

MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Tuesday, March 8, 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

**ADOPTING A COUNTY UNPAID JOB SHADOWING AND INTERNSHIP
POLICY AND PROCEDURES**

WHEREAS, the County wishes to implement a formal policy to facilitate the offering of unpaid voluntary or credit based job shadowing or internship opportunities for high school and college students; and

WHEREAS, the Government Operations Committee has reviewed and approved this policy and procedures; and

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby adopts the Unpaid Job Shadowing and Internship policies and procedures effective immediately.

PENDING BOARD APPROVAL

RESOLUTION NO. 2

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE

WHEREAS, the Fire Directors and Instructors Conference will be held in Indianapolis, Indiana, March 23rd - 26th, 2011; and

WHEREAS, the Emergency Preparedness/Fire Coordinator has requested attendance at said conference; and

WHEREAS, all travel expenses will be funded 100% by the NYS Association of Fire Chiefs; 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 Joseph DeFrancisco be and hereby is authorized to attend said conference at no expense to the County.

PENDING BOARD APPROVAL

RESOLUTION NO. 3

**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 awaiting 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

RESOLUTION NO. 4

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER
INTO AN AGREEMENT WITH THE CSEA BLUE COLLAR UNIT**

WHEREAS, the Legislature of the State of New York enacted Article 14 of the Civil Service Law, which is known as the Taylor Law, and

WHEREAS, pursuant to Section 202 of the Civil Service Law, employees in the Blue Collar Unit are represented by the Civil Service Employees Association, Inc.; and

WHEREAS, the Board of Supervisors has recognized said employee organization for the purpose of negotiating collectively in accordance with Section 204 of the Civil Service Law; and

WHEREAS, on September 8, 2010 the County announced their intention to implement one person plowing on all plow routes in Madison County; and

WHEREAS, the County and the CSEA Blue Collar Unit have negotiated the impact of the implementation of one person plowing,

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and hereby is authorized and empowered to enter into the negotiated memorandum of agreement with the CSEA Blue Collar Unit.

PENDING BOARD APPROVAL

By Supervisor Salka:

RESOLUTION NO. 5

AUTHORIZING COUNTY ATTORNEY TO COMMENCE A LAWSUIT

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

WHEREAS, Daniel and Deborah Piper, parents and guardians of Diane Piper, are responsible for services rendered; and

WHEREAS, Mr. & Mrs. Piper have a balance of \$1,715.35 that is owed to the Madison County Department of Health; and

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

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney or his designee is hereby authorized to commence suit against Daniel and Deborah Piper to collect the past due balance of \$1,715.35 owed to the County of Madison.

PENDING BOARD APPROVAL

RESOLUTION NO. 6

AUTHORIZING COUNTY ATTORNEY TO COMMENCE A LAWSUIT

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

WHEREAS, Shawn and Lynette Murray, parents and guardians of Allyssa Murray, are responsible for services rendered; and

WHEREAS, Mr. & Mrs. Murray have a balance of \$1,298.67 that is owed to the Madison County Department of Health; and

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

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney or his designee is hereby authorized to commence suit against Shawn and Lynette Murray to collect the past due balance of \$1,298.67 owed to the County of Madison.

PENDING BOARD APPROVAL

RESOLUTION NO. 7

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH DR. SEELAN NEWTON FOR MEDICAL DIRECTOR SERVICES

WHEREAS, the Public Health Department operates a duly Certified Home Health Agency, Long Term Home Health Care Program, Medicaid Obstetrical and Maternal Services Program, Diagnostic and Treatment clinics, Physically Handicapped Program, Preschool and Early Intervention program; and

WHEREAS, the Public Health Department requires a Medical Director to consult in various programs; and

WHEREAS, both the Board of Health and the Public Health Services Committee feel it most expeditious to enter into an agreement with Dr. Seelan Newton for these services; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with Dr. Seelan Newton effective January 24, 2011 through December 31, 2011, as is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

RESOLUTION NO. 8

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 amended agreement will cover the period of April 1, 2011 through June 30, 2011 in the amount of \$ 23,281.50;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to sign said 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. 9

PUBLIC HEALTH DEPARTMENT APPROVED CHARGES AND FEE SCHEDULE

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

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

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

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

WHEREAS, both The Board of Health and The Public Health Services Committee agree to approve the charges as identified in Resolution 4-11 approved on January 4, 2011; and

WHEREAS, the Federal Register, Vol. 76, No 13, increased the 2011 HHS Poverty Guidelines and this will change our sliding fee scale as attached;

NOW, THEREFORE BE IT RESOLVED that the attached sliding fee scales are approved effective immediately.

