

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

*Please note that the numbers on the resolutions listed below are agenda numbers only. Final resolution numbers will be assigned after resolutions have been officially adopted by the Board of Supervisors.*

**RESOLUTIONS**

**By Supervisor Bargabos:**

**RESOLUTION NO. 1**

**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 Chris W. Person upon his retirement.

Chris W. Person    Heavy Equipment Operator                      1985 - 2011                      25 Years

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 2**

**DECLARING THE WEEK OF APRIL 4 – 10, 2011 AS  
PUBLIC HEALTH WEEK IN MADISON COUNTY**

**WHEREAS**, the week of April 4-10, is National Public Health Week; and

**WHEREAS**, Public health protects and improves communities by preventing epidemics and the spread of disease, promoting healthy lifestyles for children and families, protecting against hazards in homes, work, communities and the environment, assuring high quality health care services, and preparing for and responding to emergencies;

**WHEREAS**, Public health is concerned with protecting the health of entire communities rather than individuals. These communities can be as small as a local neighborhood or as big as an entire country; and

**WHEREAS**, At the heart of all successful public health initiatives are a workforce with the skills, experience, and talents of a variety of professional and trained individuals who promote and protect the public's health and safety; and

**WHEREAS**, the Madison County Board of Supervisors believes that all public health employees should be recognized for their compassion and dedicated contributions to the citizens of our County; and

**WHEREAS**, the Board of Supervisors wishes to honor the ways in which public health workers in Madison County strive to protect the health of the residents of our County;

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors and the residents of Madison County celebrate the accomplishments and efforts of our public health workers in Madison County and show appreciation for the County's public health workers not just during this week, but at every opportunity throughout the year; and

**BE IT FURTHER RESOLVED** that the Madison County Board of Supervisors does hereby declare the week of April 4 - 10, 2011 as:

"PUBLIC HEALTH WEEK" IN MADISON COUNTY

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 3**

**DECLARING THE WEEK OF MAY 1 – 7, 2011 AS  
"PUBLIC EMPLOYEES' RECOGNITION WEEK"**

**WHEREAS**, the Madison County Board of Supervisors believes that County employees should be recognized for their dedicated service to the citizens of our County; and

**WHEREAS**, the Board of Supervisors recognizes the contributions of its employees as they continue to provide services to our citizens and assist in the cost efficient and effective use of tax dollars; and

**WHEREAS**, the Board of Supervisors wishes to honor our County employees as they continue to provide quality government programs and services for a better Madison County;

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors, does hereby declare the week of May 1 - 7, 2011 as:

**PUBLIC EMPLOYEES' RECOGNITION WEEK**

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 4**

**DECLARING THE WEEK OF MAY 6-12, 2011 AS  
"NURSES WEEK" IN MADISON COUNTY**

**WHEREAS**, the Madison County Board of Supervisors believes that all registered nurses should be recognized for their compassion and dedicated contributions to the citizens of our County; and

**WHEREAS**, the Board of Supervisors wishes to honor the ways in which registered nurses in Madison County strive to provide safe and high quality patient care for the residents of our County;

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors and the residents of Madison County celebrate the accomplishments and efforts of registered nurses in Madison County and show appreciation for the County's registered nurses not just during this week, but at every opportunity throughout the year; and

**BE IT FURTHER RESOLVED** that the Madison County Board of Supervisors does hereby declare the week of May 6 - 12, 2011 as:

**"NURSES WEEK" IN MADISON COUNTY**

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 5**

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

**WHEREAS**, the Public Health Surveillance Conference will be held in Atlanta, Georgia on May 2 - 6, 2011; and

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

**WHEREAS**, lodging, meals and registration expenses will be reimbursed by the Office of Homeland Security Grant; and

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

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 6**

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

**WHEREAS**, the Oneida Rotary is sponsoring a Veterans Memorial Trip to Washington, DC from April 18 – 20, 2011; and

**WHEREAS**, Donald Smith, Veterans Services Agency Director, has requested that Tami Leggett, Office Assistant III participate in said trip to gain greater knowledge of the National Memorials, the National Archives and of Arlington National Cemetery in order to help her to better serve the veterans of Madison County; and

**WHEREAS**, expenses are fully funded by the Oneida Rotary; and

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

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 7**

**AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE  
(Employment & Training)**

**WHEREAS**, the U.S. Department of Labor/Employment and Training Administration (DOLETA) is sponsoring a technical training designed for business services representatives in the workforce system in Washington, D.C. from May 3 - May 4, 2011; and

**WHEREAS**, Alice Savino, Executive Director of the Herkimer-Madison-Oneida Workforce Investment Board has nominated Roy Augustine, Workforce Development Counselor, to attend this training; and

**WHEREAS**, Lorraine Schmidtka, Employment and Training Director has approved this nomination; and

**WHEREAS**, travel, lodging, meals and all other expenses will be paid by the U.S. Department of Labor and the Workforce Investment Board; and

**WHEREAS**, this request has been reviewed and approved by the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee and the Government Operations Committee,

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 8**

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

**WHEREAS**, the National Children's Alliance Leadership Conference will be held June 4 - 8, 2011 in Washington, DC; and

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

**WHEREAS**, 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 be and hereby is authorized to attend said conference at no expense to the County.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 9**

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

**WHEREAS**, the Investigation and Prosecution of Child Fatalities and Physical Abuse Conference will be held May 2 – 6, 2011, in Indianapolis, Indiana; and

**WHEREAS**, Michael Fitzgerald, DSS Commissioner, has requested that Suzanne White, CPS Caseworker, attend this conference; and

**WHEREAS**, her 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, Social and Mental Health Services and the Government Operations Committee;

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

### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 10**

#### **ABOLISHING A FULL-TIME ASSISTANT SIGN FABRICATOR POSITION IN THE HIGHWAY DEPARTMENT AND CREATING A FULL-TIME MOTOR EQUIPMENT OPERATOR POSITION**

**WHEREAS**, the County Highway Superintendent has evaluated the current staffing structure in the Highway Department; and

**WHEREAS**, in order to promote economy and efficiency, the County Highway Superintendent has requested that an Assistant Sign Fabricator position be abolished and a Motor Equipment Operator position be created; and

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

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

**NOW, THEREFORE BE IT RESOLVED** that one (1) full-time Assistant Sign Fabricator position be and hereby is abolished effective April 29, 2011; and

**BE IT FURTHER RESOLVED** that one (1) full-time Motor Equipment Operator position be and hereby is created effective May 2, 2011; and

**BE IT FURTHER RESOLVED** that the County Highway Superintendent be and hereby is authorized to fill said position at the 2010 hourly rate of \$17.20 in accordance with Civil Service Law and Rule and the Agreement between the

County and the Civil Service Employees Association, Blue Collar Unit effective May 2, 2011.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 11**

**CREATING ONE TEMPORARY FULL-TIME POSITION IN THE  
SOLID WASTE DEPARTMENT FOR THE STAGE 1 CLOSURE (CAPPING)  
PROJECT AT THE WESTSIDE LANDFILL**

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

**WHEREAS**, the Director of Solid Waste Management has requested the creation of one temporary, full-time Heavy Equipment Operator position for this project; and

**WHEREAS**, the additional salary for said position will be funded from appropriations in the 2011 Solid Waste Department budget; and

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

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

**BE IT FURTHER RESOLVED** that the Director of Solid Waste Management be and hereby is authorized to fill said position at the 2011 hourly rate of \$15.68 in accordance with Civil Service Law and Rule and County policies and procedures effective immediately.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH  
CONTINUUM VOICE AND DATA SYSTEMS INC.**

**WHEREAS**, a number of Madison County departments utilize the Onbase Electronic Document Management System; and

**WHEREAS**, the Information Technology Department is the lead department for this system and is responsible for maintaining the maintenance agreement with Continuum Voice and Data Systems Inc.; and

**WHEREAS**, the term of the agreement is from May 1, 2011 through April 30, 2012, renewable on an annual basis; and

**WHEREAS**, the cost of this agreement will be Twenty-Seven Thousand Eight Hundred Fourteen Dollars and Seventy-Five Cents (\$27,814.75); and

**WHEREAS**, any additional department that wishes to utilize the Onbase System in the future will be added to this agreement;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board be and is hereby authorized to enter into an agreement with Continuum Voice & Data Systems, Inc. , a copy of which is on file with the Clerk of the Board.

### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 13**

#### **AUTHORIZING THE CHAIRMAN TO ACCEPT SETTLEMENT**

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

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

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

**WHEREAS**, they have recently reached a settlement with AstraZeneca, Aventis, Biogen, Ethex 2, Forest, GSK2, J & J, Organon, Pfizer and Purdue AWP in the amount of Six Million One Hundred Eight Thousand Seven Hundred Three and 19/100 dollars (\$6,108,703.19), Madison County's distribution after expenses being Four Thousand Sixty-Nine and 17/100 dollars (\$4,069.17); and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Madison accept the settlements set forth above in full satisfaction of the claims against

AstraZeneca, Aventis, Biogen, Ethex 2, Forest, GSK2, J & J, Organon, Pfizer and Purdue AWP and that the Chairman of the Board of Supervisors be and hereby is authorized to execute any necessary paperwork with regard to the acceptance of these amounts.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 14**

**DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY**

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

**WHEREAS**, the current list of County Personal Property waiting obsolete and/or surplus designation is attached,

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Supervisors declares the list of said items as obsolete and/or surplus.

