

MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Tuesday, July 14, 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 except

Pledge of Allegiance.

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

COMMUNICATIONS

1. Acknowledgement received from Governor Paterson regarding resolution in opposition of a New York State severance tax on natural gas and oil production.
2. Acknowledgment received from Assemblyman William Magee regarding resolution Supporting Farmland Protection Funding.
3. Thank you received from retiree Shirley Cornell.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, Workforce Investment/WIA And Cazenovia Sewer District:	\$ 2,615,355.36
Miscellaneous Accounts:	\$ 481,979.05
Cowaselon Creek Watershed District	\$ 1,560.00

RESOLUTIONS

By Supervisor Bargabos:

RESOLUTION NO. 259-09

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 his retirement:

Donald H. Bikowsky Sheriff's 1982 - 2009 27 years

Sheriff Cary stated that Deputy Bikowsky's job was a dangerous one sending him into private homes to take possession of personal property. He always handled his job with professionalism and handled it well. Deputy Bikowsky was unable to attend today's meeting so Sheriff Cary accepted a gift for him on behalf of the Board

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 260-09

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

WHEREAS, the Northeast Regional Public Health Leadership Institute will be held October 19-21, 2009 in Warwick, Rhode Island; and

WHEREAS, Eric Faisst, Public Health Director has requested that Kelly Golley, Director of Administrative Services attend said conference; and

WHEREAS, her expenses are fully funded by the Northeast Regional Public Health Leadership Institute except for gas and tolls; and

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

NOW, THEREFORE BE IT RESOLVED that Kelly Golley be and hereby is authorized to attend said conference at County expense not to exceed \$100.00.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 261-09

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

WHEREAS, the 2009 Child Passenger Safety Conference will be held September 9-11, 2009 in Lancaster, Pennsylvania; and

WHEREAS, Ronald Cary, Sheriff has requested that Jamie Badgley, Deputy Sheriff, Eric Howard, Deputy Sheriff and Darren Ladd, Deputy Sheriff attend said conference; and

WHEREAS, their expenses are fully funded by the NYS Governor's Traffic Safety Committee; and

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

NOW, THEREFORE BE IT RESOLVED that Jamie Badgley, Eric Howard and Darren Ladd be and hereby are authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 262-09

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

WHEREAS, the Rural Law Enforcement Technology Center (RULETC) 2009 Small and Rural Law Enforcement Summit will be held August 3-7, 2009 in Tulsa, Oklahoma; and

WHEREAS, the Madison County Sheriff has requested to attend said meeting; and

WHEREAS, his expenses are fully funded by the RULETC; 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 Ronald Cary be and hereby is authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 263-09

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

WHEREAS, a Technology Working Group meeting will be held July 21-22, 2009 in Alexandria, Virginia; and

WHEREAS, Ronald Cary, Sheriff has requested that Matthew Episcopo, Deputy Sheriff Captain attend said meeting; and

WHEREAS, his expenses are fully funded by the National Institute of Justice; and

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

NOW, THEREFORE BE IT RESOLVED that Matthew Episcopo be and hereby is authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 264-09

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

WHEREAS, the 10th National Conference on Child Sexual Abuse and Exploitation Prevention will be held August 25 – 27, 2009 in New Orleans, Louisiana; and

WHEREAS, Ronald Cary, Sheriff, has requested that Renee Smith, Child Advocacy Center Director attend this conference; and

WHEREAS, Karen Birch, Probation Director, has requested that Camille Vinci, Probation Officer, attend this conference; and

WHEREAS, their expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff's Department; 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 Renee Smith and Camille Vinci be and hereby are authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 265-09

IN RESPECT TO THE DEATH OF GEORGE E. TURNER

WHEREAS, George E. Turner departed from this life on June 8, 2009; and

WHEREAS, George Turner was the Supervisor from the Town of Madison from 2004 until 2008; and

WHEREAS, George Turner 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 George Turner.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 266-09

AMENDING THE MADISON COUNTY MANAGEMENT SALARY PLAN

WHEREAS, the Madison County Board of Supervisors adopted a revised Management Salary Plan by Resolution No. 131 of 2003; and

WHEREAS, the Board of Supervisors desires to amend the language of the salary plan so that management and confidential employees' pay are bonded to their performance; and

WHEREAS, the Madison County Management Salary Plan was reviewed by the County Administrator, the Pay-for-Performance Task Group, the Performance Incentive Committee and the Government Operations Committee; and

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

NOW, THEREFORE, BE IT RESOLVED that the Madison County Management Salary Plan be and hereby is amended.

MADISON COUNTY MANAGEMENT SALARY PLAN

I. INTRODUCTION

The Madison County Management Salary Plan has been designed to achieve the following major objectives:

1. To provide a system to establish salaries for the County's managerial and confidential employees in a consistent and fair manner, free from favoritism, partiality, or discrimination for improper reasons.
2. To establish a salary system that rewards performance and exceptional performance.
3. To insure equal salary levels for comparable work as determined by an objective point-factor analysis of each job title and prevailing levels of pay for all job titles within the area labor market, as appropriate.
4. To attract and retain competent managerial personnel.
5. To allow the County to achieve maximum return for its salary expenditures through the efficient use of public funds.

II. KEY ELEMENTS OF THE SALARY PLAN

The salary plan for management job titles consists of sixteen salary grades. Grade allocations for these titles are found in Appendix A, which may be modified by the Government Operations Committee. Each job title is assigned to a salary grade based upon labor market data and the relative worth of the position as determined by an objective point-factor analysis.

Hiring salary ranges are listed in Appendix B. Each salary range includes seven (7) steps placed at two percent (2%) intervals.

The minimum hiring salary (step a) represents the lowest salary the County would pay to a candidate qualified to hold the job in question.

The maximum hiring salary (step g) represents the highest salary the County is willing to pay to a candidate qualified to hold the job in question.

After hire, an employee will receive increases in accordance with the plan. Any new salary after hire is not intended to be placed at any particular step in their grade or fall within a specific range. There can be a wide dispersion of actual salaries within a specific grade.

III. SALARY PLAN COMPONENTS

There are four components to the salary plan: the performance increase, the Behr increase, the periodic inflationary adjustment and the performance incentive.

The performance increase is a percentage increase added to base salary and awarded annually when an employee achieves at least a rating of “fully meets expectations” in all factors and sub-factors of the annual performance appraisal.

The Behr increase is based on the Consumer Price Index for All Urban Consumers (CPI-U) and is equal to one-half of the CPI-U from the prior calendar year multiplied by the median of all full-time salaries in the management salary plan as of June 15th. This lump sum is not added to base salary, but rather, maintained in a separate cumulative account that is added to total salary only for payment purposes each calendar year.

The Periodic Inflationary Adjustment (PIA) is a percentage increase added to base salary based on the labor market and the need to recruit and retain qualified employees covered by the plan. With assistance from the Personnel Department, the Government Operations Committee evaluates the salaries in the plan on an annual basis and considers individual titles, groups of titles or all titles in the plan for a PIA. Normally, the PIA will not be awarded annually, but rather periodically, as labor market data and recruitment and/or retention concerns dictate.

The Performance Incentive (PI) is a lump sum payment, not added to base salary, granted for performance which meets or exceeds established goals. The Exceptional Performance Incentive (EPI) is a lump sum payment, not added to base salary, granted for exceptional performance which meets or exceeds established goals and may provide a significant contribution to the organization. The PI and the EPI are described in detail in the Madison County Management Performance Appraisal Policy.

IV. PRIMARY ADMINISTRATIVE RESPONSIBILITIES

County Administrator and Finance, Ways and Means Committee

1. Recommends the total salary appropriations during the preparation of the tentative budget for the County.

Department of Personnel/Civil Service

1. Prepares salary comparability data for the Government Operations Committee as required or requested.
2. Reviews performance appraisals to identify ratings to recommend employees for the performance increase to the Government Operations Committee.
3. Maintains the Behr increase accounts for employees.
4. Recommends periodic inflationary adjustments to the Government Operations Committee as necessary.
5. Coordinates flow of salary program.
6. Ensures consistency and control of program are maintained.
7. Evaluate program effectiveness.

