THEREFORE BE IT RESOLVED** that the Chairman of the Board of Supervisors be and hereby is authorized to enter into an agreement with Empire Safety Training and Consulting, Inc. for the period August 1, 2011 through July 31, 2012 as is on file with the Clerk to the Board; and

**BE IT FURTHER RESOLVED** that the cost for these required safety services shall not exceed a total cost of \$9,423.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 230-11**

**AUTHORIZING THE COUNTY ATTORNEY TO COMMENCE  
A LAWSUIT**

**WHEREAS**, the Commercial Haulers are given permits to use the Madison County Landfill and as a result of their use they generate tipping fees which are to be paid in a timely fashion pursuant to the terms of the permit; and

**WHEREAS**, Andrew and Sharon Bishopp were issued a commercial haulers permit and are allowed to use the Madison County Landfill and their use thereof generates tipping fees for which they are responsible; and

**WHEREAS**, Andrew and Sharon Bishopp are currently in arrears in tipping fees according to the terms of their use of the Madison County Landfill;

**NOW, THEREFORE, BE IT RESOLVED**, that the County Attorney or his designee is hereby authorized to commence suit against Andrew and Sharon Bishopp to collect the past due tipping fees now over due and owing to the County of Madison.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 231-11**

**ESTABLISHING THE STANDARD WORK DAY AND REPORTING DAYS FOR CERTAIN COUNTY OFFICIALS**

**WHEREAS**, The Office of the State Comptroller New York State and Local Employees' Retirement System requires that a Standard Work Day and Reporting Resolution be established for retirement credit reporting purposes for elected and appointed officials;

**NOW, THEREFORE, BE IT RESOLVED**, that Madison County hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk to the Board:

TITLE	NAME	STANDARD WORK DAY (Hrs/Day)	TERM BEGINS/E NDS	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH (Based on Record of Activities)
<b>Elected Officials</b>					
County Treasurer	Cindy Edick	7.5	1/1/11-12/31/14	N	20
<b>Appointed Officials</b>					
Deputy Treasurer	Sally Makarchuk	7.5	1/1/11-12/31/14	Y	20
Deputy Treasurer	Paula Tayntor	7.5	1/1/11-12/31/14	Y	20

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 232-11**

**EXTENDING THE DURATION OF A TEMPORARY HEAVY EQUIPMENT OPERATOR POSITION IN THE DEPARTMENT OF SOLID WASTE**

**WHEREAS**, Stage I closure of the Madison County Westside Landfill commenced in the spring of 2011; and

**WHEREAS**, on April 12, 2011 this Board approved the creation of one temporary full-time Heavy Equipment Operator position for this project for a period not to exceed 12 weeks; and

**WHEREAS**, the request has been submitted to extend the duration of this temporary position by an additional twelve (12) weeks; and

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

**NOW, THEREFORE BE IT RESOLVED**, that the temporary full-time Heavy Equipment Operator position will continue to receive an hourly rate of \$15.68 with no benefits; and

**BE IT FURTHER RESOLVED**, that the duration of said temporary position be extended and shall terminate not later than twenty four weeks (24) weeks from the date of original appointment effective immediately.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 233-11**

**AUTHORIZING THE COUNTY TO ACCEPT A GRANT FROM THE NEW YORK STATE DEPARTMENT OF LABOR’S HAZARD ABATEMENT BOARD AND MODIFYING THE 2011 COUNTY BUDGET**

**WHEREAS**, the Personnel Department applied for and was awarded a grant in the amount of \$9,423 from the New York State Department of Labor’s Hazard Abatement Board; and

**WHEREAS**, said grant will provide funding for employee safety training during the grant period, August 1, 2011 through July 31, 2012; and

**WHEREAS**, the Government Operations Committee has reviewed the award and recommends that the County accept this funding,

**NOW, THEREFORE BE IT RESOLVED** that the Board of Supervisors does hereby authorize the County to participate in the grant and accept the grant funding in the sum of \$9,423; and

**BE IT FURTHER RESOLVED** that the Chairman of the Board be and hereby is authorized to execute certain documents as required by the New York State Department of Labor to participate in the grant and receive reimbursements under the grant for the grant period of August 1, 2011 through July 31, 2012; and

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

**General Fund**

**1430 Personnel & Civil Service**

Revenue

A3389.2520 St. Aid DOL HAB Grant 2011-12

Control Total

From

-0-

To

\$9,423

\$9,423

Expense

A1430.4207 HAB Grant Expense 2011-12	-0-	<u>\$9,423</u>
Control Total		<u>\$9,423</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 234-11**

**CREATING ONE TEMPORARY FULL-TIME POSITION IN THE PLANNING DEPARTMENT FOR THE AQUATIC VEGETATION HARVESTING PROGRAM AND MODIFYING THE 2011 COUNTY BUDGET**

**WHEREAS**, Madison County owns a mechanical vegetation harvester and related equipment, which were purchased in 2003 with State grant funds; and

**WHEREAS**, numerous lakes (DeRuyter, Moraine, Eaton Brook, Gorton, Lebanon, and Leland’s Pond) within Madison have expressed interest in benefiting from the weed harvester this summer;

**WHEREAS**, the Director of Planning has requested that one (1) temporary full-time Vegetation Harvester Operator position be created in order to provide this service to the lake associations; and

**WHEREAS**, this request has been reviewed and approved in accordance with the vacancy review procedure by the Planning Committee and the Government Operations Committee,

**NOW, THEREFORE BE IT RESOLVED** that one (1) temporary full-time Vegetation Harvester Operator position be and hereby is created for a period not to exceed twelve (12) weeks from date of appointment; and

**BE IT FURTHER RESOLVED** that the Planning Department be and hereby is authorized to fill said position at the 2011 hourly rate of \$16.20 in accordance with Civil Service Law and Rule and County policies and procedures effective immediately, and;

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

**General Fund**  
**8020 Planning**

<u>Revenue</u>	<u>From</u>	<u>To</u>
A2189.1010 Aquatic Veg Harvesting-Lake Assns	\$ <u>6,219</u>	\$ <u>11,800</u>
Control Total		\$ <u>5,581</u>

Expense

A8020.1 Personal Services	\$275,006	\$280,190
A8020.8130 Social Security Expense	<u>21,038</u>	<u>21,435</u>
Total	<u>\$296,044</u>	<u>\$301,625</u>
Control Total		\$ <u>5,581</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Salka:**

**RESOLUTION NO. 235-11**

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

**WHEREAS**, Madison County Public Health Department is duly certified to operate both the Home Health Care Agency and Long Term Home Health Care Program and a Diagnostic and Treatment Center to administer vaccines; and

**WHEREAS**, the charges for providing home care services to Madison County residents is recouped through billing for services, based on a cost analysis prepared by the contracted certified public accountant; and