PENDING BOARD APPROVAL

**2011 Sliding Fee Scale
Home Care Services**
(Resolution E – attachment 1 of 2)

Family Size	**200%	250%	300%	350%	400%
1	\$21,780	\$27,225	\$32,670	\$38,115	\$43,560
2	\$29,420	\$36,775	\$44,130	\$51,485	\$58,840
3	\$37,060	\$46,325	\$55,590	\$64,855	\$74,120
4	\$44,700	\$55,875	\$67,050	\$78,225	\$89,400
5	\$52,340	\$65,425	\$78,510	\$91,595	\$104,680
6	\$59,980	\$74,975	\$89,970	\$104,965	\$119,960
7	\$67,620	\$84,525	\$101,430	\$118,335	\$135,240
8	\$75,260	\$94,075	\$112,890	\$131,705	\$150,520
Each add'l person	\$7,640	\$9,550	\$11,460	\$13,370	\$15,280

Nursing Visit	\$40	\$80	\$120	\$160	\$200
PT Visit	\$32	\$64	\$96	\$128	\$160
OT Visit	\$23	\$46	\$69	\$92	\$115
ST Visit	\$25	\$50	\$75	\$100	\$125
MSW	\$30	\$60	\$90	\$120	\$150
Nutrition Visit	\$20	\$40	\$60	\$80	\$100
HHA/Hour	\$16	\$32	\$48	\$64	\$80
PCA/Hour	\$6	\$12	\$18	\$24	\$30

Flat Fee/One Time Service(Based on level of care required)					
BP Check	\$8	\$16	\$24	\$32	\$40
Toenails	\$8	\$16	\$24	\$32	\$40
Blood Work	\$9	\$18	\$27	\$36	\$45
Injections	\$9	\$18	\$27	\$36	\$45
PRI &Screen	\$40	\$80	\$120	\$160	\$200

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

with management.

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

Revised 2/07/11

2011 Sliding Fee Scale

Prevent Services

(Resolution E – attachment 2 of 2)

Family Size	**200%	250%	300%	350%	400%
1	\$21,780	\$27,225	\$32,670	\$38,115	\$43,560
2	\$29,420	\$36,775	\$44,130	\$51,485	\$58,840
3	\$37,060	\$46,325	\$55,590	\$64,855	\$74,120
4	\$44,700	\$55,875	\$67,050	\$78,225	\$89,400
5	\$52,340	\$65,425	\$78,510	\$91,595	\$104,680
6	\$59,980	\$74,975	\$89,970	\$104,965	\$119,960
7	\$67,620	\$84,525	\$101,430	\$118,335	\$135,240
8	\$75,260	\$94,075	\$112,890	\$131,705	\$150,520
Each Additional Person	\$7,640	\$9,550	\$11,460	\$13,370	\$15,280

Immunizations

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

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

Influenza	\$35
Pneumovax	\$60
Post Exposure Rabies	\$200

Note:** These percentages represent the Federal Poverty Level. If the monthly income,

based
on family size, falls between minimum and 1st column, fee scale amount is the minimum
column
or 200% of the federal poverty level. Use this same criteria across the columns. If the
income is
less than the minimum amount, special consideration must be made by addressing the
issue
with management.