County Administrator

1. Meet with department heads under their jurisdiction by March 31 each year to discuss and submit their performance appraisals for the purpose of the performance increase.
2. Review and submit the performance appraisals of Department Heads by March 31 each year for the purpose of performance increases.

Government Operations Committee

1. Reviews performance increases.
2. Reviews recommendations for periodic inflationary adjustments and makes recommendations for revisions to the full Board, as necessary.
3. Makes final salary recommendations for submission to the full Board of Supervisors within the parameters recommended by the County Administrator and the Finance, Ways and Means Committee.
4. Notifies department heads and legislative committees of final salary recommendations that will be submitted to the Board.
5. Reviews the plan periodically and makes recommendations for necessary changes to the full Board.

Chairperson of the Board

1. Ensures the timely facilitation of the process outlined above in accordance with the duties assigned to the Chairperson of the Board in Rule 30 of the Rules of the Board of Supervisors.
2. As necessary, appoints a Management Salary Task Force, or the like to assist in the evaluation of the program.

Board of Supervisors

1. Acts upon the final salary recommendations of the Government Operations Committee after that committee's consultation with the Finance, Ways and Means Committee.
2. Revises the salary plan as conditions warrant upon the recommendation of the Government Operations and Finance, Ways and Means Committees.

V. PROCEDURE AND TIMETABLE FOR ANNUAL SALARY INCREASES

1. At a committee meeting each June, the County Administrator, Finance, Ways and Means Committee, the Personnel Officer and the Government Operations Committee will meet to discuss overall salary expenditure guidelines with respect to the County's annual operating budget for the following year.
2. At a committee meeting in June, the Government Operations Committee in consultation with the Finance, Ways and Means Committee will recommend the value of the performance increase, the formula for the Behr Index increase, periodic inflationary adjustments, if any, and the dollar amount to be budgeted for the Performance Incentive.
3. The Personnel Department will develop the management salary resolution and local law for review by the Government Operations Committee at their regular meeting at the end of July. Prior to the August Board meeting, the Government Operations Committee will notify the department heads and legislative committee chairpersons of the final salary recommendations.
4. The Government Operations Committee will introduce the management salary resolution and local law at the August Board meeting for action by the full Board to be effective on January 1 of the following calendar year.
5. Each year, the Government Operations Committee will recommend increasing the schedule of hiring salaries in Appendix B by at least the CPI-U for the prior calendar year.
6. The Department of Personnel/Civil Service will conduct salary surveys and provide assistance to the Board of Supervisors throughout the annual salary process as required.

VI. ADMINISTRATIVE GUIDELINES

1. The salary grade plan for managerial and confidential positions is set forth in Appendix A included herein.
2. The Department of Personnel/Civil Service will be responsible for recommending salary grade allocations to the Board of Supervisors based on labor market data, point-factor evaluations, and other economic indicators, where applicable.
3. Promoted and new managerial and confidential employees will normally be paid a

starting salary between step “a” and step “g” of the applicable salary range. The Personnel Officer will negotiate said salary with the candidates on behalf of the Board of Supervisors. A promoted employee shall receive an increase of at least five percent (5%) above their projected annual salary in their former title.

4. The Department of Personnel/Civil Service will make salary recommendations for consideration of the Board of Supervisors with respect to the treatment of organizational promotions, reclassifications, reallocations, and identified salary inequities. Either individual department heads or their legislative committee may present such issues to the Department of Personnel/Civil Service for review and recommendation.
5. Reallocation (i.e. the movement of a position from one pay grade to another with no job title change) should be viewed as an extraordinary and unusual circumstance. Requests for reallocation will be considered only in situations where the nature of the position has been changed significantly or when the comparable external job market has experienced a period of rapid salary growth.
6. In accordance with New York State Election Law Section 3-208, each Election Commissioner in the county shall receive an equal, annual salary fixed by the Board of Supervisors.

ADOPTED BY THE MADISON COUNTY BOARD OF SUPERVISORS BY RESOLUTION NO. 163 FOR THE YEAR 1989.

REVISED BY THE MADISON COUNTY BOARD OF SUPERVISORS BY RESOLUTION NO.199 FOR THE YEAR 1994.

REVISED BY THE MADISON COUNTY BOARD OF SUPERVISORS BY RESOLUTION NO.389 FOR THE YEAR 2001.

REVISED BY THE MADISON COUNTY BOARD OF SUPERVISORS BY RESOLUTION NO.161 FOR THE YEAR 2002.

REVISED BY THE MADISON COUNTY BOARD OF SUPERVISORS BY RESOLUTION NO. 131 FOR THE YEAR 2003.

REVISED BY THE MADISON COUNTY BOARD OF SUPERVISORS BY RESOLUTION NO. 266 FOR THE YEAR 2009.

ADOPTED: AYES – 1470 NAYS – 30 (Goldstein)

RESOLUTION NO. 267-09

ESTABLISHING THE 2009 EXCEPTIONAL PERFORMANCE INCENTIVE PAYMENT FOR THE DEPUTY DIRECTOR OF HEALTH

WHEREAS, the Madison County Board of Supervisors adopted a Pay for Performance program for management personnel; and

WHEREAS, goals were established in 2008 for Management/Confidential employees that would contribute to the betterment of Madison County; and

WHEREAS, the achievement of said goals has been reviewed and evaluated by the Chairman of the Board, Legislative Committee Chairpersons, the County Administrator and department heads; and

WHEREAS, the Madison County Management Salary Plan authorizes the lump sum payment of \$2,000, which will not be added to base salary, to employees that have achieved a goal that is considered a major contribution to the County; and

WHEREAS, said payment shall be “taxed up”, as defined in the Madison County Management Performance Appraisal Policy; and

NOW, THEREFORE, BE IT RESOLVED that the Madison County Treasurer be and hereby is authorized to make the corresponding payment to the employee listed below in a lump sum payment effective immediately.

TITLE	PAYMENT
Deputy Director of Health	\$2,000

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 268-09

ESTABLISHING THE 2009 PERFORMANCE INCENTIVE PAYMENTS FOR MANAGERIAL/CONFIDENTIAL EMPLOYEES

WHEREAS, the Madison County Board of Supervisors adopted a Pay for Performance program for management personnel; and

WHEREAS, goals were established in 2008 for Management/Confidential employees that would contribute to the betterment of Madison County; and

WHEREAS, the achievement of said goals has been reviewed and evaluated by the Chairman of the Board, Legislative Committee Chairpersons, the County Administrator and department heads; and

WHEREAS, the Madison County Management Salary Plan authorizes the lump sum payment of \$500, \$1,000, \$1,500, or \$2,000, which will not be added to base salary, to employees that have achieved a goal that is beneficial to the County; and

WHEREAS, said payments shall be “taxed up”, as defined in the Madison County Management Performance Appraisal Policy,

NOW, THEREFORE, BE IT RESOLVED that the Madison County Treasurer be and hereby is authorized to make the corresponding payments to managerial/confidential employees (as attached) in lump sum payments effective immediately.