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

**WHEREAS**, based on the 2010 Medicare Cost Report and an analysis of the immunization costs completed by McCarthy and Conlon, LLP the following rates need to be increased the 2011 rates as follows:

	<u>2010</u>	<u>2011</u>
Skilled Nursing	\$200	\$210
Influenza Vaccine	\$ 35	\$ 40
Pneumo Vaccine	\$ 60	\$ 75

**WHEREAS**, both the Board of Health and The Public Health Services Committee agree to approve the attached fee scale for all services based on the latest Federal Poverty guidelines; and

**NOW, THEREFORE BE IT RESOLVED** that the above increases for Skilled Nursing visits and vaccination rates is approved effective July 1, 2011.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**Madison County Sliding Fee Scale**

Family Size	**200%	250%	300%	350%	400%
1	\$21,780	\$27,225	\$32,670	\$38,115	\$43,560

2	\$29,420	\$36,775	\$44,130	\$51,485	\$58,840
3	\$37,060	\$46,325	\$55,590	\$64,855	\$74,120
4	\$44,700	\$55,875	\$67,050	\$78,225	\$89,400
5	\$52,340	\$65,425	\$78,510	\$91,595	\$104,680
6	\$59,980	\$74,975	\$89,970	\$104,965	\$119,960
7	\$67,620	\$84,525	\$101,430	\$118,335	\$135,240
8	\$75,260	\$94,075	\$112,890	\$131,705	\$150,520
Each add'l person	\$7,640	\$9,550	\$11,460	\$13,370	\$15,280

**Home Care**

Nursing Visit	\$42	\$84	\$126	\$168	\$210
PT Visit	\$32	\$64	\$96	\$128	\$160
OT Visit	\$23	\$46	\$69	\$92	\$115
ST Visit	\$25	\$50	\$75	\$100	\$125
MSW	\$30	\$60	\$90	\$120	\$150
Nutrition Visit	\$20	\$40	\$60	\$80	\$100
HHA/Hour	\$16	\$32	\$48	\$64	\$80
PCA/Hour	\$6	\$12	\$18	\$24	\$30

Flat Fee/One Time Service (Based on level of care required)					
BP Check	\$8	\$16	\$24	\$32	\$40
Toenails	\$8	\$16	\$24	\$32	\$40
Blood Work	\$9	\$18	\$27	\$36	\$45
Injections	\$9	\$18	\$27	\$36	\$45
PRI &Screen	\$42	\$84	\$126	\$168	\$210

**Immunizations**

Hep B	\$31	\$37	\$43	\$49	\$55
MMR	\$53	\$59	\$65	\$71	\$77
Mantoux (TB)	\$6	\$12	\$18	\$24	\$30
Menactra	\$104	\$110	\$116	\$122	\$128
Adacel	\$35	\$41	\$47	\$53	\$59
Decavac	\$20	\$26	\$32	\$38	\$44
Varivax	\$81	\$87	\$93	\$99	\$105
Gardasil	\$126	\$132	\$138	\$144	\$150
Influenza	\$15	\$21	\$27	\$33	\$40
Pneumococcal	\$50	\$56	\$62	\$68	\$75

Lead testing	\$12	\$24	\$36	\$48	\$60
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Car Seats	\$10	\$25	\$35	\$45	\$45
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**The Following are Flat**

**Fees**

Post Exposure Rabies	\$200
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Note: \*\* These percentages represent the Federal Poverty Level. If the monthly income, based on family size, falls between minimum and 1st column, fee scale amount is the minimum column or 200% of the federal poverty level. Use this same criteria across the columns. If the income is less than the minimum amount, special consideration must be made by addressing the issue with management.

Anyone having savings or liquid assets in excess of \$10,000 will be charged full fee for services.

Revised 6/01/11

**RESOLUTION NO. 236-11**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH FAXTON-ST. LUKES HEALTHCARE**

**WHEREAS**, the Public Health Department operates a Certified Home Health Agency and a Long Term Program; and

**WHEREAS**, the Long Term Certificate of Authorization pursuant to Article 36 of the Public Health Law requires Audiology services; and

**WHEREAS**, Faxton-St. Luke's Healthcare can provide this service through a contract with the Public Health Department to provide audiology services; and

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

**WHEREAS**, the cost of said services is reimbursed through fees and Article 6 funding; and

**WHEREAS**, the Public Health Services Committee has agreed to enter an agreement with Faxton-St. Luke's Healthcare for audiology services; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Faxton-St. Luke's Healthcare in the form as is on file with the Clerk of The Board.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 237-11**

**AUTHORIZING THE PUBLIC HEALTH DIRECTOR TO SUBMIT AN APPLICATION TO BECOME A LICENSED AGENCY**

**WHEREAS**, the Board of Supervisors passed resolutions 518-10 and 17-11 declaring its intention to transfer the home care functions in Madison County to L. Woerner, Inc. d/b/a HCR; and

**WHEREAS**, Article 6, Title 1, Section 602, 3B, 1 of NYS Public Health Law mandates the provision of activities designed to reduce perinatal, infant and maternal mortality and morbidity and to promote the health of infants, children, adolescents, and people of childbearing age; and

**WHEREAS**, Madison County Department of Health provides these mandated services through its Maternal and Child Health program, which include skilled nursing visits; and

**WHEREAS**, reimbursements for skilled nursing visits can only be claimed by a licensed agency; and

**WHEREAS**, currently the maternal and child skilled nursing visits are provided under the Health Department's Certified Home Health Agency license; and

**WHEREAS**, the Health Department will be required to be a licensed agency in order to continue providing skilled nursing services to the maternal and child population after the transfer of the Certified Home Health Agency, and

**WHEREAS**, both the Board of Health and the Public Health Services Committee feel it most expeditious to submit an application to become a licensed agency at this time; and

**NOW, THEREFORE BE IT RESOLVED**, that the Public Health Director be and is hereby authorized to submit an application to New York State Department of Health, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 238-11**

**MODIFYING AN AGREEMENT WITH HEALTH RESEARCH, INC. FOR PUBLIC HEALTH PREPAREDNESS GRANT AND MODIFYING THE 2011 COUNTY BUDGET**

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

**WHEREAS,** Resolution 367-10 was approved on November 8, 2010 to accept \$70,750 from Health Research Inc., for the Public Health Emergency Preparedness contract from August 10, 2010 to August 9, 2011; and

**WHEREAS,** Health Research Inc. has requested a new budget in the amount of \$56,746, a decrease of \$14,004; and

**WHEREAS,** both parties mutually agree with the revised budget; and

**WHEREAS,** the Board of Health and Public Health Services Committee believes it is appropriate and in the best interest of Madison County to accept the modification as noted above;

