

**MADISON COUNTY BOARD OF SUPERVISORS  
Meeting - September 9, 2014**

The Board convened at 2:00 p.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Bargabos (27 votes).

Pledge of Allegiance.

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

**COMMUNICATIONS**

1. Copy of a letter from Assemblyman Bill Magee that went to the Environmental Protection Agency regarding the proposed Clean Water Act.

**REPORTS**

1. Madison County Planning Department – 2013 Annual Report.
2. Madison County Corporate Compliance Report – September 2014.

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services, JTPA/WIA and Madison County Sewer District:	\$ 1,760,916.96
Miscellaneous Accounts:	\$ 1,788,172.00

**UNFINISHED BUSINESS**

**Res. No. 253-14 – Control of Snow and Ice on County Roads. Tabled by: Supervisor Degear, seconded by Supervisor Moses on 8/12/14.**

**Supervisor Bono offered the following amendment to Resolution No. 253-14 which was seconded by Supervisor Degear and carried by unanimous vote:**

**RESOLUTION NO. 253-14 (As Amended)**

**CONTROL OF SNOW AND ICE ON COUNTY ROADS**

**WHEREAS**, the County of Madison entered into an Agreement with the Towns of the County of Madison on October 12, 1982, for Control of Snow and Ice on the County Road System in accordance with the terms and provisions of said agreement; and

**WHEREAS**, the Highway, Buildings and Grounds Committee met on August 20, 2014 and recommended the adoption of a new payment cost per lane mile to the Towns; and

**WHEREAS**, the Agreement for payment is increased from \$16.84 to \$17.53 per lane mile cost starting October 1, 2014 and ending April 30, 2015; and

**WHEREAS**, the Agreement also includes a loader rate of \$120.00 per hour for snow bank removal under certain circumstances; and

**WHEREAS**, the Agreement for payment has been included in the Madison County Highway Budget for 2014 and 2015;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby authorizes the County Highway Superintendent to execute said Agreement on behalf of the County.

A final vote with amendment included resulted as follows:

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

**By Supervisor Degear:**

**RESOLUTION NO. 270-14**

**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 Kathleen Kelly upon her retirement.

Kathleen J. Kelly                      Probation                      1998 - 2014

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

Probation Director Joanne Miller stepped forward along with Kathy Kelly and presented her with a gift on behalf of the County, and thanked her for her years of dedicated service to the County.

**RESOLUTION NO. 271-14**

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

**WHEREAS**, the ATSA 33rd Annual Research and Treatment Conference will be held October 29 - November 1, 2014, in San Diego, CA; and

**WHEREAS**, Joanne Miller, Probation Director II, has requested that Camille Vinci, Probation Supervisor, and Michael Wright, Senior Probation Officer, attend said conference; and

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

**WHEREAS**, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee, and the Government Operations Committee;

**NOW, THEREFORE BE IT RESOLVED** that Camille Vinci and Michael Wright be and hereby are authorized to attend said conference at no expense to the County.

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

**RESOLUTION NO. 272-14**

**ABOLISHING A MOTOR EQUIPMENT OPERATOR POSITION AND CREATING A PAINTER POSITION**

**WHEREAS**, the Highway Superintendent has evaluated the current staffing structure in the Highway Department and determined the need for an additional Painter position; and

**WHEREAS**, in order to accomplish this the Highway Superintendent desires to abolish one (1) full-time Motor Equipment Operator position and create one (1) full-time Painter position; and

**WHEREAS**, the total number of full-time positions in the Highway Department will be maintained; and

**WHEREAS**, the Personnel Officer certifies that Painter is the appropriate classification based on the description of duties submitted for this position; and

**WHEREAS**, this request has been reviewed and approved by the Highway, Buildings and Grounds Committee and the Government Operations Committee;

**NOW, THEREFORE BE IT RESOLVED** that one (1) full-time Motor Equipment Operator position be and hereby is abolished effective September 19, 2014; and

**BE IT FURTHER RESOLVED** that one (1) full-time Painter position be and hereby is created effective September 20, 2014; and

**BE IT FURTHER RESOLVED** that the Highway Superintendent be and hereby is authorized to fill said position at the 2014 hourly rate of \$22.02 in accordance with the Agreement by and between Madison County and the Civil Service Association, Inc. (Blue Collar Unit) effective September 20, 2014.