TITLE	PAYMENT
Confidential Secretary to the County Attorney	1,500
Confidential Secretary to the Sheriff	1,500
Corrections Lieutenant	1,500
Deputy Commissioner of Family Services	1,500
Deputy County Clerk	1,500
Deputy County Clerk	1,500
Deputy County Treasurer	1,500
Deputy County Treasurer	1,500
Deputy Director of Administrative Services	1,500
Personnel Associate	1,500
Probation Director II	1,500
Senior Election Clerk	1,500
Social Services Attorney II	1,500
Assistant Director of Administrative Services	1,000
Assistant Director of Administrative Services	1,000
Assistant E911 Director	1,000
Building Maintenance Supervisor	1,000
Clerk to the Board of Supervisors	1,000

Confidential Secretary to the Board of Supervisors	1,000
Confidential Secretary to the Clerk to the Board of Supervisors	1,000
Coordinator of Labor Relations	1,000
Corrections Captain	1,000
Corrections Lieutenant	1,000
County Youth Bureau Director	1,000
Deputy Commissioner for Administrative Services	1,000
Deputy Commissioner for Financial Aid	1,000
Deputy County Highway Superintendent	1,000
Director of Administrative Services	1,000
Director of Environmental Health	1,000
Director of Solid Waste Management	1,000
Director of Veterans Service Agency	1,000
Director of Weights and Measures	1,000
E911 Director	1,000
Employment and Training Director II	1,000
Fire Coordinator/Emergency Preparedness	1,000
Grants Coordinator	1,000
Highway Division Manager	1,000
Information Technology Director	1,000
Labor Relations Technician	1,000
Landfill Operations Manager	1,000
Payroll Manager	1,000
Payroll Specialist	1,000
Personnel Associate	1,000

Public Relations Officer	1,000
Records Management Coordinator	1,000
Supervising Psychologist	1,000
Supervisor of Central Services	1,000
Administrative Assistant to the County Attorney	500
Assistant Director of Environmental Health	500
Confidential Secretary to the Commissioner of Social Services	500
Director of Administrative Services	500
Director of Patient Services	500
Supervising Social Services Attorney	500

Supervisor Bargabos offered an amendment to this resolution, seconded by Supervisor Henderson. The amendment is to include the title of Deputy Sheriff Captain @ \$1,000.

A roll call vote was taken on the amendment as follows:

DEFEATED: NAYS – 1181 (Salka, Moran, Degear, Suits, Jaquay, Goldstein, DiVeronica, Ball, Bono, Williams, Becker, Carinci)

AYES – 319 (Cary, Hammond, Bargabos, Stepanski, Henderson, Reinhardt, Rafte)

A final vote was then taken:

ADOPTED: AYES – 1012 (Salka, Moran, Degear, Cary, Hammond, Jaquay, DiVeronica, Ball, Bono, Williams, Bargabos, Stepanski, Reinhardt, Rafte, Carinci)

NAYS – 488 (Suits, Goldstein, Becker, Henderson)

RESOLUTION NO. 269-09

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH LOCEY & CAHILL, LLC TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR THE RETIREE DRUG SUBSIDY

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 will make 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 anticipates revenue of approximately \$108,000 as a result of these subsidy assistance payments for plan year 2009; 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 2009; 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, coordinate the filing of the statement, and coordinate the filing of the application for the subsidy for the County; and

WHEREAS, Locey & Cahill, LLC, has provided the County with a proposal to provide these health benefits consulting services for plan year 2009 for a fee of \$3,000, which represents no increase from their fee for plan years 2007 and 2008; and

WHEREAS, there are adequate appropriations in account CS9060.8609 Health Benefit Consultants, as provided in the Madison County 2009 Adopted Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be authorized to execute an agreement with Locey & Cahill, LLC, to provide professional consulting services for the retiree drug subsidy, a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 270-09

**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, 2009 through July 31, 2010 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 \$11,368.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 271-09

ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 2 FOR THE YEAR 2009 AND CALLING FOR A PUBLIC HEARING

WHEREAS, Supervisor Bargabos has duly authorized proposed Local Law No. 2 for the year 2009, Establishing Performance Incentive Payments for Certain County Officials for 2009; and

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

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held on the proposed local law in the Chambers of the Board of Supervisors at the Madison County Office Building on August 11, 2009 at 10:15 a.m., or as soon as possible thereafter; and

BE IT FURTHER RESOLVED, that the Clerk of the Board duly publish a notice of this hearing in the official newspapers of the County at least five days prior to the scheduled hearing.

ADOPTED: AYES – 1500 NAYS – 0

**COUNTY OF MADISON
LOCAL LAW NO. 2 FOR THE YEAR 2009**

LOCAL LAW ESTABLISHING PERFORMANCE INCENTIVE PAYMENTS FOR CERTAIN COUNTY OFFICIALS FOR 2009

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

Section 1. The Performance Incentive Payments are fixed as follows commencing August 11, 2009:

TITLE	PAYMENT
Madison County Highway Superintendent	\$ 1,500
Madison County Personnel Officer	1,500
Madison County Real Property Tax Services Director	1,000
Madison County Commissioner of Social Services	500
Madison County Public Health Director	500

Section 2. This local law is adopted in accordance with the Madison County Management Salary Plan and the Madison County Management Performance Appraisal Policy.

Section 3. This local law is adopted subject to permissive referendum as provided in Section 24 of Municipal Home Rule Law.

By Supervisors Bargabos and Reinhardt:

RESOLUTION NO. 272-09

ABOLISHING AN OFFICE ASSISTANT II AND CREATING A REAL PROPERTY INFORMATION SPECIALIST POSITION IN THE TREASURER’S OFFICE AND MODIFYING THE 2009 COUNTY BUDGET

WHEREAS, the County Treasurer recommends that a full-time Office Assistant II position be abolished and a Real Property Information Specialist position be created in the Treasurer’s Office; and

WHEREAS, the Personnel Officer certifies that Real Property Information Specialist is the appropriate classification based on the description of duties for this position; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Finance Ways and Means Committee and Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one (1) Office Assistant II position be and hereby is abolished effective immediately; and

BE IT FURTHER RESOLVED that one (1) full-time Real Property Information Specialist be and hereby is created; and

BE IT FURTHER RESOLVED that the County Treasurer be and hereby is authorized to fill said position at the 2009 hourly rate of \$14.29 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		
<u>1325 County Treasurer</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A1325.1043 Office Assistant II	\$27,602	\$14,205
A1325.1042 Real Property Information Specialist	<u>-0-</u>	<u>13,397</u>
Control Total	<u>\$27,602</u>	<u>\$27,602</u>

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 273-09

AUTHORIZING THE COUNTY TO ACCEPT A GRANT FROM THE NEW YORK STATE DEPARTMENT OF LABOR’S HAZARD ABATEMENT BOARD AND MODIFYING THE 2009 COUNTY BUDGET

WHEREAS, the Personnel Department applied for and was awarded a grant in the amount of \$11,368 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, 2009 through July 31, 2010; 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 \$11,368; 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, 2009 through July 31, 2010; and

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

General Fund		
<u>1430 Personnel & Civil Service</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A3389.2520 St. Aid DOL HAB Grant 2009-10	-0-	<u>\$11,368</u>
Control Total		<u>\$11,368</u>
<u>Expense</u>		
A1430.4207 HAB Grant Expense 2009-10	-0-	<u>\$11,368</u>
Control Total		<u>\$11,368</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Salka:

RESOLUTION NO. 274-09

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, resolution 87-09 to approve Public Health Department Charges and Fee Schedule was approved on March 10, 2009; and

WHEREAS, based on the 2008 Medicare Cost Report completed by McCarthy and Conlon, LLP the cost for Skilled Nursing visits has increased and it is necessary to increase the 2009 rate from \$170 to \$175/visit; and

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;

NOW, THEREFORE BE IT RESOLVED that the above increase for Skilled Nursing visits is approved effective July 1, 2009.