**NOW, THEREFORE BE IT RESOLVED,** that the Chairman of the Board of Supervisors be and is hereby authorized to modify an agreement with the Health Research, Inc. as is on file with the Clerk of the Board; and

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

**General Fund**  
**Public Health Department**  
**4016 Public Health Federal & State Grants**

<u>Expense</u>		<u>From</u>	<u>To</u>
A4016.4911	Emergency Preparedness Expense	<u>\$ 32,281</u>	<u>\$18,277</u>
	Control Total		<u>\$14,004</u>
<u>Revenue</u>			
A4489.4010	Federal Aid PH Emergency Preparedness	<u>\$63,907</u>	<u>\$49,903</u>
	Control Totals		<u>\$14,004</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Salka:**

**RESOLUTION NO. 239-11**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO RENEW AN AGREEMENT WITH THE MADISON-ONEIDA BOCES FOR THE MENTAL HEALTH DEPARTMENT TO PROVIDE EVALUATION SERVICES**

**WHEREAS,** the Madison-Oneida BOCES has identified a need for evaluation services for certain of its students who are exhibiting signs of mental problems; and

**WHEREAS,** the Madison County Mental Health Department, through its Mental Health Clinic has the resources to provide the services through a contractual basis with

the Madison-Oneida BOCES which will pay the Mental Health Department one hundred and five dollars per hour (\$105.00 per hour) for Classroom Evaluations; and

**WHEREAS**, this request for the Mental Health Department to provide services to the Madison-Oneida BOCES has been approved by the Social and Mental Health Services Committee;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be and is hereby authorized to renew an agreement, a copy of which is on file with the Clerk of the Board of Supervisors, with the Madison-Oneida BOCES whereby the Madison County Mental Health Department will provide evaluation services as specified in the contract beginning July 1, 2011 through June 30, 2012, at the rate of \$105.00 per hour and the total amount not to exceed \$8,400.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 240-11**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO RENEW AN AGREEMENT WITH THE CHITTENANGO CENTRAL SCHOOL DISTRICT FOR THE MENTAL HEALTH DEPARTMENT TO PROVIDE SCHOOL-BASED MENTAL HEALTH SERVICES**

**WHEREAS**, for the last eight years the Mental Health Department has been providing part-time mental health counseling services in the Chittenango Central School District; and

**WHEREAS**, the Chittenango Central School District wants to continue to participate in the school based mental health program for certain of its students who are exhibiting signs of mental problems; and

**WHEREAS**, the Madison County Mental Health Department, through its Mental Health Clinic has the resources to provide the services through a contractual basis with the Chittenango Central School District which will pay the Mental Health Department the prevailing rate for contracted social workers as approved by the Board of Supervisors (currently \$40.00 per hour) and the total amount of the contract not to exceed \$14,420 per year; and

**WHEREAS**, this request for the Mental Health Department to provide services to the Chittenango Central School has been approved by the Social and Mental Health Services Committee;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be and is hereby authorized to enter into an agreement, a copy of which is on file with the Clerk of the Board of Supervisors, with the Chittenango Central School District whereby the Madison County Mental Health Department will provide evaluation, consultation, and treatment

services as specified in the contract beginning September 1, 2011 through August 31, 2012, at the prevailing rate for contracted social workers as approved by the Board of Supervisors (currently \$40.00 per hour), and the total amount of the contract not to exceed \$14,420 per year.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 241-11**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS  
TO RENEW AN AGREEMENT WITH MADISON COUNTY HEAD START  
FOR THE MENTAL HEALTH DEPARTMENT TO PROVIDE EVALUATION AND  
CONSULTATION SERVICES FOR 2011 - 2012**

**WHEREAS**, Madison County Head Start has identified a need for evaluation and consultation services; and

**WHEREAS**, the Madison County Mental Health Department, through its Mental Health Clinic has the resources to provide the services through a contractual basis with Madison County Head Start through which the Mental Health Department will receive compensation at the rate of \$105.00 per hour, with the total amount of the contract not to exceed \$6,000 per year ; and

**WHEREAS**, this request for the Mental Health Department to provide services to Madison County Head Start has been approved by the Social and Mental Health Services Committee;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be and is hereby authorized to enter into an agreement, a copy of which is on file with the Clerk of the Board of Supervisors, with Madison County Head Start whereby the Madison County Mental Health Department will provide evaluation and consultation services as specified in the contract beginning September 1, 2011 through August 31, 2012, with the amount of compensation for the Mental Health Department set at \$105.00 per hour, and the total amount of the contract not to exceed \$6,000 per year.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 242-11**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
FOR ELECTRONIC PRESCRIBING  
WITH INFORMATION MANAGEMENT ASSOCIATES, INC.**

**WHEREAS**, The Mental Health Department has been using Information Management Associates, Inc. (IMA) as its electronic medical record and billing program for number of years; and

**WHEREAS**, on December 7, 2010, the Board of Supervisors passed Resolution #444-10 authorizing the County to enter into a maintenance agreement for the care and annual upgrade of the information software that is used by the Mental Health Department; and

**WHEREAS**, IMA has recently announced that their software now includes an Electronic Prescription feature (IMA Rx) which will greatly enhance prescribing medication to clients by eliminating mistakes incurred through handwritten prescriptions, checking for allergic reactions to other medications, and sending the prescription electronically to the pharmacy which will also reduce the cost of preprinted prescription pads: and

**WHEREAS**, adding the Electronic Prescription feature (IMA Rx) requires a separate licensing agreement and fees for this service which will be covered through the 2011 Maintenance Agreement described above; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be and hereby is authorized to execute a licensing agreement on behalf of the County with Information Management Associates, Inc. to provide Electronic Prescribing services (IMA Rx) in accordance with the licensing agreement, and place a copy of the agreement on file with the Clerk to the Board of Supervisors.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 243-11**

**AUTHORIZING CHAIRMAN TO RENEW AN AGREEMENT  
FOR MENTAL HEALTH CONSULTATION SERVICES**

**WHEREAS**, the County Mental Health Department is required to provide mental health consultation for certain of its clients; and

**WHEREAS**, from time to time, these services need to be provided on a part-time contractual basis; and

**WHEREAS**, the 2011 Mental Health budget provides funds for the provision of mental health counseling services in the Chittenango School District for the 2011-2012 academic year;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be hereby authorized to enter into an agreement, a copy of which is on file with the Clerk of the Board, with Sheila S. Paolini, LCSW-R, for the provision of mental health consultation services to the

Mental Health Department at an hourly rate of \$40.00, said rate to be effective September 1, 2011 to June 30, 2012 not to exceed 15 hours a week for the school year.