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

**RESOLUTION NO. 273-14**

**DESIGNATING A MINORITY BUSINESS OFFICER**

**WHEREAS**, recipients of the New York State Clean Water and Drinking Water State Revolving Fund (SRF) are required to designate a Minority Business Officer (MBO) under the State Revolving Fund (SRF) program; and

**WHEREAS**, the Government Operations Committee recommends that Nicole Farino, Purchasing Agent be designated as the Minority Business Officer (MBO) for Madison County,

**NOW, THEREFORE BE IT RESOLVED** that Nicole Farino be and hereby is appointed Minority Business Officer (MBO) at no additional compensation.

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

**RESOLUTION NO. 274-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
WITH HUMANA INSURANCE COMPANY**

**WHEREAS**, the County offers a healthcare plan for its Medicare-eligible retirees and dependents; and

**WHEREAS**, beginning with plan year 2013, the medical portion of this plan was administered by Excellus and the prescription drug portion of this plan was administered by ProAct Inc.; and

**WHEREAS**, the County's health insurance consultant, Benefits Consulting Group (BCG), issued a request for proposal seeking information to determine the competitiveness of the current healthcare plan for Medicare-eligible retirees and dependents; and

**WHEREAS**, BCG has recommended, after thoughtful and considerable analysis, that the County enter into an agreement with Humana Insurance Company to provide their all-in-one Humana Medicare Advantage with Prescription Drug Program to the County's post 65 retiree population; and

**WHEREAS**, Humana Insurance Company has provided a proposal for the program for 2015 with annualized premium rates as follows: Single - \$3,326.04; and 2-Person - \$6,652.08; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board be, and hereby is, authorized to execute the agreement with Humana Insurance Company, as is on file with the Clerk of the Board.

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

**By Supervisors Degear and Reinhardt:**

**RESOLUTION NO. 275-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO  
AN AGREEMENT AND MODIFYING THE 2014 COUNTY BUDGET**

**WHEREAS**, the Madison County phone system was first installed in 1978, was last upgraded in 2001 and the support for Madison County's current telephone system is at end of life; and

**WHEREAS**, Peter Gray (PAG Services, Inc.) conducted an analysis of our current phone system and IT infrastructure, developed and sent out a RFP in which the County had multiple proposals to either upgrade our existing system or replace with a new Voice over Internet Protocol (VoIP) phone system; and

**WHEREAS**, upgrading the existing system would not allow for full VoIP capabilities including 911 locator information for county phones, which has been deemed a critical need to increase campus wide safety and security; and

**WHEREAS**, Finger Lakes Technology Group had the best proposal integrating Cisco switches and phones; and

**WHEREAS**, the County Information Technology Department currently utilizes Cisco switches and personnel is trained in the maintenance and operation of said switches; and

**WHEREAS**, Madison County towns, villages and City of Oneida will have the ability to utilize the new phone system as a shared services measure; and

**WHEREAS**, the Government Operations Committee recommends entering into an agreement with Finger Lakes Technology Group to provide a new phone system and switches; and

**WHEREAS**, the total cost for this project shall not exceed \$308,435 with an annual maintenance cost of \$16,671 (which is \$11,775 less expensive than our current maintenance cost);

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman be and hereby is authorized to execute an Agreement with Finger Lakes Technology Group, on behalf of Madison County, in the form as is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the 2014 Adopted County Budget be modified as follows:

<b>General Fund</b>		
<b><u>1680 Information Technology</u></b>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A1680.2410 Telephone System	<u>\$27,000</u>	<u>\$335,435</u>
Control Total		<u>\$308,435</u>
<b><u>Fund Balance</u></b>		
A599 Appropriated Fund Balance	<u>8,893,355</u>	<u>9,201,790</u>
Control Total		<u>\$308,435</u>