Revised
2/7/11

RESOLUTION NO. 10

ENVIRONMENTAL HEALTH DIVISION APPROVED CHARGES AND FEE SCHEDULE

WHEREAS, Madison County Public Health Department provides Environmental Health services to residents and businesses operating in Madison County; and

WHEREAS, New York State Sanitary Codes requires such residents and businesses to secure permits and or approvals of certain work prior to operating or proceeding with said work; and

WHEREAS, the permit and plan review fees have not been increased or otherwise amended since 2007; and

WHEREAS, permit fee's for certain new programs (Tanning Facilities, Migrant Farm Worker Housing, Spray Park) need to be added to fee schedule; and

WHEREAS, the costs associated with providing said services has been determined to have increased; and

WHEREAS, the charges for providing these services to Madison County residents is based on the expenses incurred or otherwise established by State Sanitary Code; and

WHEREAS, both the Board of Health and The Public Health Services' Committee agree to approve the attached fee schedules for all environmental services;

NOW, THEREFORE BE IT RESOLVED that the attached charges are approved effective January 1, 2011.

PENDING BOARD APPROVAL

**MADISON COUNTY DEPARTMENT OF HEALTH
PLAN REVIEW FEE SCHEDULE – Effective January 2011**

PLAN REVIEW FEES – FOOD SERVICE ESTABLISHMENTS

<u>NEW CONSTRUCTION</u>	\$ 100.00
- ADD ON FOR ONSITE SEWAGE	\$ 125.00
- ADD ON FOR ON-SITE WATER (NEW NCWS)	\$ 150.00
 <u>ADDITIONS, ALTERATIONS, KITCHEN MODIFICATIONS</u>	 \$ 50.00
(Includes adding seating, dining room expansion, adding or enhancing bar area, etc)	
- ADD ON FOR ONSITE SEWAGE EXPANSION	\$ 75.00
- ADD ON FOR WATER SYSTEM MODIFICATIONS / MINOR / DISINFECTION TREATMENT (NCWS)	\$ 50.00 \$100.00

**PLAN REVIEW FEES – TEMPORARY RESIDENCES
(HOTELS / MOTELS, CAMPSITES, RV PARKS)**

<u>NEW CONSTRUCTION</u>	\$ 150.00
<u>EXPANSIONS, ALTERATIONS, MODIFICATIONS</u>	\$ 75.00
 ADD ON FEES: ONSITE SEWAGE SYSTEM (NEW OR EXPANSION)	 \$ 125.00
ONSITE WATER (NEW NCWS)	\$ 150.00
WATER SYSTEM MODIFICATIONS / MINOR	\$ 50.00
/ DISINFECTION TREATMENT, ETC.	\$ 100.00
POOL / BEACH	Per Schedule
FOOD SERVICE ESTABLISHMENT	Per Schedule

PLAN REVIEW FEES – POOLS / BATHING BEACHES/ SPRAY PARKS

<u>NEW FACILITIES: POOL / BATHING BEACH / SPRAY PARK</u>	\$ 150.00
ADD ON FEES; ON SITE SEWAGE SYSTEM (NEW OR EXPANSION)	\$ 125.00
ONSITE WATER (NEW NCWS)	\$ 150.00
EXISTING ON SITE WATER / IMPROVEMENTS	\$ 100.00
<u>EXPANSIONS, ALTERATIONS, MODIFICATIONS</u>	\$ 100.00

PLAN REVIEW FEES – MOBILE HOME PARKS

<u>NEW CONSTRUCTION / EXPANSION</u>	\$ 50.00/SITE
ADD ON FEES: ONSITE SEWAGE / INDIVIDUAL & COMMUNITY	\$ 75.00/SITE
ONSITE WATER, NEW CWS	\$ 150.00
ONSITE WATER, CWS MODIFICATIONS/ MINOR	\$ 50.00
ONSITE WATER, TREATMENT/ DISINFECTION, ETC.	\$ 100.00

PLAN REVIEW/APPROVAL FEES – WATER / WASTEWATER SYSTEMS

INDIVIDUAL SEWAGE DISPOSAL SYSTEM / RESIDENTIAL	\$ 125.00
WAIVER REQUEST; 75-A AND / OR 5-B REGULATIONS	\$ 50.00
PUBLIC WATER SUPPLY / CROSS CONNECTION PLANS	\$ 50.00
PUBLIC WATER SUPPLY/ NEW PWS (NON-MUNICIPAL)	\$ 150.00
PUBLIC WATER SUPPLY/ PWS MODIFICATIONS / MINOR	\$ 50.00
PWS / TREATMENT, ETC. (NON-MUNICIPAL)	\$ 100.00