**PENDING BOARD APPROVAL**

**SURPLUS ITEMS**

<b><u>ITEM</u></b>	<b><u>FROM</u></b>	<b><u>CONDITION</u></b>
129. <u>Fax Machine – used 1 year –Sharp Model F0-4470</u>	<u>Planning</u>	<u>Excellent</u>
130. <u>15 pr. Crutches</u>	<u>Sheriff</u>	<u>Good</u>
131. <u>Digital Camera-uses floppy disc</u>	<u>Sheriff</u>	<u>Good</u>
132. <u>Uniforms (patches removed) various sizes</u>	<u>Sheriff</u>	<u>Fair</u>
133. <u>1995 Snowmobile Trailer</u>	<u>Sheriff</u>	<u>Good</u>
134. <u>1 Small cabinets w/single door (for copy machine)</u>	<u>Public Health</u>	<u>Good</u>
135. <u>1 Small cabinets w/single door (for copy machine)</u>	<u>Public Health</u>	<u>Good</u>
136. <u>Photo Punch Binder</u>	<u>Sheriff</u>	<u>Good</u>
137. <u>Code-vue (license reader)</u>	<u>Sheriff</u>	<u>Good</u>
138. <u>Rapid Print Time/Date Stamp Machine</u>	<u>Sheriff</u>	<u>Poor/Fair</u>

139.	<u>2 Drawer File Cabinet</u>	Sheriff	Good
140.	<u>Printer Stand</u>	Sheriff	Good
141a.	<u>3 Drawer File Cabinet</u>	Sheriff	Good
141b.	<u>3 Drawer File Cabinet</u>	Sheriff	Good
141c.	<u>3 Drawer File Cabinet</u>	Sheriff	Good
142.	<u>35mm Minolta Camera</u>	Sheriff	Good
143.	<u>1997 Chevrolet Astrovan, AWD</u>	Sheriff	Fair/Good

**RESOLUTION NO. 15**

**APPROVING AND AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT**

**RESOLVED**, that the Madison County Board of Supervisors approves and authorizes the Chairman to execute an employment agreement in the form as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**By Supervisors Bargabos and Reinhardt:**

**RESOLUTION NO. 16**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT (EBS-RMSCO)**

**WHEREAS**, Madison County provides an employee and retiree health insurance program through Excellus Health Plan, Inc.; and

**WHEREAS**, the County's current BlueCross/BlueShield Traditional Plan will no longer be offered by Excellus BlueCross/BlueShield effective January 1, 2012; and

**WHEREAS**, Madison County entered into an agreement with Benefits Consulting Group to receive professional guidance and consulting services in relation to the County's medical insurance benefits; and

**WHEREAS**, Benefits Consulting Group have reviewed all responses to the County's request for proposals; and

**WHEREAS**, Benefits Consulting Group recommends that EBS-RMSCO be engaged as Madison County's health plan administrator as a result of their three year guaranteed pricing, reporting capabilities, customer service benefits and an anticipated lack of customer disruption,

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board be and hereby is authorized to execute the three (3) year agreement with EBS-RMSCO effective July 1, 2011 and all required documents for this program effective immediately, a copy of which is on file with the Clerk to the Board; and

**BE IT FURTHER RESOLVED** that effective June 30, 2011, the Chairman of the Board be and hereby is authorized to submit a letter to Excellus Health Plan Inc. terminating the contract that authorizes Excellus Health Plan Inc. to administer the County's health insurance program; and

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

<b>Risk Retention Fund</b>	<u>From</u>	<u>To</u>
<b><u>9060 Hospital &amp; Medical Insurance</u></b>		
<u>Expense</u>		
CS9060.8601 Excellus Premiums	\$ 415,000	\$ 207,500
CS9060.8602 Excellus Claims	3,600,000	1,800,000
CS9060.8612 EBS-RMSCO Premiums	-0-	207,500
CS9060.8613 EBS-RMSCO Claims	<u>-0-</u>	<u>1,800,000</u>
Control Total	<u>\$4,015,000</u>	<u>\$4,015,000</u>

**PENDING BOARD APPROVAL**

**By Supervisor Salka:**

**RESOLUTION NO. 17**

**AUTHORIZING AGREEMENT EXTENSION FOR DOG SHELTER SERVICES**

**WHEREAS**, the Public Health Services Committee has made the recommendation for the County to renew its agreement with Wanderer's Rest Humane Association for dog shelter and population control services; and

**WHEREAS**, Wanderer's Rest Humane Association possesses the facilities necessary for meeting the sheltering need's of those municipalities in Madison County responsible for such provisions as mandated by Article 7 of New York State Agriculture and Markets Law; and

**WHEREAS**, Wanderer's Rest Humane Association further possesses the special skills, experience and capability to implement and provide low-cost spay-neuter services, and the outreach and promotion of such services that constitute an Animal Population Control Program as described by the aforementioned Article 7 of NYS Agriculture and Market's Law; and

**WHEREAS**, the Board of Supervisors has previously resolved to enter an agreement through March 31, 2011; and

**WHEREAS**, the Board of Supervisors then resolved to enter an extension agreement for the period of April 1, 2011 through June 30, 2011 in the amount of \$ 23,281.50; and

**WHEREAS**, the Board of Supervisors now wishes to enter another extension agreement covering the remainder of the year 7/1/11 – 12/31/11 in the amount of \$46,563.00;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to sign said extension agreement with Wanderer's Rest Humane Association, a copy of which is on file with the Clerk of the Board of Supervisors.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 18**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS  
WITH VETERINARIANS FOR RABIES CLINIC**

**WHEREAS**, the Rabies Program is a Public Health Department program;  
and

**WHEREAS**, the Department conducts immunization clinics at various locations and times throughout the year to protect residents domestic pets from rabies; and

**WHEREAS**, the services of veterinarian professionals are necessary to conduct said rabies immunization clinics; and

**WHEREAS**, a number of veterinarian professionals have provided such services to the Department, and the Department desires to enter into contracts with said veterinarian professionals to renew agreements to provide veterinarian services for the year 2011; and

**WHEREAS**, the minimum professional liability insurance for these contracts shall be \$100,000 for single occurrence and \$100,000 in aggregate;  
and

**WHEREAS**, the Public Health Services Committee thinks it most expeditious to enter into new agreements with independent contractors for these services; and

**WHEREAS**, the Public Health Services Committee has approved this proposal to provide these services at the same rate(s) as 2010 and as further stated to be:

Veterinarian	\$30.00/Hour
Veterinarian Technician	\$15.00/Hour

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements with all rabies clinic program contractors effective January 1, 2011 through December 31, 2011, as is on file with the Clerk of The Board.

**PENDING BOARD APPROVAL**

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 19**

**AUTHORIZING CHAIRMAN TO AMEND AN AGREEMENT WITH NYS DEPARTMENT OF HEALTH FOR THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS COLA FUNDS AND MODIFYING THE 2011 BUDGET**

**WHEREAS**, Madison County Public Health Department accepted the grant of the Children with Special Health Care Needs Program budget and work plan for the period of October 1, 2010 – September 30, 2011 by Resolution #241-10 on August 10, 2010; and

**WHEREAS**, the New York State Department of Health has amended the contract to incorporate a cost of living adjustment (COLA) of \$1,553 to be expended between April 1, 2010 and March 31, 2011; and

**WHEREAS**, these funds will be used for expenditures associated with the recruitment and retention of staff or other critical non-personal service costs; and

**WHEREAS**, the Public Health Services Committee supports the Health Department's involvement in this initiative;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the original agreement with the New York State Department of Health as is on file with the Clerk of the Board; and

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

**Public Health Department**

**A4012 Preventive**

Expense	From	To
A4012.4103 CSHCN Grant Expense	\$1,062	<u>\$ 2,615</u>
Control Total		<u>\$ 1,553</u>

Revenue	From	To
A4489. 2010 Fed Aid CSHCN Grant	\$18,560	<u>\$20,113</u>
Control Total		<u>\$ 1,553</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 20**

**AUTHORIZING CHAIRMAN TO AMEND AN AGREEMENT WITH NYS DEPARTMENT OF HEALTH FOR THE IMMUNIZATION GRANT COLA FUNDS AND MODIFYING THE 2011 BUDGET**

**WHEREAS**, Madison County Public Health Department accepted the grant renewal of the Immunization Action Plan budget and work plan for the period of April 1, 2010 – March 31, 2011 by Resolution #181-10 on June 8, 2010; and

**WHEREAS**, the New York State Department of Health has amended the contract to incorporate a cost of living adjustment (COLA) of \$2,827 to be expended between April 1, 2010 and March 31, 2011; and

**WHEREAS**, these funds will be used for expenditures associated with the recruitment and retention of staff or other critical non-personal service costs; and

**WHEREAS**, the Public Health Services Committee supports the Health Department's involvement in this initiative;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the original agreement with the New York State Department of Health as is on file with the Clerk of the Board; and

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

**Public Health Department**

**A4012 Prevent**

Expense	From	To
A4012.41031 Immunization Grant Expense	\$ 3,343	<u>\$ 6,170</u>
Control Total		<u>\$ 2,827</u>

Revenue		From	To
A3401.1050	St Aid Public Health Immunization Grant	\$19,273	\$20,969
A4401.1050	Federal Grant Immunization Action	<u>\$12,848</u>	<u>\$13,979</u>
	Total	<u>\$32,121</u>	<u>\$34,948</u>
	Control Total		<u>\$ 2,827</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 21**

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT TO RENEW THE  
CHILDHOOD LEAD POISONING PREVENTION GRANT  
AND MODIFYING THE 2011 BUDGET**

**WHEREAS**, Madison County Public Health Department has been notified by New York State Department of Health of their approval for renewal of the Childhood Lead Poisoning Prevention Program budget and work plan for the period of October 1, 2010 through September 30, 2011, and

**WHEREAS**, State and Federal funding for this grant will extend the existing contract for the period of 10/1/10-09/30/11, this grant is identified by the following:

Awarding Agency:	Health Resources and Services
Pass-through Agency:	New York State Department of Health
Catalog #:	93.994
Programs Name:	Childhood Lead Poisoning Prevention Program
Contract No.:	C-020615
Grant Extension:	10/1/10-09/30/11
Federal Funds:	42.17%
Grant total:	\$37,971

**WHEREAS**, the remaining 57.83% of the grant is New York State funded;

**WHEREAS**, both Board of Health and the Public Health Services Committee supports the Health Department's involvement in this initiative;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of The Board of Supervisors be and is hereby authorized to enter into an agreement with The New York State Department of Health as is on file with The Clerk of The Board; and

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

**Public Health Department**  
**A4012 Prevent**

Expense		From	To
A4012.41037	Lead Grant Expenses	\$0	<u>\$ 5,839</u>
	Control Total		<u>\$ 5,839</u>

Revenue		From	To
A3401.6540	State Aid Lead Poisoning Grant	\$18,351	\$21,728
A4401.1090	Fed. Aid Lead Poisoning Grant	<u>\$12,699</u>	<u>\$15,161</u>
	Total	<u>\$31,050</u>	<u>\$36,889</u>
	Control Total		<u>\$ 5,839</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 22**

**AUTHORIZING CHAIRMAN TO AMEND AN AGREEMENT WITH NYS DEPARTMENT OF HEALTH FOR THE TOBACCO ENFORCEMENT PROGRAM GRANT COLA FUNDS AND MODIFYING THE 2011 BUDGET**

**WHEREAS**, Madison County Public Health Department accepted the grant renewal of the Youth Tobacco Enforcement and Prevention Program budget and work plan for the period of October 1, 2010 – September 30, 2011 by Resolution #365-10 on November 8, 2010; and

**WHEREAS**, the New York State Department of Health has amended the contract to incorporate a cost of living adjustment (COLA) of \$2,507 to be expended between April 1, 2010 and March 31, 2011; and

**WHEREAS**, these funds will be used for expenditures associated with the recruitment and retention of staff or other critical non-personal service costs; and