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

**By Supervisor Stepanski:**

**RESOLUTION NO. 276-14**

**AUTHORIZING THE CHAIRMAN TO MODIFY AN AGREEMENT WITH LANPHER'S  
TRANSPORT, INC. TO TRANSPORT CHILDREN  
TO MADISON ONEIDA BOCES AT WILLARD PRYER ELEMENTARY**

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

**WHEREAS**, the existing bid 11.16 for transportation doesn't include a route to the Willard Pryer Elementary, and

**WHEREAS**, a Preschool program has moved into Madison County and children placed here will need transportation to this site beginning September 4, 2014; and

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

**WHEREAS**, Lanpher Transport Inc. submitted the lowest bid at \$261.00 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 Lanpher Transport Inc. would be the best choice; and

**WHEREAS**, Lanpher Transport, Inc. has agreed to provide a bus to Madison Oneida BOCES at Willard Pryer Elementary for \$261.00 per day, effective September 4, 2014;

**NOW THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisor's be and is hereby authorized to enter into a modification agreement with Lanpher Transport Inc., as is on file with the Clerk of the Board.

**ADOTPED: AYES – 1473 NAYS – 0 ABSENT – 27 (Bargabos0**

**RESOLUTION NO. 277-14**

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

**WHEREAS**, behavioral health is an essential part of health and one's overall wellness; and

**WHEREAS**, prevention of mental and/or substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

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

**WHEREAS**, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

**WHEREAS**, in 2012, 2.5 million people aged 12 or older received specialty treatment for a substance use disorder and 34.1 million adults aged 18 or older received mental health services, according to the *2012 National Survey on Drug Use and Health*. Given the serious nature of this public health problem, we must continue to reach the millions more who need help; and

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

**BE IT FURTHER RESOLVED**, that the Board of Supervisors call upon the people of Madison County to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "**Join the Voices for Recovery: Speak Up, Reach Out.**"

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

**RESOLUTION NO. 278-14**

**AUTHORIZING THE CHAIRMAN TO TERMINATE THE AGREEMENT WITH CHITTENANGO  
CENTRAL SCHOOL DISTRICT**

**WHEREAS**, the Board of Supervisors by Resolution #205-14 on July 8, 2014 authorized the renewal of an agreement with Chittenango Central School District for the period September 1, 2014 through August 31, 2015 for a school based mental health program; and

**WHEREAS**, such agreement provides that the contract may be terminated at any time upon thirty (30) days written notice of the intention to so terminate; and

**WHEREAS**, the Health and Human Services Committee has reviewed the same and has recommended that such contract be terminated;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized to terminate the Agreement between Chittenango Central School District effective immediately.

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

**RESOLUTION NO. 279-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
FOR PSYCHIATRIC SERVICES**

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

**WHEREAS**, these services have regularly been provided on a part-time contractual basis; and

**WHEREAS**, there is a current need for a psychiatric nurse practitioner to provide services to clients who attend the Outpatient Mental Health Clinic; and

**WHEREAS**, the 2014 Mental Health budget provides funds for the purchase of psychiatric services that are provided by a psychiatric nurse practitioner;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be hereby authorized to enter into an agreement with Kelly Dorman, NPP-BC for the provision of psychiatric consultation to the Mental Health Department at a rate of \$65.00/hour, said rate to be effective August 1, 2014 to December 31, 2014, and a copy of the agreement is on file with the Clerk of the Board of Supervisors.