**ADOPTED: AYES – 1472 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 244-11**

**AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT MODIFICATION AND EXTENSION AGREEMENT**

**WHEREAS**, the County entered into an Agreement with Central New York Services, Inc. for Forensic Case Management Services on October 1, 2009; and

**WHEREAS**, this service agreement expires on June 30, 2011;

**NOW, THEREFORE, BE IT RESOLVED** that the contract be modified to provide for an extension until December 31, 2011;

**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 July 1, 2011 through December 31, 2011 with Central New York Services, Inc.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 245-11**

**APPOINTING MEMBER OF THE COMMUNITY SERVICES BOARD**

**WHEREAS**, the Madison County Board of Supervisors must approve the appointment of the members of the Community Services Board which oversees the Madison County Mental Health Department; and

**WHEREAS**, there are currently three vacancies on the Board; and

**WHEREAS**, the Membership Committee has favorably reviewed an application for membership from: **Sheila M. Gallogly, 5461 Creek Road, Oneida, New York, 13421** and the Community Services Board has voted in favor of her appointment; and

**WHEREAS**, the Social and Mental Health Services Committee has reviewed this application and has recommended that she be appointed by the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED**, that **Sheila M. Gallogly** be appointed to a four year term on the Madison County Mental Health and Community Services Board, with her term of membership running from July 1, 2011 through June 30, 2015.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Suits:**

**RESOLUTION NO. 246-11**

**AUTHORIZING THE BOARD OF ELECTIONS TO ENTER INTO A VOTING EQUIPMENT USAGE AGREEMENT FOR ELECTIONS NOT CONDUCTED BY THE COUNTY BOARD OF ELECTIONS**

**WHEREAS**, the Madison County Board of Elections owns the State Certified ImageCast optical scanner voting system and ancillary voting supplies; and

**WHEREAS**, any Madison County voting district may ask to use the county certified election equipment; and

**WHEREAS**, use of the county voting system will require Madison County Board of Elections to create the election ballots, program and test the ImageCast scanner, pack, deliver and pick-up the election equipment, and support the system on election day; and

**WHEREAS**, upon the completion of a Usage Agreement with the user the Madison County Board of Elections will charge for these services as follows:

<b>Election Service Charges</b>	<b>A2215.1010</b>
Ballot creation in EMS 4 hrs @ \$20/hr	\$80
Programming & Testing 1 hr/machine	\$20
Packaging, delivery & return	\$100 + rental, if needed
Technical assistance- Election Day	\$180

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Elections is authorized to loan the election equipment to Madison County voting districts at the rate stated above.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Ball:**

**RESOLUTION NO. 247-11**

**AUTHORIZING CHAIRMAN TO EXECUTE RIGHT OF ENTRY AGREEMENT WITH TIME WARNER CABLE INC. FOR PROPERTY AT 6802 BUYEA ROAD, CANASTOTA, NEW YORK**

**WHEREAS**, certain property located at 6802 Buyea Road, Canastota, New York, is owned by the County of Madison; and

**WHEREAS**, the Madison County Children’s Advocacy Center (“CAC”), a grant-funded program through the Madison County Sheriff’s Department, occupies the residence at said location and uses internet services in furtherance of its work; and

**WHEREAS**, Time Warner Inc. is installing cable services along Buyea Road in front of such property, which services would greatly improve the quality of internet access at the residence; and

**WHEREAS**, the CAC has requested Time Warner cable services for the residence, the provision of which requires installation of underground cable lines, known as an “HFC System”; and

**WHEREAS**, Time Warner Inc. must obtain the permission of the property owner to enter, the property and install the HFC System; and

**WHEREAS**, a Right of Entry Agreement, executed by the property owner, would provide Time Warner Inc. with the necessary permission to enter and install;

**NOW, THEREFORE BE IT RESOLVED** that the Chairman of the Board of Supervisors be and hereby is authorized to execute the aforesaid Right of Entry Agreement on behalf of the County of Madison, in the form and as is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisors Ball and Reinhardt:**

**RESOLUTION NO. 248-11**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT  
FOR FEDERAL GRANT AND MODIFYING THE 2011 COUNTY BUDGET**

**WHEREAS**, Madison County has received a Federal Grant through the New York State Division of Homeland Security and Emergency Services; and

**WHEREAS**, this Federal Awards Grant is identified as follows:

Awarding Agency:	US Department of Homeland Security Office
Pass-through Agency:	New York State Division of Homeland Security and Emergency Services
Catalog #:	#97.067
Program Name:	WM2010 State Law Enforcement Terrorism Prevention Program
Award Year:	August 1, 2010 – July 31, 2013
Federal Funds Percentage:	100%
Grant No.:	WM10837002
Contract No.:	T837002
Total Grant Amount:	\$44,935

**WHEREAS**, the funding agencies have approved the following budget for this project during project year 08/01/10-07/31/13:

3645 Homeland Security

<u>Expense</u>	<u>From</u>	<u>To</u>
A3645.4070 Post Blast Investigation Kits	\$ 0	\$ 1,752
A3645.2850 Video Assessment Security System	0	19,000
A3645.2851 Video Conferencing Hardware & Software	0	22,583
A3645.4071 Audio Teleconferencing Bridge	0	600
A3645.4111 Travel Costs for Training	<u>0</u>	<u>1,000</u>
Control Total	<u>\$ 0</u>	<u>\$ 44,935</u>
Revenue		
A4389.5051 Fed Aid-FY10 SLETPP	<u>\$ 0</u>	<u>\$44,935</u>
Control Total		<u>\$44,935</u>

**NOW THEREFORE BE IT RESOLVED** that the Chairman of the Board be authorized to execute an agreement, a copy on file with the clerk for participation in this grant; and

**BE IT FURTHER RESOLVED** that the 2011 County Budget be modified in accordance with this project budget.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 249-11**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT  
FOR FEDERAL GRANT AND MODIFYING THE 2011 COUNTY BUDGET**

**WHEREAS**, Madison County has received a Federal Grant through the New York State Division of Homeland Security and Emergency Services; and

**WHEREAS**, this Federal Awards Grant is identified as follows:

Awarding Agency:	US Department of Homeland Security Office
Pass-through Agency:	New York State Division of Homeland Security and Emergency Services
Catalog #:	#97.067
Program Name:	WM2010 SHSP
Award Year:	November 22, 2010 – July 31, 2013
Federal Funds Percentage:	100%
Grant No.:	WM10837009
Contract No.:	T837009
Total Grant Amount:	\$50,000

**WHEREAS**, the funding agencies have approved the following budget for this project during project year 11/22/10-07/31/13:

**3645 Homeland Security**

<u>Expense</u>	<u>From</u>	<u>To</u>
A3645.4058 Explosive Detecting Canine	\$ 0	\$ 7,500
A3645.22 Specialized Mission Vehicle	0	34,000
A3645.4112 Training Registration Fees	<u>0</u>	<u>8,500</u>