ADOPTED: AYES – 1500 NAYS – 0

**2009 Sliding Fee Scale
Home Care Services**

Family Size	**200%	250%	300%	350%	400%
1	\$21,660	\$27,075	\$32,490	\$37,905	\$43,320
2	\$29,140	\$36,425	\$43,710	\$50,995	\$58,280
3	\$36,620	\$45,775	\$54,930	\$64,085	\$73,240
4	\$44,100	\$55,125	\$66,150	\$77,175	\$88,200
5	\$51,580	\$64,475	\$77,370	\$90,265	\$103,160
6	\$59,060	\$73,825	\$88,590	\$103,355	\$118,120
7	\$66,540	\$83,175	\$99,810	\$116,445	\$133,080
8	\$74,020	\$92,525	\$111,030	\$129,535	\$148,040
Each add'l person	\$7,480	\$9,350	\$11,220	\$13,090	\$14,960

Nursing Visit	\$35	\$70	\$105	\$140	\$175
PT Visit	\$32	\$64	\$96	\$128	\$160
OT Visit	\$23	\$46	\$69	\$92	\$115
ST Visit	\$25	\$50	\$75	\$100	\$125
MSW	\$24	\$48	\$72	\$96	\$120
Nutrition Visit	\$20	\$40	\$60	\$80	\$100
HHA/Hour	\$12	\$25	\$37	\$50	\$62
PCA/Hour	\$6	\$12	\$18	\$24	\$30

Flat Fee/One Time Service(Based on level of care required)					
BP Check	\$15	\$20	\$25	\$30	\$40
Toenails	\$15	\$20	\$25	\$35	\$40
Blood Work	\$20	\$25	\$30	\$35	\$45
Injections	\$20	\$25	\$30	\$35	\$45
PRI & Screen	\$100	\$110	\$120	\$130	\$170

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 6/16/09

RESOLUTION NO. 275-09

RENEWING CONTRACTS FOR EARLY INTERVENTION & PRE-SCHOOL CHILDREN TRANSPORTATION

WHEREAS, Madison County Department of Health is responsible to provide arrangements for transportation of children with handicapping conditions to education facilities under the Early Intervention Program and Special Education Program for ages 0-5; and

WHEREAS, transportation bids were accepted and awarded on August 8, 2006 for the transportation of handicapped children for the 2006-2007 school year; and

WHEREAS, Resolution #249 was approved with a 2.5% CPI increase on July 10, 2007 to extend transportation agreements with Paine Bus and Birnie Bus through June 30, 2008; and

WHEREAS, Resolution #217-08 was approved with a 3% CPI increase on June 10, 2008 to extend transportation agreements with Paine Bus and Birnie Bus through June 30, 2009; and

WHEREAS, Resolution 324-08 was approved to add a route to Little Lukes program in Baldwinsville on September 9, 2008; and

WHEREAS, the County shall have one (1) additional separate and consecutive options to extend this contract for one additional period with the CPI or 3% increase, whichever is less; and

WHEREAS, the Bureau of Labor Statistics reports the CPI has fallen 1.3% in the last 12 months ending May 2009; and

WHEREAS, it is recommended that it is in the best interest of the County to extend these contracts for transportation with no increase based on the current CPI for the next school year from July 1, 2009 through June 30, 2010 as follows:

Program Name	
BIRNIE BUS	
1- OCM BOCES	\$295.09
2- Jowonio	\$266.05
5- Madison-Oneida BOCES	\$259.40
6- Oneida County BOCES currently not using	\$244.24
7- DCMO BOCES	\$295.19
8- SPICE- Elmcrest	\$255.60
9- Madison Cortland ARC Oneida	\$319.36
10-Madison Cortland ARC Canastota	program closed
11-Wheelchair Van	\$353.68
12-UCP – Clinton	\$237.55
14-Little Lukes	\$ 80.00/one-way
PAINE BUS	
3- Upstate Cerebral Palsy Rome	\$251.27
4- Upstate Cerebral Palsy Utica	\$284.00
13-New York School for the Deaf	\$259.19
15-Upstate Cerebral Palsy Chadwicks	\$245.00

WHEREAS, the Board of Health and Public Health Services Committee feels this is in the best interest of Madison County;

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into extension agreements with Birnie Bus and Paine Bus effective July 1, 2009 through June 30, 2010, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 276-09

AUTHORIZING THE CHAIRMAN TO MODIFY AN AGREEMENT WITH PAINE BUS SERVICE TO TRANSPORT CHILDREN

WHEREAS, Madison County is responsible for providing transportation to preschool children to educational facilities; and

WHEREAS, the existing bid 06.30 for transportation doesn't include a route to the UCP Chadwicks; and

WHEREAS, a Preschool child in Madison County requires transportation to this site beginning July 2009; and

WHEREAS, VMC Group, Inc. requested bids from transportation vendors who service the Madison County preschool program; and

WHEREAS, Paine Bus Service submitted the lowest bid at \$245 per day; and

WHEREAS, the Public Health Director is responsible to see that this child is transported in the most efficient, cost effective manner, and the VMC Group, Inc. has determined that Paine Bus Service would be the best choice; and

WHEREAS, Paine Bus Service has agreed to provide an additional bus to UCP Chadwicks for \$245 per day, effective July 6, 2009;

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into a modification agreement with Paine Bus Service as is on file with the Clerk of The Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 277-09

DRINKING WATER ENHANCEMENT GRANT RENEWAL

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

WHEREAS, this New York State funding is available to Madison County for the contract period of April 1, 2009 through March 31, 2010; and

WHEREAS, Madison County's total share for the twelve month period is \$ 105,017; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an agreement with New York State Department of Health for the contract period of April 1, 2009 to March 31, 2010, as is on file with the Clerk of The Board; and

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

4090 Public Health Environmental	From	To
<u>Expense</u>		
A4090.41004 PWS Enhancement Grant	\$ 885	<u>\$ 4,359</u>
Control Total		<u>\$ 3,474</u>
<u>Revenue</u>		
A3401.6940 State Aid Public Water Supply	\$106,820	<u>\$110,294</u>
Control Total		<u>\$ 3,474</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Salka:

RESOLUTION NO. 278-09

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH DR. SCOTT PETOSA OF K.A.G. CONSULTING FOR PREVENTION SERVICES

WHEREAS, in recent years, federal and state funding for foster care placements has been significantly reduced; and

WHEREAS, the laws and regulations regarding Persons in Need of Supervision (PINS) have a strong emphasis on prevention; and

WHEREAS, it is recognized that it is better for children to stay with their own families if at all possible; and

WHEREAS, funds for this program are appropriated in the 2009 departmental budget and are reimbursed at a rate of 100 percent through federal and/or state funding; and

WHEREAS, Dr. Scott Petosa, of K.A.G. Consulting, has experience and expertise in working with young people to help them make better choices in their lives; and

WHEREAS, Dr. Scott Petosa also has training and experience in working with parents to help them improve their skills; and

WHEREAS, Dr. Scott Petosa is currently providing this service; 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 Dr. Scott Petosa of K.A.G. Consulting from the contract period of July 1, 2009, to June 30, 2010, for the performance of these services at a total cost not to exceed \$58,920.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 279-09

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, 2009 through June 30, 2010, at the rate of \$105.00 per hour and the total amount not to exceed \$8,400.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 280-09

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 2009 - 2010

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 \$10,000 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, 2009 through August 31, 2010, 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 \$10,000 per year.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 281-09

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

WHEREAS, the NYS Education Department and the NYS Office of Mental Health have been cooperating in expanding mental health services to students in the schools; and

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

WHEREAS, the Cazenovia 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 Cazenovia Central School District which will pay the Mental Health Department the prevailing rate for contracted social workers (currently \$35.00 per hour) as approved by the Board of Supervisors and the total amount of the contract not to exceed \$11,650 per year; and

WHEREAS, this request for the Mental Health Department to provide services to the Cazenovia 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 Cazenovia 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, 2009 through August 31, 2010, at the prevailing rate for contracted social workers as approved by the Board of Supervisors (currently \$35.00 per hour), and the total amount of the contract not to exceed \$11,650 per year.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 282-09

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, the NYS Education Department and the NYS Office of Mental Health have been cooperating in expanding mental health services to students in the schools; and

WHEREAS, for the last seven 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 \$35.00 per hour) and the total amount of the contract not to exceed \$11,650 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, 2009 through August 31, 2010, at the prevailing rate for contracted social workers as approved by the Board of Supervisors (currently \$35.00 per hour), and the total amount of the contract not to exceed \$11,650 per year.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 283-09

RESOLUTION REGARDING THE INTENT OF THE BOARD OF SUPERVISORS TO CHANGE THE SPONSORSHIP OF THE CONTINUING DAY TREATMENT PROGRAM KNOWN AS CEDAR HOUSE

WHEREAS, after considerable discussion by the Community Services Board on the merits of the Mental Health Department continuing directly to provide services to consumers with serious and persistent mental health issues through a continuing day treatment program or to seek another agency to provide these services; and

WHEREAS, a Request for Proposal process was undertaken during 2008 regarding the change of sponsor of the Madison County Continuing Day Treatment Program known as Cedar House, located at 201 Cedar Street, Oneida, NY.; and