**REALTY SUBDIVISION FEES (SEE SEPARATE FEE DETERMINATION SCHEDULE
MADISON COUNTY DEPARTMENT OF HEALTH
REGISTRATION FEES FOR PERMITTED ESTABLISHMENTS (Effective 2011))**

<u>FOOD SERVICE ESTABLISHMENTS</u>	<u>FEE</u>
R1 – HIGH RISK FSE / COMMISSARY	\$ 210.00
R2 – MEDIUM RISK FSE / COMMISSARY	\$ 185.00
R3 – LOW RISK FSE / COMMISSARY	\$ 135.00
TEMPORARY FOOD SERVICE	\$ 40.00/EVENT
MOBILE FOOD SERVICE*	\$ 160.00/UNIT
LIMITED LOW RISK (Ice Cream, Auctions, Cinemas)	\$ 85.00
CATERING SERVICES*	\$ 25.00
*NOTE-COMMISSARY REQUIRED/ADD FEE ASSOCIATED W RISK VARIES	
EFFECTIVE 12/01/11; Add On Fee for On site Water Supply	\$ 30.00

TEMPORARY RESIDENCES – HOTELS / MOTELS		
<u># ROOMS/UNITS:</u>	< 15	\$ 85.00
	15 – 50	\$ 135.00
	51 – 100	\$ 185.00
	> 100	\$ 235.00
<u>APPLICABLE ADD ON FEES:</u>	FOOD SERVICE / PER FSE RISK	
	WITH ON-SITE WATER SUPPLY*	\$ 30.00

TEMPORARY RESIDENCES – CAMPGROUNDS/ CABINS / RV PARKS		
<u># SITES/CAPACITY:</u>	< 15	\$ 85.00
	15 – 50	\$ 110.00
	51 – 100	\$ 135.00
	> 100	\$ 185.00
<u>APPLICABLE ADD ON FEES:</u>	FOOD SERVICE / PER FSE RISK	
	POOL/BEACH	\$ 100.00
	W/ ON-SITE WATER SUPPLY*	\$ 30.00

CHILDREN'S CAMPS \$ 200.00

MASS GATHERING \$2,000.00/EVENT +
Expenses

POOLS / BEACHES		
<u>SWIMMING POOLS</u>		
SEASONAL USE		\$ 150.00
YEAR-ROUND USE		\$ 185.00
<u>BATHING BEACHES</u>		\$ 100.00
<u>APPLICABLE ADD ON FEES;</u>	W/ ON-SITE WATER SUPPLY*	\$ 30.00

MOBILE HOME PARKS		
<u># SITES;</u>	5 – 14	\$ 110.00
	15 – 25	\$ 135.00

26 – 50	\$ 160.00
51 – 95	\$ 210.00
> 95	\$ 260.00
<u>APPLICABLE ADD ON FEES:</u>	
ON-SITE WATER SUPPLY < 15 SITES	\$ 50.00
> 15 SITES	\$ 100.00
<u>MIGRANT FARM HOUSING PERMIT</u>	\$ 150.00
<u>TANNING FACILITY</u>	Biennial Registration Fee
\$ 30.00	
	Biennial Inspection Fee/ per UV device \$ 50.00

**LATE APPLICATION / RENEWAL FEE (Refer to Code for submittal criteria)
\$25.00**

*** ADD ON FEE FOR ON SITE WATER SUPPLY APPLICABLE TO PRIMARY OPERATION ONLY**

RESOLUTION NO. 11

AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO A MANAGEMENT AGREEMENT WITH L. WOERNER, INC., d/b/a HCR

WHEREAS, Madison County Department of Health operates a certified home health agency and a long term home health care program; and

WHEREAS, the Board of Supervisors has passed resolution 518-10 declaring its intention to accept the proposal of L. Woerner, Inc., d/b/a HCR to assume the certified home health agency and a long term home health care program functions in Madison County; and

WHEREAS, the L. Woerner, Inc., d/b/a HCR and the County have entered into an Asset Purchase Agreement dated as of February 10, 2011 (Resolution 31-11) pursuant to which the L. Woerner, Inc., d/b/a HCR will acquire certain assets owned by the County that are used in connection with the County's operation of the certified home health agency and a long term home health care program; and