Control Total	<u>\$ 0</u>	<u>\$ 50,000</u>
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Revenue		
A4306.1030 Fed Aid-FY10 Explosive Detection Canine Team	\$ 0	\$50,000

Control Total		<u>\$50,000</u>
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**WHEREAS**, if said grant funding is removed or reduced this program will cease;

**NOW THEREFORE BE IT RESOLVED** that the Chairman of the Board be authorized to execute an agreement, a copy on file with the clerk for participation in this grant; and

**BE IT FURTHER RESOLVED** that the 2011 County Budget be modified in accordance with this project budget.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Cary:**

**RESOLUTION NO. 250-11**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE RESEARCH FOUNDATION OF SUNY, ON BEHALF OF SUNY ONEONTA**

**WHEREAS**, Madison County presently contracts with the Finger Lakes Association, Inc. to receive Finger Lakes - Lake Ontario Watershed Protection Alliance funds through the Environmental Protection Fund; and

**WHEREAS**, research has been conducted in the past to examine potential opportunities for biological control of Eurasian watermilfoil in Madison County Lakes; and

**WHEREAS**, Cornell and SUNY Oneonta Researchers have determined that fish predation (primarily by bluegills) has a negative effect on the survival of biological control organisms, particularly the aquatic moth *Acentria ephemerella*; and

**WHEREAS**, efforts are underway to determine the effectiveness of using walleye to control bluegill in Madison County Lakes; and

**WHEREAS**, SUNY Cobleskill will gather baseline plant and herbivore population data in conjunction with ongoing research in DeRuyter Reservoir; and

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors authorizes the Chairman to sign a contract (a copy of which is on file with the Clerk of this Board) with the RESEARCH FOUNDATION OF SUNY to complete this project for no more than \$9,286.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 251-11**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE RESEARCH FOUNDATION OF SUNY, ON BEHALF OF SUNY COBLESKILL**

**WHEREAS**, Madison County presently contracts with the Finger Lakes Association, Inc. to receive Finger Lakes - Lake Ontario Watershed Protection Alliance funds through the Environmental Protection Fund; and

**WHEREAS**, research has been conducted in the past to examine potential opportunities for biological control of Eurasian watermilfoil in Madison County Lakes; and

**WHEREAS**, Cornell and SUNY Oneonta Researchers have determined that fish predation (primarily by bluegills) has a negative effect on the survival of biological control organisms, particularly the aquatic moth *Acentria ephemerella*; and

**WHEREAS**, efforts are underway to determine the effectiveness of using walleye to control bluegill in Madison County Lakes; and

**WHEREAS**, SUNY Cobleskill will provide electrofishing services in conjunction with ongoing research in DeRuyter Reservoir; and

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors authorizes the Chairman to sign a contract (a copy of which is on file with the Clerk of this Board) with the RESEARCH FOUNDATION OF SUNY to complete this project for no more than \$2,452.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisors Cary and Reinhardt:**

**RESOLUTION NO. 252-11**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH USDA RURAL DEVELOPMENT AND THE MODIFICATION OF THE 2011 BUDGET**

**WHEREAS**, Madison County has been awarded a USDA Rural Development Rural Business Enterprise Grant for **\$55,600.00**; and

**WHEREAS**, the grant award is identified as follows:

**Awarding Agency:** US Department of Agriculture  
**Pass-Through Agency:** N/A  
**Program Name:** Rural Development  
**Award Year:** 2011  
**Federal Funds Percentage:** 100%  
**CFDA#:** 10.769 Rural Business Enterprise Grant  
**Total Grant Amount:** \$55,600.00

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

**WHEREAS**, the Madison County Board of Supervisors wants to protect and support its dairy industry; and

**WHEREAS**, the purpose of the grant is to purchase a butter filler, which will be used by Kriemhild Dairy Farms LLC (owned by four Madison County dairy farm families) to add-value to their raw dairy products;

**NOW THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with the USDA Rural Development, a copy of which is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with Kriemhild Dairy Farms LLC in the amount not to exceed \$55,600.00, a copy of which is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the 2011 County Budget be modified as follows:

**Community Development Fund**

**6789 USDA Rural Development Grant**

<u>Revenue</u>	<u>From</u>	<u>To</u>
CD4789.1010 Fed Aid-USDA Rural Dev. RBEG	<u>\$-0-</u>	<u>\$55,600</u>
Control Total		<u>\$55,600</u>
<u>Expense</u>		
CD6789.2301 Butter Filler	<u>\$-0-</u>	<u>\$55,600</u>
Control Total		<u>\$55,600</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 253-11**

**AUTHORIZING THE COUNTY TO PROVIDE AQUATIC VEGETATION HARVESTING SERVICES TO MADISON COUNTY LAKES AND MODIFYING THE 2011 COUNTY BUDGET**

**WHEREAS**, Madison County presently contracts with the Finger Lakes Association, Inc. to receive a Finger Lakes-Lake Ontario Watershed Protection Alliance (FL-LOWPA) grant from the New York State Environmental Protection Fund; and

**WHEREAS**, Madison County has received \$15,000 in FL-LOWPA funding for the operation of the aquatic weed harvester; and

**WHEREAS**, Madison County owns a mechanical vegetation harvester and related equipment, which were purchased in 2003 with State grant funds; and

**WHEREAS**, numerous lakes (DeRuyter, Moraine, Eaton Brook, Gorton, Lebanon, and Leland’s Pond) within Madison have expressed interest in benefiting from the weed harvester this summer;

**WHEREAS**, Madison County can provide this service to lake associations at the very economical cost of \$31/hour; and

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors authorizes the Chairman to sign MOU’s (copies of which are on file with the Clerk of this Board) with the above mentioned Lake Associations to operate the harvester in the summer of 2011; and

**BE IT FURTHER RESOLVED**, that the 2011 County Budget be modified as follows:

**General Fund**  
**8020 Planning**

<u>Revenue</u>	<u>From</u>	<u>To</u>
A2801.8541 Interfund Rev-Aquatic Veg Harvesting	\$-0-	\$15,000
A2189.1010 Aquatic Veg Harvesting-Lake Assns	<u>-0-</u>	<u>6,219</u>
Total	<u>\$-0-</u>	<u>\$21,219</u>
Control Total		<u>\$21,219</u>
<u>Expense</u>		
A8020.4043 Aquatic Vegetation Harvesting Expense	<u>\$-0-</u>	<u>\$21,219</u>
Control Total		<u>\$21,219</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 254-11**

**CREATING ONE TEMPORARY FULL-TIME POSITION IN THE PLANNING DEPARTMENT FOR THE AQUATIC VEGETATION HARVESTING PROGRAM AND MODIFYING THE 2011 COUNTY BUDGET**