WHEREAS, the Community Services Board and Mental Health Department performed due diligence in reviewing the proposals that were submitted; and

WHEREAS, the Social and Mental Health Services Committee and the Community Services Board has reviewed and approved the Prior Approval Review (PAR) application that was submitted to the NYS Office of Mental Health seeking approval to change the sponsorship of the continuing day treatment program; and

WHEREAS, the Office of Mental Health, after an extensive review of the PAR application, has approved the transfer of the operating certificate of the continuing day treatment program to Consumer Services of Madison County, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the operating certificate for providing the continuing day treatment program be transferred to Consumer Services of Madison County, Inc., effective July 1, 2009.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 284-09

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 youth 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 **Emily Black**, 4365 Seeber Road, Canastota to the Madison County Youth Board for a term commencing on July 1, 2009 and expiring on December 31, 2010.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 285-09

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

WHEREAS, Madison County entered into an agreement with Liberty Resources, Inc. for the operation of the Safe Place for Youth program for runaway and homeless youth for the period of 1/1/09 – 6/30/09 (Resolution # 45-09 dated February 12, 2009); and

WHEREAS, the parties are now desirous of modifying the agreement to provide for the extension of the term of the agreement to December 31, 2009; and

WHEREAS, the parties agree to modify the total amount of compensation to be paid to Liberty Resources, Inc. from \$36,000 to an amount not to exceed \$68,000; and

WHEREAS, the Madison County Youth Board and the Social & Mental Health Services Committee have approved these modifications to the agreement; and

WHEREAS, these costs are reimbursed 100% by State Aid;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to modify the agreement with Liberty Resources, Inc. in the form as is on file with the Clerk of the Board; and

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 286-09

AUTHORIZING THE CHAIRMAN TO MODIFY AGREEMENTS FOR YOUTH BUREAU PROGRAMS AND MODIFYING THE 2009 ADOPTED COUNTY BUDGET

WHEREAS, Madison County entered into agreements with the following programs in February of 2009 for a period of only six months due to the uncertainty of New York State funding; and

WHEREAS, the uncertainties have been restored favorably and the parties are now desirous of modifying the agreements to increase the amount of compensation to each and to provide for the extension of the term of the agreements to December 31, 2009 as follows:

Project Café Inc.	Program Amount:	\$3,900	Increase not to exceed:	\$ 7,000
AIDS Community Resources	Program Amount:	\$1,250	Increase not to exceed:	\$ 2,500
Madison County Council on Alcoholism & Substance Abuse	Program Amount:	\$9,074	Increase not to exceed:	\$18,000
Community Action Program	Program Amount:	\$3,750	Increase not to exceed:	\$ 7,500
Jim Marshall Farms Foundation	Program Amount:	\$2,000	Increase not to exceed:	\$ 4,000; and

WHEREAS, the Madison County Youth Board and the Social & Mental Health Services Committee have approved these modifications to the agreements; and

WHEREAS, these costs are reimbursed 100% by State Aid;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to modify these agreements, as is on file with the Clerk of the Board; and

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

GENERAL FUND

Youth Programs

7146 Youth Programs - Agencies

Expense	<u>From</u>	<u>To</u>
A7146.41007 Anticipated Agency Allocation	\$ 82,255	\$ 79,155
A7146.42734 Project Café- After School Program	<u>3,900</u>	<u>7,000</u>
Control Total	<u>\$ 86,155</u>	<u>\$ 86,155</u>

Revenues

	<u>From</u>	<u>To</u>
A3820.2001 St Aid Anticipated Youth Programs	\$ 82,255	\$ 79,155
A3820.2050 State Aid – Project Cafe	<u>3,900</u>	<u>7,000</u>
Control Total	<u>\$ 86,155</u>	<u>\$ 86,155</u>

GENERAL FUND

Youth Programs

7146 Youth Programs - Agencies

Expense	<u>From</u>	<u>To</u>
A7146.41007 Anticipated Agency Allocation	\$ 79,155	\$ 77,905
A7146.42732 AIDS Community Resources- T.A.T.F	<u>1,250</u>	<u>2,500</u>
Control Total	<u>\$ 80,405</u>	<u>\$ 80,405</u>

Revenues

	<u>From</u>	<u>To</u>
A3820.2001 St Aid Anticipated Youth Programs	\$ 79,155	\$ 77,905
A3820.2036 State Aid – AIDS Community Resources	<u>1,250</u>	<u>2,500</u>
Control Total	<u>\$ 80,405</u>	<u>\$ 80,405</u>

GENERAL FUND

Youth Programs

7146 Youth Programs – Agencies

Expense	<u>From</u>	<u>To</u>
A7146.41007 Anticipated Agency Allocation	\$ 77,905	\$ 68,979
A7146.42723 MCCASA – INROADS	<u>9,074</u>	<u>18,000</u>
Control Total	<u>\$ 86,979</u>	<u>\$ 86,979</u>

Revenues

	<u>From</u>	<u>To</u>
A3820.2001 St Aid Anticipated Youth Programs	\$ 77,905	\$ 68,979
A3820.2020 State Aid – MCCASA – INROADS	<u>9,074</u>	<u>18,000</u>
Control Total	<u>\$ 86,979</u>	<u>\$ 86,979</u>

GENERAL FUND

Youth Programs

7146 Youth Programs – Agencies

Expense	<u>From</u>	<u>To</u>
A7146.41007 Anticipated Agency Allocation	\$ 68,979	\$ 65,229
A7146.42724 CAP – Mentoring	<u>3,750</u>	<u>7,500</u>
Control Total	<u>\$ 72,729</u>	<u>\$ 72,729</u>

Revenues

<u>From</u>	<u>To</u>
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A3820.2001 St Aid Anticipated Youth Programs	\$ 68,979	\$ 65,229
A3820.2031 State Aid – CAP – Mentoring	<u>3,750</u>	<u>7,500</u>
Control Total	<u>\$ 72,729</u>	<u>\$ 72,729</u>

GENERAL FUND

Youth Programs

7146 Youth Programs – Agencies

Expense	<u>From</u>	<u>To</u>
A7146.41007 Anticipated Agency Allocation	\$ 65,229	\$ 63,229
A7146.42742 Marshall Farms – Teen Counseling	<u>2,000</u>	<u>4,000</u>
Control Total	<u>\$ 67,229</u>	<u>\$ 67,229</u>

Revenues

	<u>From</u>	<u>To</u>
A3820.2001 St Aid Anticipated Youth Programs	\$ 65,229	\$ 63,229
A3820.2004 State Aid – Marshall Farms Counseling	<u>2,000</u>	<u>4,000</u>
Control Total	<u>\$ 67,229</u>	<u>\$ 67,229</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Salka, Ball and Reinhardt:

RESOLUTION NO. 287-09

AUTHORIZING COUNTY PARTICIPATION IN A STATE FORENSIC CASE MANAGEMENT GRANT

WHEREAS, the County of Madison has been awarded a State Grant for its Forensic Case Management Program which the Mental Health Department is the lead agency in a consortium of departments including Probation and Social Services; and

WHEREAS, the participating County Departments will administer this grant in the amount of \$47,000 per year for two years beginning July 1, 2009 ending June 30, 2011 to facilitate effective service coordination for individuals involved with the criminal justice system who are mentally ill and thereby promote community safety;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be hereby authorized to enter into an agreement with the New York State Division of Probation and Correctional Alternatives as is on file with the Clerk of the Board and that the 2009 Adopted County budget be modified as follows for this grant in accordance with the approved grant application.