WHEREAS, it is a condition to L. Woerner, Inc., d/b/a HCR and the County's performance under the Asset Purchase Agreement that L. Woerner, Inc., d/b/a HCR and the County enter into this Agreement; and

WHEREAS, the County desires to retain the L. Woerner, Inc., d/b/a HCR to perform certain services for the County in connection with the County's operation of the certified home health agency and a long term home health care program and L. Woerner, Inc., d/b/a HCR desires to perform such services, upon the terms and conditions set forth in the Agreement; and

WHEREAS, the Agreement shall begin upon the approval of this Agreement by the Commissioner of Health of the State of New York and remain in effect until the closing of the Asset Purchase Agreement; and

WHEREAS, In consideration for the Services to be provided by the L. Woerner, Inc., d/b/a HCR pursuant to this Agreement, the County shall pay L. Woerner, Inc., d/b/a HCR a fee in the amount of Ten Thousand Dollars (\$10,000.00) per calendar month; and

WHEREAS, both the Board of Health and the Public Health Services Committee feel it most expeditious to enter into a Management Agreement with L. Woerner, Inc., d/b/a HCR for the performance of these services;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into a Management Agreement with L. Woerner, Inc., d/b/a HCR, as is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

RESOLUTION NO. 12

URGING THE GOVERNOR AND STATE LEGISLATURE TO DEVELOP PREDICTABLE AND STABLE CHILD CARE FUNDING

WHEREAS, the Madison County Board of Supervisors fully supports the Governor and State Legislature's developing approaches to child care funding that provide counties with stability and predictability over time; and

WHEREAS, since child care became a key work support component of welfare reform, funding for child care has been inconsistent, leaving counties little room for necessary strategic budgetary planning to adequately serve families in need; and

WHEREAS, child care is operated at the county level on a Federal fiscal year, October through September; however, New York State allocates the child care funding on a State fiscal year, April through March; and

WHEREAS, counties are forced to restrict eligibility, increase parent fees, create a waiting list, or use a combination of these strategies in order to combat the perpetual, dramatic unpredictability of funding for child care; and

WHEREAS, in 2008 and 2009, the New York State Office of Children and Family Services (OCFS) suddenly, and without sufficient notification for local planning purposes, diminished most child care allocations; and

WHEREAS, OCFS based these reduced illogical allocations on a level of rollover dollars that counties had, in good faith, held aside to manage the State's fluctuations in funding and unpredictable retroactive allocations; and

WHEREAS, administrative directives from New York State have been enacted and reversed within one child care fiscal year, thus creating these county rollover dollars; and

WHEREAS, there are multiple factors that may contribute to a funding deficit for child care subsidies for families: enrollment increases, average cost per child increases, reduced allocations, and increased market rates; and

WHEREAS, counties need the flexibility to raise or lower parental fees/eligibility levels to adjust to shifts in funding; and

WHEREAS, the impact on counties from the lack of stable and predictable funding for child care is devastating and ultimately will be felt in all the other social services program areas within the county, as well as negatively impact child care providers and further worsen the counties' economies;

NOW, THEREFORE, BE IT RESOLVED, that in order for Madison County to adequately serve the families who need this essential child care, the Governor and State Legislature must immediately address the fundamentally flawed and inconsistent child care funding stream and provide counties with predictable and stable funding; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this Resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

PENDING BOARD APPROVAL

RESOLUTION NO. 13

URGING NEW YORK STATE TO MAINTAIN ITS CONSTITUTIONAL COMMITMENT TO THE HEALTH AND WELLBEING OF CHILDREN ACROSS THE STATE BY MAINTAINING CURRENT FUNDING LEVELS, AS WELL AS AN OPEN-ENDED CHILD WELFARE FINANCING MECHANISM

WHEREAS, the current Foster Care Block Grant and the 62 percent/38 percent Preventive /Protective funding stream sunsets in April of 2012; and

WHEREAS, State mandated child welfare services for preventive and protective care have cost Madison County taxpayers over \$3.5 million in 2010; and

WHEREAS, providing child welfare protective and preventive services and support is one of nine major State mandates that consumes 90 percent of county property taxes; and