**WHEREAS**, the Public Health Services Committee supports the Health Department's involvement in this initiative;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the original agreement with the New York State Department of Health as is on file with the Clerk of the Board;

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

**Public Health Department**  
**A4090 Environmental**

Expense		From	To
A4090.41067	Tobacco Enforcement Expense	<u>\$ 500</u>	<u>\$ 3,007</u>
	Control Total		<u>\$ 2,507</u>

Revenue		From	To
A3401.6920	St Aid Tobacco Enforcement	<u>\$ 31,078</u>	<u>\$33,585</u>
	Control Total		<u>\$ 2,507</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 23**

**AUTHORIZING CHAIRMAN TO AMEND AN AGREEMENT WITH NYS DEPARTMENT OF HEALTH FOR THE RABIES GRANT COLA FUNDS AND MODIFYING THE 2011 BUDGET**

**WHEREAS**, Madison County Public Health Department accepted the grant of the Zoonoses Program budget and work plan for the period of January 1, 2008 – March 31, 2012 by Resolution #251-08 on July 8, 2008; and

**WHEREAS**, the New York State Department of Health has amended the contract to incorporate a cost of living adjustment (COLA) of \$656 to be expended between April 1, 2010 and March 31, 2011; and

**WHEREAS**, these funds will be used for expenditures associated with the recruitment and retention of staff or other critical non-personal service costs; and

**WHEREAS**, the Public Health Services Committee supports the Health Department's involvement in this initiative;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the original agreement with the New York State Department of Health as is on file with the Clerk of the Board; and

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

**Public Health Department**

**A4090 Environmental**

Expense	From	To
A4090.42908 Supplies (Rabies)	\$2,500	\$3,156
Control Total		<u>\$ 656</u>

Revenue	From	To
A3489. 6930 St Aid Rabies Clinic Reimbursement	\$500	\$1,156
Control Total		<u>\$ 656</u>

**PENDING BOARD APPROVAL**

**By Supervisors Salka and Cary:**

**RESOLUTION NO. 24**

**AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES TO  
MANAGE TRANSPORTATION SERVICES WITH VMC CONSULTANTS, LP**

**WHEREAS**, the Public Health Department currently has an agreement with VMC Consultants, LP to provide administrative and technical services for managing transportation services for Preschool and Early Intervention transportation; and

**WHEREAS**, VMC has helped the County manage the cost of transportation services by working with transporters to maximize the routing, invoice assistance, bid specifications and evaluation, field inspections of buses and point of contact; and

**WHEREAS**, the County has approved an amendment to this agreement to provide additional services to the County Planning Department for public transportation coordination; and

**WHEREAS**, the County wishes to renew the agreement for an additional period of one year, through April 30, 2012; and

**WHEREAS**, the Health Department agreement includes services for the management of transportation services for the Preschool and Early Intervention Program and the compensation for this agreement will not exceed \$5,258.25 per month; and

**WHEREAS**, the Planning Department agreement includes services related to coordination of rural transit and the compensation for this agreement will not exceed \$22,500 for the remainder of 2011; and

**WHEREAS**, both the Public Health Services Committee and the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee recommends approval of the extension of this agreement;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to sign an agreement with VMC Consultants, LP, as is on file with the Clerk to the Board of Supervisors.

**PENDING BOARD APPROVAL**

**By Supervisor Salka:**

**RESOLUTION NO. 25**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH  
COMMUNITY ACTION PROGRAM, INC.**

**WHEREAS**, research has shown that mentoring is an effective strategy in the prevention of high-risk behaviors that lead to poor school performance, substance abuse, violence, and teen pregnancy; and

**WHEREAS**, it is always a struggle to find enough volunteer mentors to meet the needs of children who would benefit from a mentor; and

**WHEREAS**, Madison County is committed to providing preventive services to children; and

**WHEREAS**, Community Action Program, Inc., has the experience and recognized capacity to provide this service; and

**WHEREAS**, Community Action Program, Inc., is currently providing this service; and

**WHEREAS**, funding is available through the Flexible Fund for Family Services, which is reimbursed at the rate of 100 percent; and

**WHEREAS**, Community Action Program, Inc., has offered to provide the required services for the period April 1, 2011, to March 31, 2012, at a total cost not to exceed \$136,129, the same as the last contract period; and

**WHEREAS**, this agreement has been reviewed and approved by the Social and Mental Health 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 with Community Action Program, Inc., in the form as is on file with the Clerk of the Board.

## **PENDING BOARD APPROVAL**

### **RESOLUTION NO. 26**

#### **RE-APPOINTING A MEMBER OF THE COMMUNITY SERVICES BOARD**

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

**WHEREAS**, the term of one member of the Community Services Board expired on 2/28/11; and

**WHEREAS**, the member has served the community well and desires to continue to serve as a member of this Board, and the membership of the

Community Service Board has recommended that she be re-appointed by the Board of Supervisors;

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

**NOW, THEREFORE BE IT RESOLVED**, that **Elizabeth Brown Thoreck, 1773 Kinney Road, New Woodstock, New York 13122**, be re-appointed for a four year term, March 1, 2011 through February 28, 2015.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 27**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH KINNEY MANAGEMENT SERVICES, LLC**

**WHEREAS**, the Centers for Medicaid and Medicare Services (CMS) requires all Medicaid providers conduct monthly checks for all employees and contractors against the Office of the Medicaid Inspector General (OMIG) excluded provider list; and

**WHEREAS**, Kinney Management Services, LLC can provide the Mental Health Department with Kchecks, a web –based software that allows users to search various databases to complete the mandated monthly testing for exclusions; and

**WHEREAS**, the software is available for \$675 per year;

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 28**

**AUTHORIZING THE CHAIRMAN TO PROCLAIM APRIL AS ALCOHOL AWARENESS MONTH**

**WHEREAS**, alcohol is a primary factor in the four leading causes of death for young persons ages 10-21; and

**WHEREAS**, almost **10,000 persons** die each year from alcohol-related causes: drinking and driving crashes, other accidents, falls, fires, alcohol-related homicides and suicide; and

**WHEREAS**, almost one quarter or 23.48% of the individuals arrested for DWI in 2011 were 16-24 years of age; and

**WHEREAS**, adolescents use alcohol more than tobacco or illicit drugs; and

**WHEREAS**, the average age of the onset of drinking for young people in Madison County is 12.4 years of age, younger than the national average of 13.1, with 4% of our 7<sup>th</sup> and 8<sup>th</sup> grade students reporting getting drunk in the past month; and

**WHEREAS**, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

**WHEREAS**, alcohol abuse is linked to as many as two-thirds of all sexual assaults and date rapes; and

**WHEREAS**, alcohol abuse is a major factor in unprotected sex, increasing risk of contracting HIV or other transmitted diseases; and

**WHEREAS**, the typical American will see 100,000 beer commercials before he or she turns 18 (that is more than for sneakers, gum and jeans combined);

**NOW THEREFORE BE IT RESOLVED**, that the Board of Supervisors join the National Council on Alcoholism and Drug Dependence, Inc, (NCADD) and hereby proclaim that April 2011 is Alcohol Awareness Month in Madison County and call upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, schools and colleges in Madison County to support efforts that will increase community awareness and support for individuals and families coping with alcoholism. **“ONE IS TOO MANY.....ALCOHOL AWARENESS: THE KEY TO PERSONAL CHANGE AND RECOVERY”**.

#### **PENDING BOARD APPROVAL**

**By Supervisor Ball:**

#### **RESOLUTION NO. 29**

#### **CORRECTING AND RESTATING THE FINANCIAL CRITERIA FOR THE**

## **ASSIGNMENT OF COUNSEL IN FAMILY COURT CASES IN MADISON COUNTY**

**WHEREAS**, pursuant to County Law section 722 the County of Madison is obligated to provide legal representation to indigents in criminal proceedings and to that end, in 1965 a bar association plan was developed and adopted by resolution by the Madison County Board of Supervisors, and since that time the plan has been modified to utilize the Madison County Legal Defense Bureau and the Madison County Public Defender's Office; and

**WHEREAS**, the current Assigned Counsel Plan makes no provision for the assignment of attorneys in Family Court cases; and

**WHEREAS**, in the absence of a county designed plan for family court assignments, §722(4) of the County Law gives the Family Court Judges the authority to assign counsel and requires the county to compensate the attorneys in accordance with the rates prescribed in County Law §722-b; and

**WHEREAS**, income measures, such as a percentage of the poverty guidelines may be useful for an initial finding of indigency, however that should only be a tool to determine whether or not the applicant is "financially unable to afford counsel" which is the constitutional and statutory standard in determining eligibility;

**WHEREAS**, there is no statutory delineated income threshold in the statute, and the County of Madison wishes to address this issue so to give guidance to the Madison County Family Court Judges in determining who is eligible for an assigned attorney in Family Court matters; and

**WHEREAS**, a survey of contiguous counties and the practices of the Madison County Public Defender's office and at least one of the Family Court judges indicates that most use as a threshold of eligibility 125% of the Federal Poverty Level as published annually in the Federal Register; and

**WHEREAS**, a person's eligibility to be assigned an attorney in Family Court shall be determined by examining their income and assets (including but not limited to bank accounts, value of real property, stocks, automobile value, child support income) and liabilities (including but not limited to rent, mortgage payments, utilities, child support payments, medical debt and other pertinent liabilities). The income ceiling shall be set at 125% of the Federal Poverty Level as published annually in the Federal Register. A sworn statement of their gross annual/monthly/weekly income shall constitute proof of that income and the applicant shall fill out Schedule A, Application for Appointment of an Attorney, attached herewith; and

**WHEREAS**, a person shall be deemed eligible for assigned counsel if they also qualify for NY State Medicaid, Public Assistance, Supplemental Security Income or Disability Income, and the applicant must attach proof of the eligibility to their application; and

**WHEREAS**, for the purposes of determining the Federal Poverty level, an applicants household makeup shall consist solely of those individuals to which the applicant has a legal obligation to support (spouse, biological children and step-children); and

**WHEREAS**, the court may take into consideration other sources of income available to the respondent, such as income available to a spouse or other adult sharing living expenses with the applicant; and

**WHEREAS**, the court is authorized to make exceptions to the income ceiling as follows: documented proof that nursing home or medical expenses actually paid by the applicant, reduce their income eligibility to below the income ceiling; or an annual income at or below 200% of the Federal Poverty Guidelines and the applicant shows expenses for dependent care, transportation, necessary expenses related to employment, job training or educational activities in preparation for employment that reduces their income to at or below 125% of the Federal Poverty Level; an examination of the applicants rent, mortgage, utilities and child support obligations reduces their net income to 125% or below the Federal Poverty Level; the applicant is facing possible incarceration as a result of a willful violation of any court order, or the applicants matter relates to abuse or neglect allegations; and