Department 4313 – State Grant Forensic Case Management

<u>Revenues</u>	FROM	TO
A3489.7010 St. Grant Forensic Case Management	\$ 22,000	\$ 47,000
A4488.2010 Fed Aid – Admin Salary Sharing	\$ 25,000	\$ 0
Control Totals:	<u>\$ 47,000</u>	<u>\$ 47,000</u>

ADOPTED: AYES – 1500 NAYS - 0

By Supervisor Ball:

RESOLUTION NO. 288-09

AUTHORIZING AN AGREEMENT WITH THE NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR AN INTENSIVE SUPERVISION PROGRAM

WHEREAS, the NYS Division of Probation and Correctional Alternatives has approved up to \$10,622 in additional state aid for an Intensive Supervision Program for Madison County; and

WHEREAS, the Department of Probation will use the funding to help pay for a Senior Probation Officer involved in our Alternative to Incarceration Service Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to execute a contract for receipt of the state aid, a copy of which is on file with the Clerk of the Board, with the Executive Department of the State of New York, Division of Probation and Correctional Alternatives.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 289-09

AUTHORIZING AN AGREEMENT WITH THE NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ADDITIONAL FUNDING TO SUPERVISE SORA LEVEL II AND LEVEL III SEX OFFENDERS ON PROBATION SUPERVISION

WHEREAS, the NYS Division of Probation and Correctional Alternatives has approved up to \$16,732 in additional state aid based on current community corrections sex offender sentencing numbers; and

WHEREAS, the funding allocated is dependant upon the quarterly reporting of sex offenders under community supervision which can either increase or decrease; and

WHEREAS, the Department of Probation will apply all enhancement of supervision requirements possible of sex offenders as outlined in the agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to execute a contract for receipt of the state aid, a copy of which is on file with the Clerk of the Board, with the Executive Department of the State of New York, Division of Probation and Correctional Alternatives.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Moran:

RESOLUTION NO. 290-09

**APPOINTING MEMBERS TO
THE REGIONAL FOREST PRACTICE BOARD**

RESOLVED, that the following members be re-appointed to the Regional Forest Practice Board for a term of three (3) years commencing on April 8, 2009 and expiring on April 10, 2012:

Peter Cann – Canastota, NY 13032
Peter Gianforte – Cazenovia, NY 13035
James Rodman – Earlville, NY 13332

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 291-09

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ACCEPT GRANT FUNDS FOR
RESTROOM FACILITIES AT OXBOW FALLS COUNTY PARK**

WHEREAS, the New York State Office of Parks, Recreation, and Historic Preservation (NYS OPRHP) administers funding from the Environmental Protection Act of 1993; and

WHEREAS, the NYS OPRHP offered a matching grant for park development for State Fiscal Year 2008; and

WHEREAS, Madison County recently received notification from NYS OPRHP (letter attached) that the County's grant request was successful, and Madison County is eligible to receive \$45,000 for the construction of a restroom facility at Oxbow Falls County Park.

NOW THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby authorizes the Chairman of the Board to accept grant funds in the amount of \$45,000.00 from NYS OPRHP on behalf of the Madison County Parks Commission.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 292-09

**OPPOSING ADOPTION OF ASSEMBLY BILL A. 3353 AND
SENATE BILL S. 1988 TO AMEND THE GENERAL MUNICIPAL LAW IN RELATION TO
VESTED RIGHTS RELATED TO LAND DEVELOPMENT**

WHEREAS, the ostensible purpose of these bills is to protect property owners' investments in development application plans prepared on the basis of existing municipal land use laws from the abusive applicability of post-application amendments to such land use laws; and

WHEREAS, the proposed amendment of the General Municipal Law would subvert the bills' ostensible purpose by allowing the applicability to development applications of hostile amendments subsequently adopted up to one hundred eighty days after the filing of such applications; and

WHEREAS, the characterization by the bills' Support Memorandum of what current law allows ignores the existence, in the Town Law, the Village Law, and the General City Law, of provisions setting time limits for the local board review and action on development actions; and

WHEREAS, the bills generally suffer from internal logical contradictions and a lack of clarity with regard to existing enabling legislation governing local land use law;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors opposes the adoption of Assembly bill A. 3353 and Senate bill S. 1988, to amend the General Municipal Law, in relation to vested rights relating to land development; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be sent to Assemblymen Bill Magee, Sam Hoyt, and Sheldon Silver and to Senators David Valesky, Andrea Stewart-Cousins, Malcolm Smith and Dean Skelos.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 293-09

AUTHORIZING CONTRACT FOR ADMINISTRATION OF EMPIRE ZONE

WHEREAS, New York State has designated portions of Madison County as an Empire Zone; and

WHEREAS, the Madison County Empire Zone Administrative Board has designated Madison County as the entity to administer the Empire Zone Program in Madison County; and

WHEREAS, New York State has made administrative funds in the amount of \$21,229.00 available for administration of the Madison County Empire Zone Program for the year 2008-2009;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for Madison County authorize the Chairman of the Board to sign a contract with New York State Department of Economic Development for the administration of Madison County's Empire Zone Program for the year 2008-2009.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 294-09

**APPROVING THE PROPOSED CERTIFICATE OF INCORPORATION AND
CONSENTING TO THE FORMATION OF THE MADISON COUNTY CAPITAL
RESOURCE CORPORATION**

WHEREAS, on January 31, 2008, Section 854 of the General Municipal Law, commonly referred to as the Civic Facilities Legislation (the “Law”) expired and, since the expiration of the Law, industrial development agencies have not been able to provide financial assistance to projects owned or operated by not-for-profit corporations (hereinafter referred to as “Civic Facility Projects”); and

WHEREAS, the ability to finance Civic Facility Projects with tax-exempt bonds has been a very important tool for the Madison County Industrial Development Agency (the “Agency”), as the Civic Facility Projects undertaken by the Agency have increased employment opportunities for residents of Madison County and allowed local not-for-profit corporations to upgrade their facilities at the lowest possible cost; and

WHEREAS, local development corporations formed under the New York State Not-For-Profit Corporation Law (the “NFPCL”) are created to assist, among others, not for profit corporations that are undertaking projects that further any of the following purposes for which local development corporations are created: (1) relieving and reducing unemployment, (2) promoting and providing for additional and maximum employment, (3) bettering and maintaining job opportunities, (4) instructing or training individuals to improve or develop their capabilities for such jobs, (5) carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, and (6) lessening the burdens of government and acting in the public interest; and

WHEREAS, in furtherance of the public purposes set forth above, a local development corporation formed under the NFPCL is empowered to take the following actions: (1) to construct, acquire, rehabilitate and improve for use by others industrial or manufacturing plants in the territory in which its operations are principally to be conducted, (2) to assist financially in such construction, acquisition, rehabilitation and improvement, to maintain such plants for others in such territory, (3) to disseminate information and furnish advice, technical assistance and liaison with federal, state and local authorities with respect thereto, (4) to acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein, (5) to borrow money and to issue negotiable bonds, notes and other obligations therefor, and (6) to sell, lease, mortgage or otherwise dispose of or encumber any such plants or any of its real or personal property or any interest therein upon such terms as it may determine to be suitable; and

WHEREAS, under the laws of the State of New York, local development corporations are permitted to issue tax-exempt bonds for the benefit of qualifying Civic Facility Projects; and

WHEREAS, in accordance with Section 1411(a) of the NFPCL, prior to forming a local development corporation, the Agency must obtain the County Board of Supervisors’ approval of the certificate of incorporation that will be used to form the local development corporation; and

WHEREAS, the Agency has prepared a proposed certificate of incorporation for review by the County Board of Supervisors and a copy of such proposed certificate of incorporation is attached hereto as **Schedule A**; and

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors as follows:

Section 1. The County Board of Supervisors authorizes the Agency to form a local development corporation in accordance with Section 1411 of the NFPCL; provided, however, that any obligations issued by the local development corporation, and the premium (if any) and interest thereon, shall be special obligations of the local development corporation and shall never be a debt of the State of New York, the County of Madison, New York or any political subdivision thereof (other than the local development corporation), and neither the State of New York, the County of Madison, New York nor any political subdivision thereof (other than the local development corporation) shall be liable thereon.

Section 2. The County Board of Supervisors approves the form and substance of the certificate of incorporation presented at this meeting and attached hereto as **Schedule A**, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairman (or Vice Chairman) and the County Attorney shall approve.