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

**RESOLUTION NO. 280-14**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS  
TO ENTER INTO AN AGREEMENT WITH VALUEOPTIONS**

**WHEREAS**, ValueOptions is an insurance company that issues group and individual health contracts to provide medically necessary health care services for eligible enrollees; and

**WHEREAS**, the Madison County Mental Health Department desires to become a participating provider and provide medically necessary mental health services to eligible enrollees; and

**WHEREAS**, becoming a participating provider will allow the Mental Health Department to treat county residents who are enrollees, making treatment more available and convenient, and will also allow the Mental Health Department to collect reasonable fees for these treatment services;

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

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

**RESOLUTION NO. 281-14**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH  
MADISON COUNTY OFFICE FOR THE AGING**

**WHEREAS**, the cost to heat homes in the county has risen to the point that many low-income families are unable to afford those costs; and

**WHEREAS**, the Madison County Department of Social Services (DSS) administers the HEAP program, a federally subsidized energy program that targets benefits to low-income, at-risk populations; and

**WHEREAS**, the Department of Social Services requires a service agreement with a qualified provider to comply with the Social Services Law of the State of New York and the rules and regulations of Title 18 NYCRR, specifically that the County of Madison shall provide for a comprehensive program of assistance and care to supply the basic needs of those eligible individuals living within the county who qualify for needed assistance and care; and

**WHEREAS**, the Department of Social Services has requested provision of HEAP outreach and certification services to low-income residents of Madison County, especially households with elderly and handicapped individuals consistent with the New York State Plan and regulations; and

**WHEREAS**, The Madison County Office for the Aging (MCOFA) has a documented record of performing intake services at the main office located in Canastota, New York, and in the homes of senior citizens; and

**WHEREAS**, Madison County Office for the Aging has assisted 43 seniors with their HEAP applications, including the early outreach program along with regular HEAP applications, through March 30, 2014; and

**WHEREAS**, Madison County Office for the Aging has agreed to administer the HEAP intake services for the period October 1, 2014, to September 30, 2015, at a cost of \$9.50 per application and at a total cost not to exceed \$1,200; and

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

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

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

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

**By Supervisor Bradstreet:**

**RESOLUTION NO. 282-14**

**AUTHORIZING THE CHAIRMAN TO APPLY FOR A NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES (DHSES) - 2014-15 PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT PROGRAM**

**WHEREAS**, the County of Madison is eligible to apply for a New York State Division of Homeland Security and Emergency Services (DHSES) - Office of Interoperable and Emergency Communications (OIEC) 2014-15 Public Safety Answering Points (PSAP) Operations Grant Program; and

**WHEREAS**, the Grant allows for State support to counties for eligible public safety call-taking and dispatching expenses; and

**WHEREAS**, the Grant not only supports counties' existing operations, but also encourages the development of Next Generation 911 technologies, assures development of operational and procedural efficiencies and overall collaboration between different jurisdictions, such as other counties and state agencies; and

**WHEREAS**, Objectives of the Grant are to facilitate PSAP consolidation, regional initiatives, implementation of NG-911, improvements in operations of public safety communications; develop multi-jurisdictional PSAPs compatibility throughout the state and support statewide interoperable communications for first responders, thus improving safety of the public;

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

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

**RESOLUTION NO. 283-14**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ENTER INTO AN AGREEMENT**

**WHEREAS**, the Madison County Sheriff's Office has received a Child Fatality Review Team grant through the Office of Child and Family Services by which a Madison County Child Fatality Review Team has been established; and

**WHEREAS**, the Madison County Child Fatality Review Team meets quarterly to review deaths of Madison County children; and

**WHEREAS**, a Team Meeting Facilitator is needed to prepare for and run the quarterly meetings of the Madison County Child Fatality Review Team; and

**WHEREAS**, the Madison County Council on Alcoholism and Substance Abuse, Inc. has the skills, expertise and ability to provide the services of a Team Meeting Facilitator for this grant program; and

**WHEREAS**, the term of this agreement shall be from August 1, 2014 to July 31, 2015; and

**WHEREAS**, the County will compensate the Madison County Council on Alcoholism and Substance Abuse, Inc. for the services of a Team Meeting Facilitator by the payment of five thousand seven hundred sixty dollars (\$5760) for the term of this agreement; and

**WHEREAS**, said compensation shall be wholly paid from grant monies; and

**NOW, THEREFORE BE IT RESOLVED** that the Chairman of the Board of Supervisors be and hereby is authorized to execute an agreement on behalf of the County of Madison with the Madison County Council on Alcoholism and Substance Abuse, Inc., in the form as is on file with the Clerk of the Board of Supervisors.