**WHEREAS**, the Madison County Board of Supervisors believe that to determine the threshold of eligibility using 125% of the Federal Poverty Level as published annually in the Federal register is both reasonable and rational;

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Madison sets as the monetary eligibility threshold to obtain an assigned attorney in Family Court at 125% of the Federal Poverty Level as published annually in the Federal Register and mandates that all applicants utilize the attached Application for Appointment of an Attorney.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 30**

**AUTHORIZING THE CHAIRMAN TO APPLY FOR A NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES (DHSES) - OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS (OIEC) - FY 2010-2011 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT (SICG)**

**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) - FY 2010-2011 Statewide Interoperable Communications Grant (SICG) in an amount not to exceed \$2,000,000; and

**WHEREAS**, the County of Madison has recognized the need to ensure the safety and security of its citizens and property in an effective manner; and

**WHEREAS**, a grant award requested under this program is for the acquisition of equipment and services that will support the facilitation and development, consolidation and/or improve the operation of public safety communications to support and enhance statewide interoperable communications for first responder's efforts to effectively and efficiently reduce the incidence of crime and violence in their locality, respond to crisis events and emergencies; and

**WHEREAS**, a grant award requested under this program is to implement a program to facilitate the development, consolidation and/or operation of public safety communications to support statewide interoperable communications for first responders; and

**WHEREAS**, the total cost of the equipment and services under this program is not to exceed \$2,000,000; and the grant will provide for 100% of the project total cost, the county agrees is not responsible for a cost share under this program; and

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors authorizes the Chairman of the Board to sign any and all necessary contract documents for a New York State Division of Homeland Security and Emergency Services (DHSES) - Office of Interoperable and Emergency Communications (OIEC) - FY 2010-2011 Statewide Interoperable Communications Grant (SICG) in an amount not to exceed \$2,000,000.

#### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 31**

#### **AUTHORIZING THE CHAIRMAN TO INCREASE FEES FOR DETAINED PRISONERS**

**WHEREAS**, currently the Madison County Correctional Facility houses Federal and other Counties prisoners at a rate of \$81.00 per day; and

**WHEREAS**, the Madison County Sheriff wishes to increase the rate to \$90.00 per day; and

**WHEREAS**, the rate increase will commence June 1, 2011; and

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

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 32**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT WITH HEALTH DIRECT INSTITUTIONAL PHARMACY SERVICES**

**WHEREAS**, it is necessary and required to provide prescription and non-prescription medications to inmates at the Madison County Jail in the regular course of their incarceration; and

**WHEREAS**, the quantity and type of medications needed on a day to day basis cannot be predicted due to daily variations of the inmate population, thereby making it necessary to have access to prompt service and timely delivery of pharmacy services and medications twenty-four hours a day, seven days a week; and

**WHEREAS**, the Sheriff of Madison County seeks to continue to cut costs and maintain the efficiency in the provision of medication to the inmates under his care through the continued use of a single contracted provider of pharmacy services that meets the special needs of the Madison County Jail; and

**WHEREAS**, Health Direct Institutional Pharmacy Services, Division of Kinney Drugs, Inc. does possess the special skills and training required to perform the necessary services and provide the required medications pursuant to the terms of the contract; and

**WHEREAS**, the term of this agreement is for twelve months, commencing May 1, 2011 and expiring April 30, 2012, with the option to re-new for (2) additional years with the same terms and conditions in one year increments through April 2014; and

**WHEREAS**, the cost of this pharmacy service is based on the Medi-Span Average Wholesale Price billing structure for current and future drugs; and

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

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 33**

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

**RESOLVED**, that Joe DeFrancisco of Wampsville, New York be re-appointed to the Madison County Traffic Safety Board for three (3) year terms commencing on April 15, 2011 and expiring on April 14, 2014

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 34**

**APPOINTING MADISON COUNTY FIRE ADVISORY BOARD MEMBERS AND  
DEPUTY COORDINATORS FOR 2011**

**WHEREAS**, the duly appointed officers and members of the Madison County Fire Advisory Board met at annual session on Thursday, January 27, 2011; and

**WHEREAS**, the following individuals were selected to represent the interests of each of the County's various townships, and

**WHEREAS**, the following individuals have agreed to serve without compensation as an advisory body to the Board of Supervisors and the County Fire Coordinator in matters relating to fire service activities;

**NOW, THEREFORE, BE IT RESOLVED**, that the following individuals be appointed to the Madison County Fire Advisory Board for 2011:

**Fire Advisory Board 2011**

James McFadden.....	Brookfield	Richard Stagnitti.....	Lenox
Terry Austin.....	Cazenovia	Robert Sturdevant Jr.....	Lincoln
John Durfee.....	Cazenovia	Steven Johnson.....	Madison
Edwin Coons.....	DeRuyter	Patrick Massett.....	Nelson
Richard Stoddard Sr.....	Eaton	Donald Hudson.....	Oneida
Michael Bischoff .....	Eaton	Chester Reeves.....	Smithfield
Ralph Tallett.....	Fenner	Roland Shea.....	Stockbridge
Dale Burgess.....	Georgetown	Joseph Watkins.....	Sullivan
Jason Murray.....	Hamilton	Paul Haynes.....	Sullivan
Robert Tracy.....	Lebanon	Robert Freunsch.....	Sullivan
Alex Brown....	Lenox		

**BE IT FURTHER RESOLVED**, that the following individuals be appointed to the staff of Deputy Fire Coordinators for 2011

- Anthony Stagnitti.....County Car 2
- Lyle Mason.....County Car 3
- James McFadden..... County Car 4
- Robert Freunschdt..... County Car 5
- Robert Sturdevant Jr... County Car 6
- David Vredenburg.....County Car 8
- Jeffrey Cardinali.....County Car 9

**PENDING BOARD APPROVAL**

**By Supervisors Ball and Reinhardt:**

**RESOLUTION NO. 35**

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

**WHEREAS**, the Sheriff’s Department budgeted \$11,000 for the purchase of seven (7) laptops for the Correctional Facility in 2010; and

**WHEREAS**, sales quotations for the laptops and corresponding software were received in November 2010; and

**WHEREAS**, the requisition authorizing the purchase of the software was approved and subsequently ordered in 2010; and

**WHEREAS**, it has been discovered that the requisition authorizing the purchase of the laptops was not completed and the laptops were not ordered in 2010 as intended; and

**WHEREAS**, due to the closure of fiscal year 2010, the \$11,000 originally appropriated for the purchase of the laptops has lapsed; and

**WHEREAS**, the Sheriff’s Department is now in dire need of the seven (7) laptops to perform routine duties at the Correctional Facility;

**NOW, THEREFORE, BE IT RESOLVED** that the 2011 County budget be modified as follows:

**General Fund**

**3150 Sheriff-Correctional Facility**

**Expense**

	<u>From</u>	<u>To</u>
A3150.2103 Laptop	\$ <u>-0-</u>	\$ <u>11,000</u>
Control Total		\$ <u>11,000</u>

599 Appropriated Fund Balance	<u>\$7,283,282</u>	<u>\$7,294,282</u>
Control Total		\$ <u>11,000</u>

**PENDING BOARD APPROVAL**

**By Supervisor Cary:**

**RESOLUTION NO. 36**

**APPOINTING A MEMBER TO THE MADISON COUNTY PARKS COMMISSION**

**WHEREAS**, Nick Hunter has recently resigned his position on the Madison County Parks Commission; and

**WHEREAS**, Mr. Jon Livingston, 4080 E. Milestrip road, Canastota, NY 13032, a resident of the Town of Fenner, has expressed an interest in serving on the Parks Commission;

**NOW THEREFORE, BE IT RESOLVED**, that Mr. Jon Livingston of the Town of Fenner, New York be hereby appointed to the Madison County Parks Commission, affective immediately, for the duration of the vacated term, and expiring on December 31, 2012.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 37**

**APPOINTING A MEMBER TO THE MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**BE IT RESOLVED**, that Jack Romagnoli of 2527 US Rte 20, Cazenovia, NY 13035, be hereby appointed to the Madison County Industrial Development Agency, filling a vacant position, commencing on April 12, 2011, and to serve at the pleasure of the Board of Supervisors.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 38**

**REAPPOINTING MEMBERS TO THE MADISON COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD**

**BE IT RESOLVED**, that Steve Durfee of 1459 Tuscarora Road, Chittenango, NY 13037; Matthew Critz of 3232 Rippleton Road, Cazenovia, NY; and Bee Tolman of 5157 Ridge Road, Cazenovia, NY, 13035 be reappointed as farm members to the Madison County Agricultural and Farmland Protection Board for a four-year term commencing on April 12, 2011 and expiring on December 31, 2014.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 39**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXTEND A CONTRACT FOR THE HARVESTING OF TIMBER AT JONES ROAD**

**WHEREAS**, Madison County owns forested land located on Jones Road in the Town of Nelson for the purposes of forest product and timber production, watershed protection, recreation and kindred purposes as specified by Section 219 of County Law; and

**WHEREAS**, in late 2009 Madison County advertised for bids for the harvesting of the timber on Jones Road in the Town of Nelson; and

**WHEREAS**, Back Forty Habitat and Timber Management, submitted the highest bid, Twelve thousand six hundred ten (\$12,610.00) US Dollars and was awarded a two-year contract; and

**WHEREAS**, the past two winters have made cutting all of the timber scheduled for this harvest very difficult, and the buyer has requested and additional year to finish the harvest;

**NOW THEREFORE BE IT RESOLVED**, that Madison County Board of Supervisors hereby authorizes John M. Becker , Chairman of the Board, to allow for a no-cost contract extension of one year (a copy of which is on file with the Clerk of this Board) with Back Forty Habitat and Timber Management 3925 Old State Road Erieville, NY, 13061 to continue the harvesting of timber from the Madison County Jones Road Forest on Jones Road in the Town of Nelson.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 40**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO APPROVE THE PROPOSED ACTION BY MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY IN**

**CONNECTION WITH A CERTAIN COMMERCIAL PROJECT FOR  
NICE N EASY GROCERY SHOPPES, INC.**

**WHEREAS**, Madison County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 305 of the 1975 Laws of New York, as amended, constituting Section 893 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