**WHEREAS**, Madison County owns a mechanical vegetation harvester and related equipment, which were purchased in 2003 with State grant funds; and

**WHEREAS**, numerous lakes (DeRuyter, Moraine, Eaton Brook, Gorton, Lebanon, and Leland’s Pond) within Madison have expressed interest in benefiting from the weed harvester this summer;

**WHEREAS**, the Director of Planning has requested that one (1) temporary full-time Vegetation Harvester Operator position be created in order to provide this service to the lake associations; and

**WHEREAS**, this request has been reviewed and approved in accordance with the vacancy review procedure by the Planning Committee and the Government Operations Committee,

**NOW, THEREFORE BE IT RESOLVED** that one (1) temporary full-time Vegetation Harvester Operator position be and hereby is created for a period not to exceed twelve (12) weeks from date of appointment; and

**BE IT FURTHER RESOLVED** that the Planning Department be and hereby is authorized to fill said position at the 2011 hourly rate of \$16.20 in accordance with Civil Service Law and Rule and County policies and procedures effective immediately, and;

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

**General Fund**  
**8020 Planning**

<u>Revenue</u>	<u>From</u>	<u>To</u>
A2189.1010 Aquatic Veg Harvesting-Lake Assns	\$ <u>6,219</u>	\$ <u>11,800</u>
Control Total		\$ <u>5,581</u>
 <u>Expense</u>		
A8020.1 Personal Services	\$275,006	\$280,190
A8020.8130 Social Security Expense	<u>21,038</u>	<u>21,435</u>
Total	<u>\$296,044</u>	<u>\$301,625</u>
Control Total		\$ <u>5,581</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Degear:**

**RESOLUTION NO. 255-11**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EXTEND AND MODIFY THE MUNICIPAL SNOW AND ICE AGREEMENT FOR JULY 1, 2011 THROUGH JUNE 30, 2012**

**WHEREAS**, the Commissioner of the New York State Department of Transportation and the County of Madison have entered into an Agreement No. D089857 entitled “Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of “County of Madison” dated February 13, 1975; and

**WHEREAS**, the term of said Agreement is for a period of three (3) years commencing on July 1, 1975 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

**WHEREAS**, the present term of the Agreement, as extended expires June 30, 2011; and

**WHEREAS**, the parties are willing to renew and extend the same for a one (1) year period commencing July 1, 2011 to June 30, 2012; and

**WHEREAS**, Section 7 of said Agreement provides that the Commissioner shall furnish the Municipality with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by the Agreement; and

**WHEREAS**, Section 10 of said Agreement provides for an annual update of the estimated expenditure to be determined by the Commissioner subject to the provisions of Section 10, at the time of extension of the Agreement;

**NOW, THEREFORE BE IT RESOLVED**, the Chairman of the Board be and is hereby authorized and directed to enter into the Agreement to extend the Municipal Snow and Ice Agreement, a copy of which is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, upon execution of the Agreement to extend and modify the Municipal Snow and Ice Agreement by the Commissioner of Transportation or his designee, that the “Snow and Ice Agreement Between New York State Department of Transportation and the Municipality of Madison County” shall be extended for a period of one (1) year, now to expire on June 30, 2011, unless further

extended; that the State Highways or parts thereof effected are as delineated on the map attached to such extension and modification agreement; and that the estimated expenditure as specified in Section 10 of the "Snow and Ice Agreement Between New York State Department of Transportation and the Municipality of Madison County" shall be **\$918,890.35** for the remainder of the term of such Agreement commencing July 1, 2011 unless changed by future update.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 256-11**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BINGHAMTON PRECAST AND SUPPLY CORP. FOR TIMMERMAN ROAD PRECAST CONCRETE BOX CULVERT REPLACEMENT**

**WHEREAS**, the Public Works Committee authorized the Madison County Highway Department to proceed with the replacement of the Precast Concrete Box Culvert on Timmerman Road in the Town of Lincoln (LIN 173), Madison County; and

**WHEREAS**, sealed bids were opened on June 16, 2011 and were reviewed by the Public Works Committee on June 21, 2011 and have approved the Highway Superintendent's recommendation on low bidder as follows:

<b>Binghamton Precast and Supply Corp / Total Bid Price</b>	<b>\$84,445.68</b>
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**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an Agreement on behalf of the County of Madison with Binghamton Precast and Supply Corp., in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 257-11**

**APPOINTING A MEMBER TO THE CAZENOVIA SEWER DISTRICT BOARD**

**WHEREAS**, Richard Sheridan resigned from the Cazenovia Sewer District Board leaving a vacancy; and

**WHEREAS**, the Cazenovia Sewer District Board has recommended to the Board of Supervisors that this vacancy be filled, and

**WHEREAS**, Ralph Monforte of Cazenovia, NY has been recommended by the Cazenovia Sewer District Board to fill said vacancy,

**NOW, THEREFORE BE IT RESOLVED**, that Mr. Ralph Monforte of Cazenovia, New York be and is hereby appointed to the Cazenovia Sewer District Board to fill out the unexpired term of Richard Sheridan, such term expiring on February 11, 2012.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisors Degear and Reinhardt:**

**RESOLUTION NO. 258-11**

**ACCEPTING BID AND AWARDING CONTRACT FOR THE ENERGY EFFICIENCY IMPROVEMENTS PROJECT FOR MADISON COUNTY AND MODIFYING THE 2011 COUNTY BUDGET**

**WHEREAS**, bids were duly received and opened on June 16, 2011 for Bid Ref. No. 11.22 Energy Efficiency Improvements Project Contract A and B for Madison County; and

**WHEREAS**, all bids have been canvassed and reviewed by C&S Engineers, Inc. of Syracuse, New York and the County Buildings and Grounds Committee, who have made their recommendation to award to the lowest responsible bidder having no exceptions to the contract documents;

**NOW, THEREFORE BE IT RESOLVED**, that the County accept and award the bid to the following bidder meeting bid specifications:

<b>Bellows Construction</b>	<b>Base Bid GC-A:</b>	<b>\$111,400.00</b>
<b>213 West Adams St.</b>		
<b>Syracuse, NY 13202</b>	<b>Base Bid GC-B:</b>	<b>\$ 84,600.00</b>
	<b>Alternate GC – A3 &amp; B3</b>	<b>\$112,750.00</b>
	<b>Total Award Both Contracts:</b>	<b>\$308,750.00</b>

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

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

<b>General Fund</b>		
<b><u>1620 County Buildings</u></b>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A1620.4046 Energy Efficiency Implementation	\$143,995	\$224,150
<b><u>9901 Contribution to Other Funds</u></b>		
<u>Expense</u>		
A9901.9410 Contribution to Road Machinery Fund	1,772,007	1,725,110