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

**By Supervisors Bradstreet and Reinhardt:**

**RESOLUTION NO. 284-14**

**AUTHORIZING ACCEPTANCE OF GRANT AWARD FROM NYS OFFICE OF CHILDREN AND FAMILY SERVICES TO MADISON COUNTY SHERIFF’S OFFICE**

**WHEREAS**, the Madison County Sheriff’s Office was awarded a Child Fatality Review Team Grant from the New York State Office of Children and Family Services in the amount of \$34,301 for an initial contract period of August 1, 2013 to July 31, 2014 to support a Child Fatality Review Team in Madison County; and

**WHEREAS**, an additional award of \$34,301 has been granted for the second year of this contract/program which year runs from August 1, 2014 to July 31, 2015; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized to accept the \$34,301 from the NYS Office of Children and Family Services for the 2014-2015 contract year;

**AND BE IT FURTHER RESOLVED**, that the 2014 adopted County Budget be modified as follows:

<u>Grant-Child Fatality Review Team</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A3389.5520 St Aid-Child Fatality Review Team	<u>\$34,301</u>	<u>\$68,602</u>
Control Total		<u>\$34,301</u>

Expense

A3116. 1	Personal Services	\$ 3,000	\$10,000
A3116.4234	Contracted/Consultant Services – Multidisciplinary Grant	\$15,160	\$24,920
A3116.41	Travel Expense (Mileage)	\$ 5,143	\$12,849
A3116.4911	Office Supplies (outside)	\$ 4,886	\$ 5,736
A3116.4100	Other Expense	\$ 5,013	\$11,998
A3116.810	Allocation of Fringe Benefits	<u>\$ 1,099</u>	<u>\$ 3,099</u>
		\$34,301	\$68,602
	Control Total		<u>\$34,301</u>

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

**By Supervisor Bono:**

**RESOLUTION NO. 285-14**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EXTEND AND MODIFY THE MUNICIPAL SNOW AND ICE AGREEMENT FOR JULY 1, 2014 THROUGH JUNE 30, 2015**

**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, 2014; and

**WHEREAS**, the parties are willing to renew and extend the same for a one (1) year period commencing July 1, 2014 to June 30, 2015; 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 of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with the New York State Department of Transportation, in the form as 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, 2015, 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 **\$882,368.50** for the remainder of the term of such Agreement commencing July 1, 2014 unless changed by future update.

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

**By Supervisor Goldstein:**

**RESOLUTION NO. 286-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT TO ACCEPT ALTERNATIVE DAILY LANDFILL COVER MATERIAL**

**WHEREAS**, Madison County is currently in need of landfill cover material for the operation of the Westside Landfill and for revenue purposes; and

**WHEREAS**, Creek Flat Construction, LLC is a corporation located in the State of New York has the ability to supply Alternative Daily Landfill Cover Material (**Petroleum Contaminated Soil**) which such material may be used according to the New York State Department of Environmental Conservation; and

**WHEREAS**, Creek Flat Construction, LLC is willing to provide such material and it is in the best interest of Madison County to receive same (on an as needed basis) upon payment to Madison County of an agreed upon price of \$18.00 per ton from September 10, 2014 through April 8, 2015; and

**WHEREAS**, an Agreement has been drafted whereby such arrangement may be formalized with Creek Flat Construction, LLC who will provide such material to the County as a supplement in the event the County Landfill does not receive the quantity of other cover material needed for daily landfill cover; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of this Board be and is hereby authorized and directed to enter into an Agreement (beginning September 10, 2014 and ending April 8, 2015) with Creek Flat Construction, LLC in the form as is on file with the Clerk of the Board.