**WHEREAS**, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

**WHEREAS**, in June, 2010, Nice N Easy Grocery Shoppes, Inc., a New York business corporation (the “Company”), presented an application (the “Application”) to the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A)(1) the acquisition of an interest in an approximately 4.6 acre portion of an approximately 54 acre parcel of land currently having a tax map number of 10.-1-9.21 located at 2000 Route 31 in the Town of Sullivan, Madison County, New York (the “Land”), (2) the construction on the Land of an approximately 4,800 square foot building (the “Facility”) and (3) the acquisition and installation thereon and therein of certain machinery and equipment (collectively, the “Equipment”), all of the foregoing to constitute a retail convenience store and fuel station (the Land, the Facility, and the Equipment being collectively referred to as the “Project Facility”); (B) the financing of all or a portion of the costs of the foregoing by the issuance of taxable and/or tax-exempt revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay all or a portion of the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to be approximately \$2,500,000 (the “Obligations”); (C) paying a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; (D) the granting of certain other “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the

foregoing, including potential exemptions from certain sales and use taxes, real estate transfer taxes, real property taxes and mortgage recording taxes (collectively with the Obligations, the "Financial Assistance"); and (E) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency;

**WHEREAS**, by resolution adopted by the members of the Agency on June 17, 2010 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") with respect to the Project; and

**WHEREAS**, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act and Section 147(f) of the Code, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on June 22, 2010 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located, (B) caused notice of the Public hearing to be posted on June 21, 2010 on a bulletin board located at 7507 Lakeport Road in the Town of Sullivan, Madison County, New York, (C) caused notice of the Public Hearing to be published on June 24, 2010 in The Oneida Daily Dispatch, a newspaper of general circulation available to the residents of the Town of Sullivan, Madison County, New York, (D) conducted the Public Hearing on July 26, 2010 at 10:00 o'clock a.m., local time at 7507 Lakeport Road in the Town of Sullivan, Madison County, New York, and (E) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on June 17, 2010 (the "Preliminary SEQR Resolution"), the Agency (A) determined (1) to obtain an environmental assessment form relating to the Project (an "EAF") from the Company, to review the EAF with counsel to the Agency, and prepare proceedings to allow the Agency to comply with the requirements of SEQRA that apply to the Project, and (2) that, although the Project may constitute an "unlisted action", and coordinated review and notification of other involved agencies is strictly optional with respect to the Project, the Agency wished to investigate the advisability of undertaking a coordinated review with respect to the Project and (B) authorized the Executive

Director of the Agency to contact all other “involved agencies” for the purpose of ascertaining whether such “involved agencies” were interested in undertaking a coordinated review of the Project and, if so, designating a “lead agency” with respect to the Project (as such quoted terms are defined in SEQRA) and to report to the Agency at its next meeting on the status of the foregoing; and

**WHEREAS**, further pursuant to SEQRA, by resolution adopted by the members of the Agency on March 17, 2011 (the “Final SEQR Resolution”), the Agency (A) concurred in the determination by the Town of Sullivan Planning Board (the “Planning Board”) to act as “lead agency” with respect to the Project and (B) indicated that the Agency had no information to suggest that the Planning Board was incorrect in issuing a negative declaration (the “Negative Declaration”) determining that the Project will not have a “significant effect on the environment” (as such quoted terms are defined in SEQRA); and

**WHEREAS**, the Company has informed the Agency that the Company will be obtaining conventional financing for the Project and accordingly will not need the Agency to issue the Obligations at this time to finance the Project, but has requested that the Agency undertake the remaining portions of the Project; and

**WHEREAS**, the Agency has been informed by the Company that the size of the Facility has increased from approximately 4,800 square feet to approximately 6,500 square feet, which increase in square footage was included in the Planning Board’s determination pursuant to SEQRA; and

**WHEREAS**, the Agency has given due consideration to the Application, and to representations by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Madison County, New York, (B) the completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State of New York to another area in the State of New York and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State of New York, and (C) although the Project constitutes a project where facilities or property that are primarily used in making retail sales to customers who personally visit such facilities constitute more than one-third of the total project cost, the predominant purpose of the project would be to make available goods or services which would not, but for the project, be reasonably accessible to residents of the Town of Sullivan, Madison County, New York, because of a lack of reasonably accessible retail trade facilities offering such goods or services; and

**WHEREAS**, the Agency desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Madison County, New York by undertaking the Project in Madison County, New York; and

**WHEREAS**, pursuant to the Agency's uniform tax exemption policy (the "Policy") and Section 862(2)(b) of the Act (although no longer applicable), the Agency would be authorized to provide financial assistance in respect of the Project provided that the obligation of the Agency to proceed with the Project was subject to certain conditions, including (1) following compliance with the procedural requirements of Section 859-a of the Act, a finding by the Agency that the Project would preserve permanent, private sector jobs in the State of New York or increase the overall number of permanent, private sector jobs in the State of New York and (2) confirmation by the Chairman of the Board of Supervisors of Madison County of the proposed action by the Agency with respect to the Project; and

**WHEREAS**, by resolution adopted by the members of the Agency on March 17, 2011 (the "Resolution Making Retail Findings"), the Agency (A) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making retail sales of goods or services to customers who personally visit such facilities may constitute more than one-third of the costs of the Project, the Agency is authorized to provide financial assistance in respect of the Project pursuant to the Policy and Section 862(2)(a) of the Act because the predominant purpose of the Project would be to make available goods or services which would not, but for the Project, be reasonably accessible to residents of the Town of Sullivan, Madison County, New York, because of a lack of reasonably accessible retail trade facilities offering such goods or services, (B) determined, following a review of the Hearing Report, that the Project would serve the public purposes of the Act by increasing the overall number of permanent, private sector jobs in the State of New York, and (C) determined that the Agency would proceed with the Project and the granting of the Financial Assistance; provided however, that no Financial Assistance would be provided to the Project by the Agency unless and until the Chairman of the Board of Supervisors of Madison County, as chief executive officer of Madison County, New York, pursuant to the Policy and Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Project; and

**WHEREAS**, for the sole purpose of allowing the Agency to proceed with the Project, this Board of Supervisors desires to empower the Chairman of this Board of Supervisors, as the chief executive officer of Madison County, to either confirm or refuse to confirm the proposed action of the Agency with respect to the Project, pursuant to the Policy and Section 862(2)(c) of the Act; and

**WHEREAS**, Section 870 of the General Municipal Law of the State of New York specifically provides that no obligation of the Agency shall be a debt of Madison County, New York, nor shall Madison County, New York be liable thereon; and now, therefore, be it

**RESOLVED**, that, for the sole purpose of allowing the Agency to proceed with the Project and the granting of the financial assistance described in the

notice of the Public Hearing, the County Board of Supervisors hereby authorizes the Chairman of this Board of Supervisors, as the chief executive officer of Madison County, New York, to either confirm or refuse to confirm the proposed action of the Agency with respect to the Project, pursuant to the Policy and Section 862(2)(c) of the Act; and be it further

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

## **PENDING BOARD APPROVAL**

### **RESOLUTION NO. 41**

#### **RESOLUTION ACCEPTING A FINAL SCOPING DOCUMENT**

##### **Project Action: Agriculture and Renewable Energy Park**

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

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

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

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

**WHEREAS**, the County held a public hearing on March 7<sup>th</sup>, 2011 in the Board of Supervisors Chambers of the County Office Building in Wampsville, NY and duly held a public comment period ending March 25<sup>th</sup>, 2011 for submittal of comments on the Draft Scoping Document; and

**WHEREAS**, the County, after consideration of public comments and review, has caused a Final Scoping Document to be prepared setting forth a proposed scope for an environmental review to be documented in a Draft Generic Environmental Impact Statement;

**NOW, THEREFORE, BE IT RESOLVED**, Madison County hereby accepts the Final Scoping Document and authorizes the preparation of a Generic Environmental Impact Statement; and

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 42**

**ADOPTING LOCAL LAW NO. 1 FOR THE YEAR 2011**

**WHEREAS**, there has been duly introduced Local Law No. 1 for the year 2011 entitled: "MADISON COUNTY OCCUPANCY TAX LAW"; and

**WHEREAS**, a public hearing on said local law was duly held by the Madison County Board of Supervisors on April 12, 2011; and

**WHEREAS**, the Planning, Economic Development, Environmental & Intergovernmental Affairs Committee voted to support the adoption of this local law;

**NOW, THEREFORE BE IT RESOLVED**, that Local Law No.1 for the year 2011 be and the same is hereby adopted.

**PENDING BOARD APPROVAL**

**By Supervisor Degear:**

**RESOLUTION NO. 43**

**AMENDING CONTRACT WITH NYSERDA  
FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT, RFP 10**

**WHEREAS**, Madison County was awarded a Energy Efficiency and Conservation Block Grant, RFP 10 for \$275,392 by the New York State Energy Research and Development Authority (NYSERDA) from appropriations authorized by Congress under the American Recovery and Reinvestment Act (ARRA); and

**WHEREAS**, these funds will provide 90% federal reimbursement of eligible costs incurred in the effort to implement a variety of building envelop and mechanical energy efficiency measures for the County Government Campus; and

**WHEREAS**, Resolution #250-10 dated August 10, 2010 authorized the Chairman of the Board to enter into a agreement with NYSERDA to accept funding for this grant; and

**WHEREAS**, NYSERDA has proposed a modification to said contract to move up the schedule of payments to the County as the US Department of Energy would like funding to be distributed in a more expeditious manner;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors authorize the Chairman of the Board to sign the amendment to the contract, a copy of which is on file with the Clerk of the Board of Supervisors, moving up the schedule of payments from NYSERDA to Madison County.

#### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 44**

#### **AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TOWNE ENGINEERING**

**WHEREAS**, the Department of Social Services building needs to have a new cooling tower installed; and

**WHEREAS**, three quotes were requested for proposals to provide analysis, design and specifications for the new cooling tower; and

**WHEREAS**, the lowest price quote was submitted by Towne Engineering who specializes in design and engineering of heating, ventilation and air conditioning systems; and

**WHEREAS**, the County Buildings and Grounds Committee approves of Towne Engineering for these services;

**WHEREAS**, Towne Engineering has agreed to provide analysis, design and specifications for the new cooling tower at the Department of Social Services building at a cost of \$2,700; and

**WHEREAS**, the design and engineering of the new cooling tower is a budgeted expense in the Buildings & Grounds budget;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman is authorized to enter into a contract, a copy of which is on file with the Clerk of the Board, with Towne Engineering for engineering services for design and engineering to install the new cooling tower at the Department of Social Services building.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 45**

**REHABILITATION OF CERTAIN COUNTY ROADS FOR 2011**

**WHEREAS**, the County Superintendent of Highways has presented a statement of certain County roads which he has approved for rehabilitation with County Funds during the year 2011 as follows:

In the Town of **LEBANON and EATON** on **BRADLEY BROOK ROAD**, County Rte. 71, a distance of 5.21 miles, with necessary widening, ditching, and asphalt pavement 22 feet wide and 5.5 inches thick, at an estimated cost of \$795,586.