**1990 Contingent Fund**

**Expense**

A1990.4444 Contingent Fund	<u>522,900</u>	<u>489,642</u>
Control Total	<u>\$2,438,902</u>	<u>\$2,438,902</u>

**Road Machinery Fund**

**5130 Road Machinery Repairs and Expense**

**Expense**

DM5130.4046 Energy Efficiency Implementation	\$-0-	\$89,850
Control Total		<u>\$89,850</u>

**Revenue**

DM5031.10 Contribution from General Fund	1,772,007	1,725,110
DM599 Appropriated Fund Balance	<u>426,729</u>	<u>563,476</u>
Totals	<u>\$2,198,736</u>	<u>\$2,288,586</u>
Control Total		<u>\$89,850</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Goldstein:**

**RESOLUTION NO. 259-11**

**AUTHORIZING CHAIRMAN TO EXECUTE RIGHT OF ENTRY AGREEMENT WITH TIME WARNER CABLE INC. FOR LANDFILL PROPERTY AT 6663 BUYEA ROAD, CANASTOTA, NEW YORK**

**WHEREAS**, certain property located at 6663 Buyea Road, Canastota, New York, is owned by the County of Madison; and

**WHEREAS**, the Madison County Department of Solid Waste (MCDSW), occupies the buildings at said location (Landfill Site) and uses internet services in furtherance of its work; and

**WHEREAS**, Time Warner Inc. is installing cable services along Buyea Road in front of such property, which services would greatly improve the quality of internet access at the site; and

**WHEREAS**, the MCDSW has requested Time Warner cable services for the landfill site, the provision of which requires installation of underground cable lines, known as an "HFC System"; and

**WHEREAS**, Time Warner Inc. must obtain the permission of the property owner to enter the property and install the HFC System; and

**WHEREAS**, a Right of Entry Agreement, executed by the property owner, would provide Time Warner Inc. with the necessary permission to enter and install;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized to execute the aforesaid Right of Entry Agreement on behalf of the County of Madison, in the form and as is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 260-11**

**APPROVING A SERVICE AGREEMENT WITH USA TECHNOLOGIES, INC. FOR CASHLESS SALES OF SOLID WASTE PUNCH CARDS AT THE MADISON COUNTY LANDFILL SITE**

**WHEREAS**, the County is party to an Agreement with USA Technologies, Inc. ("USAT") a corporation with an address of 100 Deerfield Lane, Suite 140 Malvern, Pennsylvania 19355; and

**WHEREAS**, USAT provides cashless financial services utilizing a proprietary data processing network in connection with a County owned solid waste punch card vending machine; and

**WHEREAS**, USAT provides cashless financial services utilizing a proprietary data processing network in connection with the County owned vending machine for the dispensing of solid waste punch cards to residents for payment of fees to dispose of solid waste at the County landfill and transfer stations; and

**WHEREAS**, the punch card vending machine operating on the USAT network will provide County residents with a convenient method of paying for solid waste disposal using a credit or debit card; and

**WHEREAS**, the terms and conditions of a proposed Agreement between USAT and the County are set forth in an agreement on file with the Clerk of the Board of Supervisors.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors hereby authorizes and directs the Chairman of the Board of Supervisors to execute the Agreement with USA Technologies, Inc. in substantially the same form as the copy now on file with the clerk; and

**FURTHER RESOLVED**, this resolution shall take effect immediately.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 261-11**

**AUTHORIZING THE CANCELLATION OF 2009, 2010 AND 2011 TOWN AND COUNTY TAXES INCLUDING SCHOOL RELEVIES**

**WHEREAS**, there are delinquent town and county taxes which include school relevies for the years 2009, 2010 and 2011 in the amount of \$173.76, \$21.54 and \$20.11 respectively on the following parcel,

Owner Unknown  
Dogwood Lane

Tax Map # 161.9-1-52  
Town of DeRuyter

**WHEREAS**, it was brought to the attention of the Deputy Treasurer that this parcel was tax mapped in error; and

**WHEREAS**, after extensive research of deeds and filed and unfiled surveys, and a meeting with surrounding owners, it has been determined that this parcel was erroneously tax mapped as Owner Unknown and should be placed in the rightful owners name, Jeannine Goggins, on the Town of DeRuyter Assessment/Tax Roll,

**NOW, THEREFORE, BE IT RESOLVED**, that the County Treasurer be and hereby is directed to cancel the 2009, 2010 and 2011 town and county taxes, including school relevies, for the total amount of \$215.41.

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 262-11**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS FOR BANKRUPTCY SEARCH SERVICES**

**WHEREAS**, in connection with Article 11 of the New York State Real Property Tax Law In Rem Foreclosure Proceedings, the County Treasurer is required to notify and serve Petitions and Notices of Foreclosure on all delinquent owners of record; and

**WHEREAS**, it would be a violation of U.S. Federal Bankruptcy Law to notify or foreclose on those owners of record who have filed for bankruptcy; and

**WHEREAS**, Allied American Abstract Corporation and Leatherstocking Abstract Corporation have submitted proposals to perform this service for \$5.00 per search; and

**WHEREAS**, appropriations for this service have been included in the 2011 Adopted County Budget account A1325.4710; and

**WHEREAS**, these agreements have been reviewed and approved by the Finance, Ways and Means Committee.

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

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 263-11**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS FOR LIEN AND TITLE SEARCH SERVICES**

**WHEREAS**, the Madison County Treasurer is required, in connection with Article 11 of the New York State Real Property Tax Law In Rem Foreclosure Proceeding, to serve Petitions and Notices of Foreclosure to lien holders of record; and

**WHEREAS**, the County Treasurer, as the official County Tax Enforcement Officer, has issued to local abstract companies a request for proposals to submit bids for performing services that will provide information to carry out the due process requirement of Article 11 of the New York State Real Property Tax Law; and

**WHEREAS**, Allied American Abstract Corporation and Leatherstocking Abstract Corporation have submitted bid proposals for performing the required service of \$75.00 for each complete search and \$37.50 for each search completed but not typed; and

**WHEREAS**, there are approximately 400 parcels that are currently in the foreclosure process; and

**WHEREAS**, appropriations for these services have been included in the 2011 Adopted County Budget account A1325.4710; and

**WHEREAS**, these agreements have been reviewed and approved by the Finance, Ways and Means Committee.

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

**ADOPTED: AYES -1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 264-11**

**AUTHORIZING MODIFICATION OF THE 2011 ADOPTED COUNTY BUDGET**

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

**Modification No. 1**

**General Fund**

**1165 District Attorney**

Expense

	<u>From</u>	<u>To</u>
A1165.472 Justice Court Transcriptions	\$ 250	\$ 50
A1165.473 County Court Transcriptions	<u>500</u>	<u>700</u>
Control Totals	<u>\$ 750</u>	<u>\$ 750</u>