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

**RESOLUTION NO. 287-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT FOR THE SALE OF MIXED WASTE PAPER**

**WHEREAS**, Waste Management Recycle America is seeking to enter into an Agreement with Madison County so as to encourage the removal of mixed paper from the municipal solid waste stream and thereby decreasing the flow of solid waste into the Madison County Landfill Facility, to aid in the recovery of valuable resources and to conserve energy; and

**WHEREAS**, Waste Management Recycle America shall purchase all of the acceptable quality bales of mixed paper from the Madison County A.R.C. Materials Recovery Facility on Buyea Road, Town of Lincoln, State of New York; and

**WHEREAS**, Waste Management Recycle America will be responsible for the cost of all trucking and insurance and pay Madison County seventy dollars and five cents (\$70.05) per net ton for acceptable quality mixed paper; and

**WHEREAS**, the term of this Agreement shall be for two (2) years commencing on September 14, 2012; and

**WHEREAS**, this Agreement was formulated after due solicitation of competitive quotes; 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 Waste Management Recycle America (a corporation having its principle place of business at 6255 Sheridan Drive, Williamsville NY 14221) in the form as is on file with the Clerk of the Board.

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

**RESOLUTION NO. 288-14**

**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 \$200.00 per gross ton (floor price) during the contract period; and

**WHEREAS**, the term of this agreement shall be a period of (2) two years from September 12, 2014 through September 12, 2016; and

**WHEREAS**, this agreement was formulated after due solicitation of competitive proposals from responsible bidders; 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 – 1473 NAYS – 0 ABSENT – 27 (Bargabos)**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 289-14**

**ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 2 FOR THE YEAR 2014 AND CALLING FOR A PUBLIC HEARING**

**WHEREAS**, Supervisor Reinhardt has duly introduced proposed Local Law No. 2 for the year 2014, entitled "A LOCAL LAW OVERRIDING TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c"; and

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

**NOW, THEREFORE BE IT RESOLVED**, that a public hearing be held on the proposed local law in the chambers of the Board of Supervisors at the Madison County Office Building on Tuesday, October 14, 2014 at 2:15 p.m.; and

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

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

**COUNTY OF MADISON**

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

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

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

**Section 2. Legislative Findings and Purpose:**

General Municipal Law §3-c "Limit upon real property tax levies by local governments" requires 60% approval from the County Legislative Body in order to increase the county tax levy from the previous year above two (2) percent or above the rate of inflation, whichever is less. This year the projection is 1.562 percent due to lower inflation numbers.

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

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

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

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

The purpose of this local law is to comply with the requirements of General Municipal Law §3-c prior to adopting the 2015 County Budget.

**Section 3. Tax Levy Limit Override**

The Board of Supervisors of the County of Madison is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Severability:**

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

**Section 5. Effective Date:**

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

**RESOLUTION NO. 290-14**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT**

**WHEREAS**, it is necessary for the Real Property Tax Department to enter into a maintenance agreement with Office Equipment Source, Inc. for the routine cleaning and maintenance of the Xerox 6204; and

**WHEREAS**, the Xerox 6204 is used for reproduction of GIS/Tax Maps, filed survey and subdivision maps and other digital products on a daily basis and needs to be in top working condition; and

**WHEREAS**, the Finance, Ways and Means Committee have reviewed and approve of this maintenance agreement; and

**WHEREAS**, the maintenance agreement is for one (1) year, commencing on October 1, 2014 and expiring on September 30, 2015, with a base charge of \$1,112.00, to be billed quarterly, and which includes toner and 3,000 “meter clicks” with a service overage rate of \$.047 per click,

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into this agreement with Office Equipment Source, Inc., a copy of which is on file with the Clerk of the Board.

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

**RESOLUTION NO. 291-14**

**AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET**

**RESOLVED**, that the 2014 adopted county budget be modified as follows:

**Modification No. 1**

**General Fund**

**1620 County Buildings**

Expense

	<u>From</u>	<u>To</u>
A1620.4035 Elevator Upgrades	\$-0-	\$52,550
A1620.487 Maintenance of Parking Lots	-0-	3,350

**1990 Contingent Fund**

Expense

A1990.4444 Contingent Fund	<u>346,229</u>	<u>290,329</u>
Control Totals	<u>\$346,229</u>	<u>\$346,229</u>