In the Town of **HAMILTON** on **LARKIN ROAD**, County Rte. 74, a distance of 1.15 miles, with necessary widening, ditching, and asphalt pavement 22 feet wide and 5.5 inches thick, at an estimated cost of \$175,609.

In the Town of **MADISON** on **CANAL ROAD**, County Rte. 81 and 43, a distance of 3.69 miles, with necessary widening, ditching, and asphalt pavement 22 feet wide and 5.5 inches thick at an estimated cost of \$549,165.

In the Town of **STOCKBRIDGE**, on **EAST HILL ROAD** and **VALLEY MILLS ROAD**, County Rte. 40 and 35 respectively, a distance of 1.1 miles, with asphalt pavement 22 feet wide at 1.5 inches thick at an estimated cost of \$77,864.

In the Town of **SULLIVAN** on **FYLER ROAD**, County Rte. 6, a distance of 1.22 miles, with asphalt pavement 22 feet wide and 1.5 inches thick, at an estimated cost of \$75,785.

In the Town of **SULLIVAN** on **LAKEPORT ROAD**, County Rte. 3, a distance of 3.51 miles, with asphalt pavement varied from 22 feet wide to 26 feet wide and 1.5 inches thick at an estimated cost of \$302,258.

**WHEREAS**, bids will be received for the above projects and award will be made on the basis of low bid meeting specifications, and

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

**PENDING BOARD APPROVAL**

**By Supervisor Goldstein:**

**RESOLUTION NO. 46**

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

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

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

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

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

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

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

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

1. ACTION HAULERS – VINCENT JOHNSON

**PENDING BOARD APPROVAL**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 47**

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

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

Robert Feeley  
5170 Moore Road  
P.O. Box 32  
Munnsville, NY 13409

Tax Map #82.-1-3.32  
Town of Stockbridge

**WHEREAS**, on March 1, 2011 the property owner paid to the Madison County Treasurer a delinquent 2009 Town and County tax in the amount of \$1,951.60 ; and

**WHEREAS**, the delinquent tax amount included a Stockbridge Valley Central School relevy in the amount of \$886.72; and

**WHEREAS**, after payment had been made it was determined that the STAR exemption for school purposes in the amount of \$30,000 had been removed in error; and

**WHEREAS**, the correct amount for the 2008 school relevy should be \$250.32; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be and hereby is directed to refund to the owner the amount of \$636.40 due to this error.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 48**

**AUTHORIZING THE CHAIRMAN TO ENTER  
INTO AN AGREEMENT WITH SYSTEMS EAST, INC.**

**WHEREAS**, pursuant to New York State Education Law, the Madison County Treasurer is required to issue a Certificate of Residency to each person enrolling in a New York State out-of-county community college, upon application

and submission of satisfactory evidence of proof of residence in New York State for a period of one (1) year and in Madison County for a period of six (6) months; and

**WHEREAS**, each community college then bills the Madison County Treasurer for the allocable portion of the operating costs and capital costs of such college for non-resident students who have provided the college with their Certificate of Residency; and

**WHEREAS**, Madison County has appropriated \$1,475,000 in the 2011 County budget for these college chargeback expenses; and

**WHEREAS**, the Treasurer's Office currently utilizes an MS-DOS Certificate of Residency System that is out-of-date and lacks the reporting capabilities desired to reconcile the exorbitant college chargeback billings; and

**WHEREAS**, Systems East, Inc. has submitted a proposal for a new Certificate of Residency System, at a cost of \$6,500.00; and

**WHEREAS**, appropriations sufficient to purchase this system are provided in the 2011 Adopted County Budget, account number A1325.40103 College Chargeback Software; and

**WHEREAS**, this agreement has been reviewed and approved by the Finance, Ways and Means Committee.

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 49**

**AUTHORIZING THE MODIFICATION OF THE 2010 COUNTY BUDGET**

**BE IT RESOLVED** that the 2010 County Budget be modified as follows:

**General Fund**

<u>Expense</u>	<u>From</u>	<u>To</u>
<u>1010 Legislative Board</u>		
A1010.1 Personal Services	\$ 399,363	\$ 408,472
A1010.8130 Social Security Expense		

	29,999	30,934
A1010.8140 Workers Compensation Expense	1,115	1,138
<u>1040 Clerk of Legislative Board</u>		
A1040.491 Central Printing & Supply	4,915	5,263
A1040.492 Central Telephone Expense	1,372	1,374
A1040.8110 State Retirement Expense	13,048	14,232
A1040.8140 Workers Compensation Expense	345	359
<u>1165 District Attorney</u>		
A1165.41 Travel Expense (Mileage)	2,350	2,391
A1165.474 Grand Jury Transcriptions	9,400	9,961
A1165.8140 Workers Compensation Expense	1,127	1,153
<u>1167 District Attorney Aid to Prosecution Grant</u>		
A1167.1 Personal Services	34,000	37,712
A1167.8130 Social Security Expense	2,601	2,885
<u>1170 Public Defender</u>		
A1170.4218 Assigned Counsel Fees & Disb.	133,000	138,630
A1170.4219 Assigned Counsel Family Court	312,000	345,383
		-
<u>1325 County Treasurer</u>		
A1325.8140 Workers Compensation Expense	1,502	1,577
<u>1355 Assessment</u>		
A1355.1 Personal Services	157,478	160,992
A1355.8140 Workers Compensation Expense	460	475

1362 Tax Advertising & Expense

A1362.4136 Legal Expense-Utica Street 3,500 4,277

1410 County Clerk

A1410.1 Personal Services 579,778 591,006

A1410.4110 Training & Staff Development - 24

A1410.490 Central Postage Expense 5,573 5,941

A1410.8140 Workers Compensation Expense 1,561 1,631

1420 County Attorney

A1420.402 Miscellaneous Expense 17,895 18,539

A1420.8140 Workers Compensation Expense 559 580

1430 Personnel & Civil Service

A1430.8140 Workers Compensation Expense 763 793

1450 Board of Elections

A1450.8110 State Retirement Expense 17,023 19,474

A1450.8140 Workers Compensation Expense 512 533

1451 Polling Place Access Grant

A1451.4101 Access Improvement Expense 3,203 3,396

Revenue

A4089.30 Fed Aid Polling Place Access Imp. 3,203 3,396

1480 Public Information & Service

A1480.8110 State Retirement Expense 4,119 4,199

A1480.8140 Workers Compensation Expense 109 114

1619 County Buildings-Veterans Memorial

A1619.440 Water Usage	1,200	1,202
A1619.478 Misc. Maintenance Contracts	5,000	5,088
<u>1620 County Buildings</u>		
A1620.478 Misc. Maintenance Contracts	30,400	30,852
A1620.488 Office Equipment Maintenance & Repair	9,578	9,804
A1620.489 Photo Copy Usage/Lease Expense	373	378
A1620.8140 Workers Compensation Expense	12,273	12,937
<u>1670 Central Printing, Supplies &amp; Mail</u>		
A1670.1 Personal Services	84,267	88,364
A1670.489 Photo Copy Usage/Lease Expense	21,499	21,728
A1670.8130 Social Security Expense	6,447	6,717
A1670.8140 Workers Compensation Expense	1,289	1,435
<u>1680 Information Technology</u>		
A1680.402 Miscellaneous Expense	3,000	3,087
A1680.4030 Internet Service Expense	9,214	9,354
A1680.8140 Workers Compensation Expense	1,334	1,398
<u>1985 Sales and Use Tax</u>		
A1985.4050 Distribution of Sales Tax	8,727,221	9,310,583
<u>Revenue</u>		
A1110 Sales and Use Tax	21,029,448	21,612,810
<u>1990 Contingent</u>		
A1990.4444 Contingent Fund	402,393	-

2960 Preschool Special Education

A2960.4103 Summer School (3-5)	171,250	180,918
A2960.4106 Admin-School Districts	50,000	72,898
A2960.49998 Prior Year Rate Adjustment	-	19,946
A2960.8140 Workers Compensation Expense	801	832

2961 Early Intervention Program

A2961.8140 Workers Compensation Expense	458	497
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3020 Communications Center

A3020.1 Personal Services	804,715	807,744
A3020.44 Gas & Electric Expense	3,500	3,619
A3020.489 Photo Copy Usage/Lease Expense	1,170	1,241
A3020.490 Central Postage Expense	412	486
A3020.8140 Workers Compensation Expense	2,140	2,262

3021 Communications E911

A3021.99 Transfer Surcharges to PSCU Reserve	90,000	115,362
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Revenue

A1140 Emergency Telephone Surcharge-Landline	90,000	115,362
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3022 Cellular Phone - E911

A3022.99 Transfer Surcharges to PSCU Reserve	130,000	133,598
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Revenue

A1141 Emergency Telephone Surcharge-Wireless	130,000	133,598
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3110 Sheriff Department

A3110.41029 Enforcing Underage Drinking Laws Grant	10,000	10,047
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A3110.4425 Personnel Uniforms & Equipment	12,800	12,954
A3110.8140 Workers Compensation Expense	17,253	18,050
A3110.8155 Disability Expense	-	102
<u>3111 Sheriff Department - Traffic Safety Coordinator Grant</u>		
A3111.810 Allocation of Fringe Benefits	2,841	1,283
A3111.8130 Social Security Expense	-	1,500
A3111.8140 Workers Compensation Expense	-	58
<u>3112 Sheriff "Buckle-Up New York"</u>		
A3112.8110 State Retirement Expense	-	210
A3112.8130 Social Security Expense	-	110
A3112.8140 Workers Compensation Expense	-	11
<u>3113 Sheriff STEP Federal Grant</u>		
A3113.8110 State Retirement Expense	-	2,177
A3113.8130 Social Security Expense	-	992
A3113.8140 Workers Compensation Expense	-	84
<u>3114 Grant-Multidisciplinary Teams</u>		
A3114.1 Personal Services	68,335	81,036
A3114.2717 CAC Renovations	5,634	10,012
A3114.4234 Contracted Services-MDT Grant	42,920	24,908
A3114.42753 CNY Comm Foundation Grant	-	475
A3114.492 Central Telephone Expense	1,170	1,605
A3114.810 Allocation of Fringe Benefits	31,869	-
A3114.811 Employee Health Insurance	-	16,609