**Modification No. 2**

**General Fund**

**3110 Sheriff Department**

Expense

	<u>From</u>	<u>To</u>
A3110.4029 Photo Supplies	\$ 750	\$ 1,000
A3110.4113 Film Processing	<u>250</u>	<u>0</u>
Totals	<u>\$ 1,000</u>	<u>\$ 1,000</u>

**3150 Sheriff-Correctional Facility**

Expense

	<u>From</u>	<u>To</u>
A3150.401 Snow Removal	\$ 2,000	\$ 2,875
A3150.4051 LiveScan Updates & Maintenance	3,960	5,249
A3150.40104 Maintenance/Software Support	1,500	1,416
A3150.4510 Tuberculosis Program	2,500	2,000
A3150.464 Physical Exams	6,000	5,625
A3150.465 Psychological/Polygraph Testing	<u>2,290</u>	<u>1,085</u>
Totals	<u>\$18,250</u>	<u>\$18,250</u>

**Modification No. 3**

**General Fund**

**3110 Sheriff Department**

Expense

	<u>From</u>	<u>To</u>
A3110.4296 Investigative Supplies-Federal Seized Assets	\$ <u>0</u>	\$ <u>160</u>
Control Total		<u>\$ 160</u>

Revenue

A880.3010 Appropriation of Reserves Federal Seized Asset-Sheriff	\$ <u>-0-</u>	\$ <u>160</u>
Control Total		<u>\$ 160</u>

**Modification No. 4**

**General Fund**

**4308 Mental Health - Clinic**

Expense

	<u>From</u>	<u>To</u>
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A4308.4130 Advertising Expense	\$ 1,167	\$ 2,077
A4308.4200 Misc. Consulting Services	<u>10,000</u>	<u>9,090</u>
Control Totals	<u>\$11,167</u>	<u>\$11,167</u>

**General Fund**

**4309 Mental Health - ADAPT Expense**

	<u>From</u>	<u>To</u>
A4309.4130 Advertising Expense	\$ 800	\$ 1,050
A4309.4110 Training & Staff Development	<u>1,500</u>	<u>1,250</u>
Control Totals	<u>\$ 2,300</u>	<u>\$ 2,300</u>

**Modification No. 5**

**General Fund**

**6010 Social Services Administration Expense**

	<u>From</u>	<u>To</u>
A6010.401 Snow Removal	\$ 6,500	\$ 9,500
A6010.402 Miscellaneous Expense	<u>26,910</u>	<u>23,910</u>
Control Total	<u>\$33,410</u>	<u>\$33,410</u>

**6070 Services to Recipients**

**Expense**

A6070.41090 Prevent Detention Placement & PINS Svcs	\$57,460	\$52,339
A6070.41091 Wraparound NS	<u>3,000</u>	<u>8,121</u>
Control Total	<u>\$60,460</u>	<u>\$60,460</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisors Goldstein & Reinhardt:**

**RESOLUTION NO. 265-11**

**AUTHORIZING THE MODIFICATION OF THE 2011 ADOPTED COUNTY BUDGET**

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

**Modification No. 1**

**Enterprise Environmental Landfill Fund  
8164 Environmental Control (Landfill)**

**Expense**

	<u>From</u>	<u>To</u>
EE8164.4214 Miscellaneous Engineering	\$ 52,000	\$95,000

**8165 Landfill Closure Expense**

<u>Expense</u>		
EE8165.43001 Engineering/Legal Expense	89,067	119,067

**8167 Landfill Future Expansion**

<u>Expense</u>		
EE8167.4215 Engineering Expense	<u>75,000</u>	<u>2,000</u>
Control Totals	<u>\$216,067</u>	<u>\$216,067</u>

**Modification No. 2**  
**Enterprise Environmental Landfill Fund**

<b><u>8165 Landfill Closure Expense</u></b>	<u>From</u>	<u>To</u>
<u>Expense</u>		
EE8165.43003 Misc. Site Work	\$75,000	\$135,000
EE8165.2913 Miscellaneous Equipment	<u>13,604</u>	<u>75,000</u>
Totals	\$88,604	\$210,000
Control Total		<u>\$121,396</u>
EE599 Appropriated Net Assets	\$567,275	\$688,671
Control Total		<u>\$121,396</u>

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Suits:**

**RESOLUTION NO. 266-11**

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, that Rule No. 24 is hereby waived for the purpose of the introduction of a resolution involving the Madison County Sewer District only; and

**BE IT FURTHER RESOLVED**, that portion of Rule No. 24-A calling for all resolutions to be first filed with the Chairman of the appropriate committee ten (10) days

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

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Reinhardt (Vice Chairman)**

**RESOLUTION NO. 267-11**

**ABOLISHING THREE FULL-TIME POSITIONS IN  
THE MADISON COUNTY SEWER DISTRICT**

**WHEREAS**, the Public Works Committee, in conjunction with the Madison County Sewer District Board, have evaluated the current staffing structure, productivity level, compliance standards and equipment in the Madison County Sewer District; and

**WHEREAS**, the Public Works Committee therefore recommends that one (1) full-time Chief Wastewater Treatment Plant Operator position, one (1) Wastewater Treatment Plant Operator position and one (1) Wastewater Treatment Plant Operator Trainee position be abolished; and

**WHEREAS**, the Government Operations Committee have reviewed and approved this recommendation;

**NOW, THEREFORE BE IT RESOLVED** that one (1) full-time Chief Wastewater Treatment Plant Operator position, one (1) Wastewater Treatment Plant Operator position and one (1) Wastewater Treatment Plant Operator Trainee position be abolished effective August 1, 2011; and

**BE IT FURTHER RESOLVED** that the incumbents in these positions be and hereby are laid off effective August 1, 2011 in accordance with New York State Civil Service Law and Rule; and

**BE IT FURTHER RESOLVED** that Madison County supports the Madison County Sewer District Board's decision to engage in a temporary 120 day agreement with New Water Technologies, Inc. to operate the Madison County Sewer District facility.

**ADOPTED: AYES – 1432 NAYS – 41 (Ball) ABSENT – 27 (Bargabos)**

**RESOLUTION NO. 268-11**

**APPROVING THE PAYMENT OF CLAIMS**

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

**ADOPTED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**PUBLIC COMMENT PERIOD**

Speakers:

1. Lindsay McDonnell, Ag Economic Development thanked the Board for supporting the new grant with USDA Rural Development for a new butter filler machine and announced that Buy Local Week starts July 17-23, with open farm day on July 23<sup>rd</sup>. Support your local farmers.

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