**Modification No. 2**

**General Fund**

**1620 County Buildings**

Expense

	<u>From</u>	<u>To</u>
A1620.401 Snow Removal	\$10,000	\$13,555

**1990 Contingent Fund**

Expense

A1990.4444 Contingent Fund	<u>290,329</u>	<u>286,774</u>
Control Totals	<u>\$300,329</u>	<u>\$300,329</u>

**Modification No. 3**

**General Fund**

**4308 Mental Health- Clinic Program**

Revenue

	<u>From</u>	<u>To</u>
A1620.12 Mental Health Fees	\$3,268,173	\$3,245,845
A3490.2048 State Aid - OMH	0	22,328

**4310 Mental Health- Administration**

Revenue

	<u>From</u>	<u>To</u>
A3490.2088 St. Aid OPWD	\$ 44,786	\$ 46,718
A4488.4010 Fed Aid – Medicaid Adm	110,644	108,632
A3490.2000 St. Aid OMH	0	80

Control Totals	<u>\$3,423,603</u>	<u>\$3,423,603</u>
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**Modification No. 4**

**County Road Fund**

**5110 Maintenance of Roads & Bridges**

Expense

	<u>From</u>	<u>To</u>
D5110.4730 Contract Surface Treatment	\$ 550,000	\$ 516,000

**5112 Construction Projects**

Expense

D5112.4734 Asphalt Paving	<u>72,000</u>	<u>106,000</u>
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Control Totals	<u>\$ 622,000</u>	<u>\$ 622,000</u>
<b><u>Modification No. 5</u></b>		
<b><u>General Fund</u></b>		
	<u>From</u>	<u>To</u>
<b><u>9901 Contribution to Other Funds</u></b>		
<u>Expense</u>		
A9901.94 Contribution to County Road Fund	<u>\$7,557,467</u>	<u>\$10,557,467</u>
Control Total		<u>\$ 3,000,000</u>
<b><u>Fund Balance</u></b>		
A599 Appropriated Fund Balance	<u>\$5,615,397</u>	<u>\$ 8,615,397</u>
Control Total		<u>\$ 3,000,000</u>
<b><u>Modification No. 6</u></b>		
<b><u>General Fund</u></b>		
	<u>From</u>	<u>To</u>
<b><u>9901 Contribution to Other Funds</u></b>		
<u>Expense</u>		
A9901.9450 Transfer to Enterprise Landfill Fund	<u>\$ -0-</u>	<u>\$ 200,000</u>
Control Total		<u>\$ 200,000</u>
<b><u>Fund Balance</u></b>		
A599 Appropriated Fund Balance	<u>\$8,615,397</u>	<u>\$8,815,397</u>
Control Total		<u>\$ 200,000</u>
<b><u>Enterprise Environmental Landfill Fund</u></b>		
<b><u>8164 Environmental Control (Landfill)</u></b>		
	<u>From</u>	<u>To</u>
<u>Expense</u>		
EE8164.4208 Professional Legal Counsel	<u>\$ 50,000</u>	<u>\$ 150,000</u>
EE8164.4214 Misc. Engineering	<u>75,000</u>	<u>175,000</u>
Totals	<u>\$ 125,000</u>	<u>\$ 325,000</u>
Control Total		<u>\$ 200,000</u>
<u>Revenue</u>		
EE5031.10 Transfer from General Fund	<u>\$ -0-</u>	<u>\$ 200,000</u>
Control Total		<u>\$ 200,000</u>
<b><u>Modification No. 7</u></b>		
<b><u>Enterprise Environmental Landfill Fund</u></b>		
<b><u>8164 Environmental Control (Landfill)</u></b>		
	<u>From</u>	<u>To</u>
<u>Expense</u>		
EE8164.4726 Deputy Sheriff's Service Contract	<u>\$ 33,000</u>	<u>\$ 13,000</u>
EE8164.4045 Recycling Expense	<u>60,000</u>	<u>80,000</u>
Control Total	<u>\$ 93,000</u>	<u>\$ 93,000</u>
<b><u>Modification No. 8</u></b>		