A3114.8110 State Retirement Expense	-	8,196
A3114.8130 Social Security Expense	-	6,200
A3114.8140 Workers Compensation Expense	-	887
<u>3140 Probation</u>		
A3140.489 Photo Copy Usage/Lease Expense	3,993	4,649
A3140.8140 Workers Compensation Expense	5,475	5,757
A3140.8150 Unemployment Benefits Expense	2,334	7,780
<u>3150 Sheriff-Correctional Facility</u>		
A3150.1 Personal Services	2,449,310	2,492,605
A3150.4425 Personnel Uniforms & Equipment	22,000	25,002
A3150.4509 Medical Supplies	7,000	8,363
A3150.451 Dental Expense	10,000	12,370
A3150.8140 Workers Compensation Expense	20,681	21,933
A3150.8150 Unemployment Benefits Expense	4,455	10,625
A3150.8155 Disability Expense	884	1,564
<u>3315 Special Traffic Programs - STOP DWI</u>		
A3315.491 Central Printing & Supply	445	717
A3315.8130 Social Security Expense	2,273	2,325
<u>3410 Fire Control-Emergency Preparedness</u>		
A3410.44212 Cascade Unit Maintenance	1,000	2,188
A3410.489 Photo Copy Usage/Lease Expense	350	819
A3410.8140 Workers Compensation Expense	882	904
A3410.8150 Unemployment Benefits Expense	-	4

3645 Homeland Security

A3645.4067 Homeland Security Grant (WMD) - 35

3989 Navigation & Snowmobile Patrol

A3989.4426 Personal Gear Snowmobile 2,233 2,740

4010 Public Health Administration

A4010.1 Personal Services 435,886 451,211

A4010.464 Employee Physicals 1,000 1,210

A4010.494 Central Security Expense 10,612 10,617

A4010.8130 Social Security Expense 33,345 33,690

A4010.8140 Workers Compensation Expense 1,191 1,232

4012 Public Health Preventive

A4012.41052 STD Lab Costs 46,000 51,199

A4012.8155 Disability Expense 1,768 4,148

4013 Public Health Home Care

A4013.453 Nursing Supplies 32,000 32,185

A4013.8140 Workers Compensation Expense 19,854 20,576

A4013.8150 Unemployment Benefits Expense 9,408 16,416

A4013.8155 Disability Expense 1,700 2,856

4016 Public Health Federal & State Grants

A4016.8930 Social Security Expense 1,547 1,824

4046 Physically Handicapped Children

A4046.41066 Medical Payments 30,000 37,981

4090 Public Health Environmental

A4090.468 Rabies Specimen Expense	950	1,092
A4090.8140 Workers Compensation Expense	5,276	5,369
A4090.8150 Unemployment Benefits Expense	1,460	5,548

4306 Mental Health Clinic Children Program

A4306.489 Photo Copy Usage/Lease Expense	1,127	1,373
A4306.4997 Allocation of Administrative Expense	109,083	104,342
A4306.811 Employee Health Insurance	55,067	55,349
A4306.8140 Workers Compensation Expense	5,206	5,454
A4306.8155 Disability Expense	102	850

4308 Mental Health Clinic Adult Programs

A4308.489 Photo Copy Usage/Lease Expense	1,730	2,032
A4308.490 Central Postage Expense	857	876
A4308.4997 Allocation of Administrative Expense	178,318	172,612
A4308.8140 Workers Compensation Expense	5,991	6,235

4309 Mental Health ADAPT Programs

A4309.1 Personal Services	443,216	445,406
A4309.489 Photo Copy Usage/Lease Expense	982	1,153
A4309.491 Central Printing & Supply	3,167	3,453
A4309.492 Central Telephone Expense	1,990	2,075
A4309.4997 Allocation of Administrative Expense	83,673	82,339
A4309.811 Employee Health Insurance	61,592	61,963
A4309.8140 Workers Compensation Expense	3,128	3,208

4310 Mental Health Administration

A4310.4038 Computer Services Technician	66,683	67,025
A4310.489 Photo Copy Usage/Lease Expense	1,272	2,046
A4310.4997 Allocation of Administrative Expense	(371,074)	(359,293)
A4310.8110 State Retirement Expense	38,999	39,513
A4310.8140 Workers Compensation Expense	1,197	1,247

4316 Mental Health-Liberty Resources

A4316.4274 CSS-Liberty Resources	105,008	124,140
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Revenue

A3490.3082 St. Aid MH Liberty Resources	105,008	124,140
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5682 Madison Transit-Birnie Operations

A5682.41072 Madison Transit-Birnie Operations	374,571	385,028
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6010 Social Service Administration

A6010.401 Snow Removal	7,000	7,501
A6010.41088 FFFS-CAP Mentoring	135,300	147,008
A6010.4109 FFFS Transportation	71,172	73,870
A6010.4202 Single Audit Expense	-	7,327
A6010.489 Photo Copy Usage Expense	15,801	16,058
A6010.8140 Workers Compensation Expense	33,508	34,879
A6010.8155 Disability Expense	374	1,258

6055 Child Care Block Grant

A6055.41077 Child Care Block Grant	552,290	693,293
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6119 Child Care

A6119.41088 Foster Care Expense	2,350,000	2,252,432
<u>6140 Safety Net</u>		
A6140.41093 Safety Net Expense	862,500	885,783
A6140.41096 Burial Expense	115,500	137,933
<u>6142 Emergency Aid to Adults</u>		
A6142.41095 Emergency Aid to Adults Expense	14,000	15,692
<u>6510 Veterans Agency</u>		
A6510.1 Personal Services	112,620	112,928
A6510.8140 Workers Compensation Expense	314	327
<u>6610 Consumer Affairs</u>		
A6610.492 Central Telephone Expense	445	472
A6610.8110 State Retirement Expense	5,012	5,717
A6610.8140 Workers Compensation Expense	913	988
<u>7110 Madison County Parks</u>		
A7110.2967 NYS Grant-Oxbow Falls Bathroom	-	5,881
A7110.2968 Oxbow Falls Bathroom Renovation 50% Match	-	4,887
<u>7145 Youth Programs Administration</u>		
A7145.1 Personal Services	92,568	94,496
A7145.8140 Workers Compensation Expense	288	292
<u>7510 Historian</u>		
A7510.8110 State Retirement Expense	-	1,180
A7510.8140 Workers Compensation Expense	28	36

8020 Planning

A8020.40101 Computer Equipment	500	513
A8020.489 Photo Copy Usage/Lease Expense	2,005	2,412
A8020.8140 Workers Compensation Expense	760	771

9952 Public Safety Communication Upgrade Reserve Fund

A9952.98 Transfer OTB to PSCU Reserve	125,000	143,045
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Revenue

A2720.10 OTB Distributed Earnings	125,000	143,045
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Total Appropriations	\$ <u>21,336,521</u>	<u>\$21,986,213</u>
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Control Total		\$ <u><u>649,692</u></u>
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Total Revenue	\$ <u>21,482,659</u>	<u>\$22,132,351</u>
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Control Total		\$ <u><u>649,692</u></u>
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**Risk Retention Fund**

9060 Hospital & Medical Insurance  
Expense

CS9060.8600 Excellus Medicare Premiums	526,245	527,140
CS9060.8601 Excellus Hospital/Medical Premiums	395,375	395,226
CS9060.8602 Excellus Hospital/Medical Claims	4,650,000	4,768,000
CS9060.8603 Payment of Non-Participation in Ins.	30,000	21,400
CS9060.8606 EBS-RMSCO Dental Claims	354,850	346,017
CS9060.8608 Teamsters Benefit Fund Premiums	500,075	487,643
CS9060.8609 Health Benefit Consultants	25,500	24,900

CS9060.8610 CanaRx Prescription Expense	20,610	21,661
CS9060.8611 ProAct Prescription Expense	866,670	786,618
<u>Revenue</u>		
CS500.50 Appropriation of Reserves	694,070	703,350
<u>940 Workers Compensation Risk Retention</u>		
CS9040.8305 Consultant Expense-NYSIF Refund	-	31,041
<u>Revenue</u>		
CS2701.1025 Refund PY Expense State Ins Fund	-	31,041
	\$	\$
Total Appropriations	<u>7,369,325</u>	<u>7,409,646</u>
		\$
Control Total		<u><u>40,321</u></u>
	\$	\$
Total Revenue	<u>694,070</u>	<u>734,391</u>
		\$
Control Total		<u><u>40,321</u></u>
<b><u>County Road Fund</u></b>		
<u>Expense</u>		
<u>5110 Maintenance of Road &amp; Bridges</u>		
	\$	\$
D5110.1 Personal Services	1,324,664	1,330,264
D5110.46000 Local Bridge Expense	-	2,955
D5110.46001 Bridge Materials	64,092	35,567
D5110.46005 Sign Blanks/Post Material	60,000	82,829
D5110.46007 Misc. Materials	84,000	47,250
D5110.46008 Culvert Pipe	85,000	64,810

5142 County Snow Removal

D5142.46000 Stone Dust	150,000	41,112
D5142.46009 Sand & Salt	650,000	691,813
D5142.4735 Equipment Rental Towns	800,000	933,664

5144 State Snow Removal

D5144.46009 Sand & Salt	90,000	72,932
D5144.4735 Equipment Rental Towns	70,000	74,560

5199 County Road Employee Benefits

D5199.811 Employee Health Insurance	530,000	536,221
D5199.8130 Social Security Expense	259,838	248,448
D5199.8140 Workers Compensation Expense	241,326	246,495

	\$	\$
Control Totals	<u>4,408,920</u>	<u>4,408,920</u>

**Road Machinery Fund**

Expense

5130 Road Machinery Repairs & Expense

	\$	\$
DM5130.4820 Repair Parts	350,000	363,251
DM5130.4821 Gasoline	127,000	103,271
DM5130.4826 Fuel Oil (Diesel)	350,000	360,478

	\$	\$
Control Totals	<u>827,000</u>	<u>827,000</u>

**Enterprise Landfill Fund**

Expense

8164 Environmental Control (Landfill)

	\$	\$
EE8164.1 Personal Services	920,201	930,181
EE8164.4045 Recycling Expense	70,000	75,442

EE8164.41 Travel Expense	4,500	4,554
EE8164.4206 Computer Software Maintenance	5,000	5,306
EE8164.4214 Misc. Engineering	180,000	145,330
EE8164.44 Gas & Electric Expense	90,000	57,315
EE8164.4726 Deputy Sheriff Service Contract	28,000	30,214
EE8164.4820 Repair Parts	120,000	90,894
EE8164.49997 Reserve for Closure/Post Closure	231,206	265,632
EE8164.840 Workers Compensation Expense	30,662	41,314
EE8164.850 Unemployment Benefits Expense	142	1,133
EE8164.860 Hospital & Medical Insurance	155,111	167,757
EE8164.9410 Contribution to General Fund (Sheriff)	-	19,750
<u>8166 Landfill Closure-Gas Recovery</u>		
EE8166.43006 Reimb Gas Recovery-Waste Mgmt	-	990,000
<u>Revenue</u>		
EE4489.1010 Fed Aid Gas Recovery	-	990,000
	\$	\$
Total Appropriations	1,834,822	2,824,822
		\$
Control Total		990,000
	\$	\$
Total Revenue	-	990,000
		\$
Control Total		990,000