Section 3. This resolution shall take effect immediately.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Williams:

**RESOLUTION NO. 295-09
ACCEPTING BID AND AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT FOR
LIGHTING IMPROVEMENTS TO THE BIO-SOLIDS COMPOSTING FACILITY AT THE
MADISON COUNTY (CAZENOVIA) SEWER DISTRICT**

WHEREAS, bids were duly received and opened on June 4, 2009 for Lighting Improvements to the Bio-Solid Composting Facility at the Madison County (Cazenovia) Sewer District; and

WHEREAS, the bids were reviewed by the Cazenovia Sewer District Board and the Public Works Committee and a recommendation has been made to award the bid to the lowest responsible bidder as follows:

**Merit Electric
A Division of O’Connell Electric Co., Inc.
301 Stoutenger Street
East Syracuse, New York 13057
Total Bid Award: \$ 17,914.00**

NOW, THEREFORE BE IT RESOLVED, that the county accepts the bid submitted by Merit Electric of Syracuse; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into agreement with Merit Electric, a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 296-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENT WITH TOSKI, SCHAEFER & CO., P.C.

WHEREAS, the Public Works Committee approved and authorized the Madison County Highway Superintendent to proceed with the required audits, for consultant contracts exceeding \$300,000, necessary to close out projects with the NYS Department of Transportation; and

WHEREAS, the consultant audit contracts are for PIN 2753.95 North Court Street Rehabilitation, and PIN 2753.98 Olmstead Road Bridge; and

WHEREAS, the firm of Toski, Schaefer & Co., P.C. has presented an Agreement for the described services not to exceed \$3,950 for each project; and

WHEREAS, the cost for this service has been appropriated in the County Road Fund 2009 Budget, line item D5010.4208;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an Agreement with Toski, Schaefer & Co., P.C. to provide said services and a copy of which will be kept on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 297-09

AGREEMENT WITH TIOGA CONSTRUCTION CO., INC. FOR REPLACEMENT OF THE WOOD ROAD BRIDGE IN THE TOWN OF DERUYTER

WHEREAS, the Public Works Committee authorized the Madison County Highway Department to proceed with the replacement of the Wood Road Bridge in the Town of DeRuyter, Madison County; and

WHEREAS, sealed bids were opened on May 28, 2009 and low bid meeting specifications is as follows:

Tioga Construction Co., Inc. / Total Bid Price \$460,451.50

WHEREAS, the cost for construction services has been appropriated in the County Road Fund Budget line Item D5110.450025; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to enter into an Agreement with low Bidder for the replacement of the Wood Road Bridge over E. Branch Tioughnioga Creek, in the Town of DeRuyter, a copy of which will be kept in the office of the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 298-09

AUTHORIZING SUPPLEMENTAL ENGINEERING SERVICES FOR REPLACEMENT OF THE WOOD ROAD BRIDGE TOWN OF DERUYTER

WHEREAS, an additional Engineering Agreement is needed for the replacement of the Wood Road Bridge in the Town of DeRuyter; and

WHEREAS, the Supplemental Agreement No. 1 is needed for additional Construction Inspection portion only; and

WHEREAS, the firm C&S Engineers, Inc. has provided a Supplemental Agreement No. 1 in the amount of Forty-seven thousand dollars Five hundred fifty-two and no cents (\$47,552.00); and

WHEREAS, the cost for the Supplemental Agreement No. 1 has been appropriated in the County Road Fund 2009 Budget line item D5110.450025; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into a Supplemental Agreement No. 1, a copy of which will be kept on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Hammond:

RESOLUTION NO. 299-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR THE SALE OF RECYCLED FERROUS SCRAP METAL

(LIGHT IRON & STEEL)

WHEREAS, Upstate Shredding, LLC is seeking to enter into an agreement with Madison County so as to encourage the removal of miscellaneous ferrous scrap metal (light iron and steel) from the municipal solid waste stream, thereby decreasing the flow of solid waste into the Madison County Landfill Facility, and aiding the recovery of valuable resources and the conservation of energy; and

WHEREAS, pursuant to said Agreement, Upstate Shredding, LLC will retrieve and transport from Madison County all loose ferrous scrap metal stock piled at the County Landfill on Buyea Road, Town of Lincoln; and

WHEREAS, Upstate Shredding, LLC will be responsible for the cost of all trucking, labor, and insurance, and will pay Madison County in accordance with the pricing formula in the agreement on file with the Clerk of the Board of Supervisors and shall pay no less than \$134.00 per net ton (floor price) during the contract period; and

WHEREAS, the term of this agreement shall be a period of (1) one year from July 13, 2009 through July 13, 2010; and

WHEREAS, this agreement was formulated after due solicitation of competitive proposals; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into an agreement with Upstate Shredding, LLC, 1 Recycle Drive, Owego, NY 13827 in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 300-09

**AUTHORIZING THE PURCHASE OF A 2009 WHEEL LOADER
FOR THE DEPARTMENT OF SOLID WASTE AND SANITATION**

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

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

WHEREAS, the Solid Waste/Recycling Committee has reviewed and approved the Solid Waste Department equipment replacement schedule which recommends replacing the 2001 CAT Wheel Loader : and

WHEREAS, the Solid Waste Department and Solid Waste/Recycling Committee has also reviewed the bids and recommends bid award to Southworth – Milton Caterpillar, Inc., the lowest responsible bidder meeting all specifications; and

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is hereby authorized to purchase a 2009 CAT Loader from Southworth – Milton Caterpillar, Inc. being the lowest responsible bidder meeting all specifications for the total amount of \$183,683.00, which includes trade-in of the 2001 CAT Wheel loader at \$55,000.00; and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby authorized to utilize funds in the amount of \$128,683.00 from the Landfill Machinery and/or Apparatus Capital Reserve Fund to purchase such item.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 301-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH EGGAN EXCAVATING AND EQUIPMENT COMPANY FOR TRANSPORTATION OF LEACHATE

WHEREAS, the amount of leachate generated at the Madison County Landfill is highly variable and is dependent on climatological and other factors; and

WHEREAS, there is limited capacity for the storage of leachate at the Madison County Landfill; and

WHEREAS, the Madison County Department of Solid Waste is required to dispose of leachate from its landfill sites located on Buyea Road in the Town of Lincoln at permitted disposal sites; and

WHEREAS, transportation using specialized equipment is required to deliver leachate to authorized disposal sites; and

WHEREAS, the Solid Waste/Recycling Committee met on June 23, 2009 and reviewed all bids received and have made their recommendation to award the bid submitted by Egan Excavating and Equipment Company; and

WHEREAS, Egan Excavating and Equipment Company submitted the lowest responsible bid per gallon for this service to the City of Oneida and back up service to the Village of Clinton WWTF.; and

WHEREAS, Eggan Excavating and Equipment Company, 7449 Townline Road, Rome, NY 13440 has experience in providing this service for landfill facilities;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to execute a two year Agreement with Eggan Excavating and Equipment Company for transportation of leachate to authorized disposal sites as needed, beginning January 1, 2010. A copy of said Agreement is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Reinhardt:

RESOLUTION NO. 302-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH FISCAL ADVISORS & MARKETING, INC. FOR FINANCIAL ADVISORY SERVICES

WHEREAS, the Madison County Board of Supervisors has authorized a Public Safety Communication Upgrade Project at a maximum estimated cost of \$19,500,000; and

WHEREAS, the preliminary financial plan for funding this project includes the issuance of bond anticipation notes and serial bonds; and

WHEREAS, certain processes, filings, and events associated with these borrowings warrant the assistance of an experienced, professional financial advisor; and

WHEREAS, Fiscal Advisors & Marketing, Inc, has submitted a proposal for financial advisory services relative to the Public Safety Communication Upgrade Project financial plan and corresponding issuance of debt; and

WHEREAS, the fees associated with this agreement are estimated to be \$24,350, and were contemplated during the development of the maximum estimated cost of the project.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be authorized to execute an agreement with Fiscal Advisors & Marketing, Inc., for financial advisory services, a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 303-09