<b>General Fund</b>		
<b><u>1680 Information Technology</u></b>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A1680.2115 Countywide Software Expense	\$ -0-	\$ <u>77,958</u>
Control Totals		\$ <u>77,958</u>

<b><u>Fund Balance</u></b>		
A599 Appropriated Fund Balance	<u>8,815,397</u>	<u>8,893,355</u>
Control Totals		\$ <u>77,958</u>

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

**By Supervisors Stepanski and Reinhardt:**

**RESOLUTION NO. 292-14**

**AUTHORIZING THE MODIFICATION OF THE 2014 ADOPTED COUNTY BUDGET FOR AERIAL APPLICATION OF MOSQUITO ADULTICIDE**

**WHEREAS**, New York State Department of Health has declared an Imminent Threat to Public Health for Mosquito–Borne Disease in Madison County on August 1, 2014;

**WHEREAS**, the County is working with Clark Environmental Mosquito Management to provide aerial spraying at a cost of \$39,550; and

**WHEREAS**, the Health Department staff has not used the Tuition funds budgeted and the remainder of the transfer will come from Contingency funds; and

**WHEREAS**, the cost of this expense will be reimbursed by State Aid @ fifty percent of the expense via the State Aid claiming process; and

**WHEREAS**, the Board of Health and Health and Human Service Committee believes it is appropriate and in the best interest of Madison County to modify the budget to allow funding for this public health threat;

**NOW, THEREFORE BE IT RESOLVED**, that the 2014 Adopted County Budget be modified as follows:

<b>General Fund</b>		
<b><u>4010 Public Health Administration</u></b>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A4010.4111 Tuition Reimbursement	\$ 6,000	\$ 0
<b><u>4090 Public Health Environmental</u></b>		
<u>Expense</u>		
A4090.41025 Mosquito Spraying	\$ 0	\$ 39,550
<b><u>1990 Contingent Fund</u></b>		
<u>Expense</u>		
A1990.4444 Contingent Fund	<u>\$286,774</u>	<u>\$272,999</u>

Totals		<u>\$292,774</u>	<u>\$312,549</u>
Control Total			<u>\$ 19,775</u>
<u>Public Health Environmental</u>			
<u>Revenue</u>			
A3401.6910	State Aid Base Grant	<u>\$180,390</u>	<u>\$200,165</u>
	Control Total		<u>\$ 19,775</u>

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

**By Supervisor Henderson:**

**RESOLUTION NO. 293-14**

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, that Rule No. 24 and 24-A are hereby waived only for the purpose of authorizing and awarding a bid for the replacement of the three-pipe closed loop system between the County Office Building and Public Health.

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

**By Supervisor Bono:**

**RESOLUTION NO. 294-14**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH JOY PROCESS MECHANICAL FOR HVAC PIPING REPLACEMENT**

**WHEREAS**, the County Buildings Department discovered a leak in the original HVAC underground piping system installed in 1968-69 between the County Office Building and Public Health Building; and

**WHEREAS**, the loss of water and water treatment would compromise the integrity of the County's heating and cooling system mechanicals; and

**WHEREAS**, the Purchasing Office advertised and received bids to replace the leaking pipes; and

**WHEREAS**, Joy Process Mechanical will perform the work required by the specifications published in the bid documents for the amount of \$31,330.00 and has been determined to be the lowest responsible bidder; and

**WHEREAS**, the County Buildings and Grounds Committee have reviewed and approved the bids;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors Chairman be and hereby is authorized to execute such documents as may be necessary to enter into an agreement with Joy Process Mechanical for the completion of replacement of the three-pipe underground HVAC system, the details of which are attached as Schedule A to the contract on file with the Clerk of the Board.

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

**RESOLUTION NO. 295-14**

**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. Gary Padula of Canastota, New York spoke on Oneida Indian Nation issues.
2. Ruthann Stone addressed the Board on the proposed Gas Compression Stations to be built in and near the Town of Georgetown. She also stated that two educational meetings were held to inform residents about this issue.

On motion by Supervisor Moses, seconded by Supervisor Walrod the Board adjourned.