**PENDING BOARD APPROVAL**

## RESOLUTION NO. 50

### AUTHORIZING THE MODIFICATION OF THE 2011 COUNTY BUDGET

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

#### General Fund

<u>Expense</u>	<u>From</u>	<u>To</u>
<u>Health Insurance Expense</u>		
A1010.811 Legislative Board	\$ 229,704	\$ 228,312
A1040.811 Clerk of the Board	26,784	27,432
A1325.811 Treasurer	110,427	123,804
A1355.811 Assessment	26,964	28,092
A1410.811 County Clerk	139,380	142,896
A1420.811 County Attorney	38,136	47,028
A1430.811 Personnel & Civil Service	66,288	74,160
A1450.811 Board of Elections	48,540	53,832
A1480.811 Public Information	5,688	6,012
A1620.811 County Buildings	88,731	95,040
A1670.811 Central Printing & Supply	11,364	16,092
A1680.811 Information Technology	90,550	108,024
A2960.811 Preschool Special Education	6,312	6,636
A2961.811 Early Intervention Program	25,932	26,292
A3020.811 Communications Center	128,580	141,216
A3110.811 Sheriff Department	314,808	354,600
A3140.811 Probation	136,764	145,968
A3150.811 Correctional Facility	576,696	613,608
A3410.811 Fire Control-Emergency Preparedness	10,548	10,716
A4010.811 Public Health Administration	119,424	106,656
A4012.811 Public Health Preventive	105,708	80,616
A4013.811 Public Health Home Care	313,296	258,576
A4090.811 Public Health Environmental	26,000	37,260
A4306.811 Mental Health Clinic Children	92,055	75,444
A4308.811 Mental Health Clinic Adult	160,949	156,144
A4309.811 Mental Health Adapt Programs	62,436	60,432
A4310.811 Mental Health Administration	73,068	83,184
A6010.811 Department of Social Services	886,356	946,632
A6510.811 Veterans Agency	29,952	26,544
A6610.811 Consumer Affairs	10,548	25,248
A7145.811 Youth Programs Administration	21,096	21,432

A7510.811	Historian	6,312	6,636
A8020.811	Planning	59,040	61,620
A9902.98	Contribution to Health Insurance	774,000	626,252
	Control Totals	<u>\$ 4,822,436</u>	<u>\$ 4,822,436</u>

**Risk Retention Fund**

Revenue

Hospital & Medical Insurance

CS5031.5010	General Charges	\$ 4,168,904	\$ 4,316,652
CS5031.5020	Contribution from General	774,000	626,252
	Control Totals	<u>\$ 4,942,904</u>	<u>\$ 4,942,904</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 51**

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

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

**Modification No. 1**

**General Fund**

**1410 County Clerk**

**Expense**

	<u>From</u>	<u>To</u>	
A1410.404	Office Equipment	\$ 2,300	\$ 1,723
A1410.2025	Map Cabinet	3,000	3,577
	Control Total	<u>\$ 5,300</u>	<u>\$ 5,300</u>

**Modification No. 2**

**General Fund**

**3110 Sheriff Department**

**Expense**

	<u>From</u>	<u>To</u>	
A3110.40103	Livescan Updates & Maintenance	\$ 3,750	\$ 3,960
A3110.463	Polygraph/Psychological Exams	10,500	10,290
	Totals	<u>\$ 14,250</u>	<u>\$ 14,250</u>

**3150 Sheriff-Correctional Facility**

**Expense**

	<u>From</u>	<u>To</u>	
A3150.4051	Livescan Updates & Maintenance	\$ 3,750	\$ 3,960
A3150.465	Psychological/Polygraph Testing	2,500	2,290
	Totals	<u>\$ 6,250</u>	<u>\$ 6,250</u>

**3989 Navigation & Snowmobile Patrol**

**Expense**

<u>From</u>	<u>To</u>
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A3989.4847	Snowmobile Equipment Repair & Expense	\$ 1,000	\$ 3,000
A3989.4425	Personnel Uniforms & Equipment		
	Navigation	3,000	1,500
A3989.4426	Personal Gear Snowmobile	<u>1,500</u>	<u>1,000</u>
	Totals	<u>\$ 5,500</u>	<u>\$ 5,500</u>

**Modification No. 3**

**General Fund**

**4316 Mental Health-Liberty Resources**

**Revenue**

	<u>From</u>	<u>To</u>
A3490.3082 St. Aid – Liberty Resources	\$105,008	\$124,140
Control Total		<u>\$ 19,132</u>

**Expense**

A4316.4274 CSS – Liberty Resources	\$105,008	\$124,140
Control Total		<u>\$ 19,132</u>

**Modification No. 4**

**Enterprise Landfill Fund**

**8167 Landfill-Future Expansion**

**Expense**

	<u>From</u>	<u>To</u>
EE8167.402 Miscellaneous Expense	<u>\$ 5,000</u>	<u>\$ 80,000</u>
Control Total		<u>\$ 75,000</u>

EE599 Appropriated Net Assets	<u>\$492,275</u>	<u>\$567,275</u>
Control Total		<u>\$ 75,000</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 52**

**DIRECTING THE COUNTY ATTORNEY’S OFFICE TO  
DRAFT LEGISLATION TO ALLOW MADISON COUNTY TO IMPOSE AN  
ADDITIONAL MORTGAGE RECORDING TAX IN MADISON COUNTY TO  
SUPPORT EMERGENCY COMMUNICATIONS SYSTEM UPGRADE PROJECT**

**WHEREAS**, the imposition of an additional mortgage recording tax shall be in addition to the taxes imposed by Section 253 of the Tax Law; and

**WHEREAS**, Madison County seeks legislation that would allow the county to impose and collect an additional mortgage recording tax of \$0.25 per each \$100, and each remaining major fraction thereof, of mortgage principal debt or obligation at the date of mortgage execution or coming due during the term of the mortgage, for a period of up to ten (10) years; and

**WHEREAS**, the purpose of this additional recording tax is to partially fund debt service payments for the federally mandated improvements of the

Emergency Communications System Upgrade Project implemented by Board Resolution 207-09; and

**WHEREAS**, it is the intent of the Board to impose this tax only so long as there are debt payments on that Project and when those payments cease to exist, the tax shall be terminated; and

**WHEREAS**, financial support for this project from New York State sources has not materialized due to the dire State financial situation nor has federal funding support materialized to the extent necessary to fund this project; and

**WHEREAS**, the Board of Supervisors recognize that our State Senate and Assembly representatives will write the legislation necessary to allow Madison County to impose an additional mortgage recording tax in Madison County;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors directs the County Attorney's office to work with our state Senate and Assembly representatives to draft legislation to impose an additional mortgage recording tax in Madison County, the proceeds of which will be disbursed to the County to apply to Emergency Communications System Upgrade Project debt payments; and

**BE IT FURTHER RESOLVED**, that in so far as the State is willing and able to do so, the proposed legislation should incorporate the following:

1. Impose an additional mortgage recording tax of up to \$0.25.

### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 53**

#### **DIRECTING THE COUNTY ATTORNEY'S OFFICE TO DRAFT LEGISLATION TO ALLOW MADISON COUNTY TO INCREASE ITS ACCESS LINE SURCHARGE TO PAY FOR THE COSTS OF MAINTAINING AND OPERATING AN EMERGENCY 911 COMMUNICATIONS SYSTEM**

**WHEREAS**, in order to provide for health, safety and welfare of its residents, the County of Madison has established an Emergency 911 center, and is in the process of updating the Emergency Communications Network; and

**WHEREAS**, the cost to update and operate the equipment necessary to provide this essential service has increased dramatically, and the cost of providing the fully interoperable communications system is expected to reach \$19,500,000; and

**WHEREAS**, County Law section 303 permits a municipality to impose a surcharge on each access line in an amount not to exceed \$0.35 per month to help pay the costs of operating and maintaining an E-911 communications system; and

**WHEREAS**, Madison County seeks legislation that would allow the county to impose an additional surcharge of (\$.65) sixty-five cents per access line per month for a period of up to ten years, thereby helping the County to fund this vital emergency communications network; and

**WHEREAS**, the Board of Supervisors recognizes that it is the New York State Department of Taxation and our State Senate and Assembly Representatives that will write the legislation necessary to allow Madison County to increase the access line surcharge;

**NOW, THEREFORE BE IT RESOLVED**, the Madison County Board of Supervisors directs the County Attorney's office to work with the Department of Tax and Finance and our State Senate and Assembly Representatives to draft legislation to increase the access line surcharge; and

**BE IT FURTHER RESOLVED**, that in so far as the State is willing and able to do so, the proposed legislation should incorporate the following:

2. Surcharge increase of up to (\$.65) sixty-five cents on access lines.

### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 54**

#### **DIRECTING THE COUNTY ATTORNEY'S OFFICE TO DRAFT LEGISLATION TO ALLOW MADISON COUNTY TO INCREASE ITS ACCESS LINE SURCHARGE ON EACH WIRELESS COMMUNICATIONS SERVICE TO PAY FOR THE COSTS OF MAINTAINING AND OPERATING AN EMERGENCY 911 COMMUNICATIONS SYSTEM**

**WHEREAS**, in order to provide for health, safety and welfare of its residents, the County of Madison has established an Emergency 911 center, and is in the process of updating the Emergency Communications Network; and

**WHEREAS**, the cost to update and operate the equipment necessary to provide this essential service has increased dramatically, and the cost of providing the fully interoperable communications system is expected to reach \$19,500,000; and

**WHEREAS**, County Law section 303 permits a municipality to impose a surcharge on each access line in an amount not to exceed \$0.35 per month to

help pay the costs of operating and maintaining an E-911 communications system; and

**WHEREAS**, Madison County seeks legislation that would allow the county to impose an additional surcharge of (\$.70) seventy cents on wireless communications service for a period of up to ten years, thereby helping the County to fund this vital emergency communications network; and

**WHEREAS**, the Board of Supervisors recognizes that it is the New York State Department of Taxation and our State Senate and Assembly Representatives that will write the legislation necessary to allow Madison County to increase the access line surcharge for wireless communications service;

**NOW, THEREFORE BE IT RESOLVED**, the Madison County Board of Supervisors directs the County Attorney's office to work with the Department of Tax and Finance and our State Senate and Assembly Representatives to draft legislation to increase the access line surcharge for wireless communications service; and

**BE IT FURTHER RESOLVED**, that in so far as the State is willing and able to do so, the proposed legislation should incorporate the following:

3. Surcharge increase from (\$.30) thirty cents to (\$1.00) one dollar for wireless communications service.

**PENDING BOARD APPROVAL**

**END**