AUTHORIZING THE ASSISTANCE IN DEFENSE OF ASSESSMENT REVIEW PROCEEDINGS

WHEREAS, by Local Law #5 of the year 1984 the County Board of Supervisors provided a mechanism to assist towns and cities financially in the defense of assessment review proceedings and appeals; and

WHEREAS, the Local Law provides for the annual appropriation of \$15,000.00 for such legal expenses involved in the defense of assessment review proceedings and appeals; and

WHEREAS, the Local Law further provides that by two thirds majority of the of Board of Supervisors that the County will assist any town and city up to 25% of the total cost of any expense in the defense of any such proceedings whereby the assessment review proceedings is seeking a reduction of more than one hundred thousand dollars in assessed value; and

WHEREAS the Town of Lenox has requested the County assist them in a defense of assessment review proceedings brought by Owl Wire and Cable seeking a reduction in assessment of \$1,050,000.00;

NOW, THEREFORE, BE IT RESOLVED, by at least the two thirds majority vote of the Madison County Board of Supervisors that the County will in accordance with Local Law #5 of the year 1984 assist the Town of Lenox in the defense of the assessment proceeding brought by Owl Wire and Cable in the amount not to exceed 25% of the total cost and expense actually incurred in the defense of the Town of Lenox; and

BE IT FURTHER RESOLVED, that the County Treasurer is authorized to reimburse the Town of Lenox 25% of the legal fees incurred for the certiorari proceedings between Owl Wire and Cable and the Town of Lenox in the amount of \$673.40.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 304-09

ENDORING VIDEO LOTTERY TERMINALS AT OFF TRACK BETTING PARLORS

WHEREAS, Counties across New York State and the State of New York have experienced significant declines in Off Track Betting revenues due to the availability of internet gambling and casino gaming opportunities within New York and within the region; and

WHEREAS, the availability of video lottery terminal at racinos located at horse race tracks around the State has demonstrated the gaming public's acceptance of this gaming opportunity and their viability as an alternative to casino and internet gaming opportunities; and

WHEREAS, there has been a recent discussion to expand the availability of video lottery terminals at an Off Track Betting establishments on Long Island; and

WHEREAS, that proposal included provisions for the County and State to share in the revenues generated by those video lottery terminals; and

WHEREAS, the Madison County Board of Supervisors believes that it would be unfair to limit the availability of video lottery terminals and resulting revenues to only selected Off Track Betting parlors and counties;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors supports the installation of video lottery terminals in Off Track Betting parlors across the State in order to generate revenues to be shared by the Counties and New York State; and

BE IT FURTHER RESOLVED; that the Madison County Board of Supervisors encourages Governor Paterson, the New York State Assembly and the New York State Senate to introduce and implement legislation to authorize the installation of video lottery terminals; and

BE IT FURTHER RESOLVED; that the Chairman of the Board is authorized and directed to communicate this resolution to Governor Paterson, Assemblyman Bill Magee and Senator David Valesky urging their support and action.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 305-09

AUTHORIZING THE MODIFICAITON OF THE 2009 ADOPTED COUNTY BUDGET

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

Modification #1:

General Fund

Department: 4310 – Mental Health – Administration

Expense:	From	To
A4310.40104 Maintenance/Software Support		
On-Base	\$ 5,945	\$ 6,593
A4310.4206 Computer Software Maintenance	<u>\$ 40,355</u>	<u>\$ 39,707</u>
Totals	<u>\$ 46,300</u>	<u>\$ 46,300</u>
Control Total		\$ 0

Modification #2:

General Fund

Department: 3315 – Special Traffic Options Program DWI

<u>Expense</u>	<u>From</u>	<u>To</u>
A3315.41021 Stop-DWI Overtime Patrols	\$ 3,000	\$ 4,000
A3315.4911 Office Supply & Expense (outside)	300	500
A3315.41 Travel Expense	680	580
A3315.42900 Road Equipment & Supplies	<u>\$ 2,050</u>	<u>\$ 950</u>
Control Totals	<u>\$ 6,340</u>	<u>\$ 6,340</u>

Modification #3:

General Fund

6010 Social Services Administration

Expense:

	<u>From</u>	<u>To</u>
A6010.2004 Desk	\$ -0-	\$ 1,319
A6010.2102 Computer Software	<u>\$ 81,523</u>	<u>\$ 80,204</u>
Control Total	<u>\$ 81,523</u>	<u>\$ 81,523</u>

6070 Services for Recipients

Expense

A6070.41076 Purchase of Services	\$ 76,750	\$ 73,427
A6070.41078 Non-Residential Victims of DV	<u>\$110,777</u>	<u>\$114,100</u>
Control Total	<u>\$187,527</u>	<u>\$187,527</u>

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 306-09

AUTHORIZING THE MODIFICATION OF THE 2009 ADOPTED COUNTY BUDGET

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

General Fund

9950 Correctional Facility Reserve

Expense

	<u>From</u>	<u>To</u>
A9950.99 Correctional Facility Reserve	\$150,000	<u>\$33,246</u>
Control Total		<u>\$116,754</u>

Revenue

A2720 OTB Distributed Earnings	\$150,000	<u>\$33,246</u>
Control Total		<u>\$116,754</u>

9952 Public Safety Communication Upgrade Reserve

Expense

A9952.98 Transfer OTB to PSCU Reserve	-0-	<u>\$90,000</u>
Control Total		<u>\$90,000</u>

Revenue

A2720.10 OTB Distributed Earnings	-0-	<u>\$90,000</u>
Control Total		<u>\$90,000</u>

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 307-09

MODIFYING THE 2009 ADOPTED COUNTY BUDGET

WHEREAS, Madison County encourages employees to undertake educational opportunities in job-related courses by providing educational assistance through reimbursement of tuition and other expenses; and

WHEREAS, during 2009 employees have taken advantage of this assistance in excess of the sums budgeted for this reimbursement necessitating modification of the adopted 2009 County Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Adopted 2009 County Budget is hereby modified as follows;

<u>General Fund</u> <u>Expense</u>	<u>From</u>	<u>To</u>
A1990.4444 Contingent Fund	\$ 856,792	\$ 807,192
<u>3021 Communications E911</u> <u>Expense</u>		
A3021.4111 Tuition and Education Reimbursement	\$ 0	\$ 5,600
<u>4010 Public Health Administration</u> <u>Expense</u>		
A4010.4111 Tuition and Education Reimbursement	\$ 4,000	\$ 26,000
<u>6010 Social Service Administration</u> <u>Expense</u>		
A6010.4111 Tuition and Education Reimbursement	\$ 14,000	\$ 36,000
Control Total	\$ 874,792	\$ 874,792

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 308-09

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 – 1500 NAYS – 0

PROCLAMATION

**PROBATION, PAROLE, AND COMMUNITY SUPERVISION WEEK
JULY 13-19, 2009**

WHEREAS, community corrections is an essential part of the Criminal Justice System; and

WHEREAS, community corrections professionals as New York State Peace Officers uphold the law while recognizing the right of the public to be safe-guarded from criminal activity; and

WHEREAS, community corrections professionals prepare investigations with risk assessments to measure future recidivism, recommending appropriate sentences to the courts for both adult and juvenile offenders; and

WHEREAS, community corrections professionals are responsible for supervising adult and juvenile offenders in the community; and

WHEREAS, community corrections professionals collaborate in partnership with other law enforcement agencies, community agencies and groups; and

WHEREAS, community corrections professionals promote prevention, intervention, advocacy, and reduction of recidivism; and

WHEREAS, community corrections professionals provide services, support, and protection for victims; and

WHEREAS, community corrections professionals in Madison County, New York supervise approximately 400 offenders with our main mission being to protect the community;

NOW, THEREFORE, I, John M. Becker, Chairman of the Madison County Board of Supervisors do hereby proclaim the week of July 13 – 19, 2009 as:

PROBATION, PAROLE, AND COMMUNITY SUPERVISION WEEK

in Madison County and encourage all citizens of the County to honor these community corrections professionals and to recognize their achievements.

PUBLIC COMMENT PERIOD

No speakers.

On motion by Supervisor Williams, seconded by Supervisor Moran the Board adjourned.