WHEREAS, the Proposed 2011-12 Executive Budget includes a \$45,000 decrease in State support for adoption assistance, effectively dropping the State share from 73.5 percent to 62 percent, with these costs being shifted to counties; and

WHEREAS, the proposed 2011-12 Executive Budget also eliminates \$181,715 in Youth Bureau funding, \$695,414 in Home Visiting funding (to Community Action Program), \$60,460 in Prevention of Detention funding (Life Coach Program and Wrap Around Funds), and \$69,056 in Summer Youth Employment funding; and

WHEREAS, this reduced funding and rise in caseloads has resulted in new unfunded mandates for counties; and

WHEREAS, Madison County DSS investigated 1,500 CPS reports in 2010 and cared for more than 88 children in the foster care system; and

WHEREAS, the safety and wellbeing of New York children should remain the State's highest priority; and

WHEREAS, the uncapped child welfare funding stream, currently at 62 percent State and 38 percent local share, coupled with the Foster Care Block Grant, has resulted in a dramatic reduction in the number of children in foster care; and

WHEREAS, the gradual, but steady, pullback in State funding support for a variety of human services programs, including child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, and youth detention and treatment creates an environment in which the State is directly moving away from its constitutional requirement to care for the needy, effectively forcing this State constitutional responsibility on county government and local property taxpayers; and

WHEREAS, Child Welfare preventive/protective funding has historically allowed counties to develop innovative community-based programs to reduce foster care placements; and

WHEREAS, Governor Cuomo and many members of the State Legislature have called for a 2 percent property tax cap, which will further exacerbate local budget pressures as additional costs are shifted from the State to counties for State-mandated programs;

NOW, THEREFORE, BE IT RESOLVED, that any effort to place a cap on or further reduce the child welfare funding stream is unacceptable, as well as the continued expansion of unfunded social services mandates placed on counties and New York City; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors firmly believes that New York State must keep its commitment to the health and wellbeing of children across the State by maintaining current funding levels and an open-ended child welfare financing mechanism; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

PENDING BOARD APPROVAL

RESOLUTION NO. 14

URGING THE GOVERNOR AND STATE LEGISLATURE TO ENACT MEANINGFUL AND COMPREHENSIVE JUVENILE JUSTICE (YOUTH DETENTION) REFORM

WHEREAS, the Madison County Board of Supervisors supports the efforts of Governor Cuomo to reform the juvenile justice system (youth detention) in the State of New York, which is plagued with an 80 percent recidivism rate and costs that approach \$250,000 per youth annually; and

WHEREAS, counties are mandated under State law to pay 50 percent of the costs of these juvenile justice placements in State facilities, costing county property taxpayers \$66,897 in 2010; and

WHEREAS, the cost of these youth detention services and support is one of nine major State mandates that consume 90 percent of county property taxes; and

WHEREAS, in addition, State budget actions in 2010 shifted \$36 million in costs to counties for State Youth Facilities, much of which was directly related to the failure of a State agency to properly manage and use federal funds; and

WHEREAS, the 2011-12 Proposed State Budget eliminates the current open-ended State matching funds for local secure and non-secure youth detention, replacing it with a reduced capped State commitment of funding; and

WHEREAS, counties have no control over youth detention placements, which creates fiscal uncertainty due to the elimination of open-ended state funding; and

WHEREAS, the State juvenile justice population has decreased dramatically over the past five years as counties have joined the State in developing alternatives to incarceration through the 62 percent /38 percent child welfare financing funding stream; and

WHEREAS, current State law requires that the cost of maintaining empty or minimally- populated youth detention facilities be passed on to counties, and also requires that these empty and underutilized facilities remain open for at least one year before they can be closed or consolidated; and

WHEREAS, the State Legislature should support the Governor's Budget Proposal to immediately repeal the law that keeps empty facilities open; and

WHEREAS, a more efficient and practical system would involve counties being responsible for 50 percent of the actual costs of serving juvenile delinquents in State custody, not costs associated with maintaining empty juvenile justice facilities across the State of New York; and

WHEREAS, State juvenile justice reform must focus on outcomes that limit recidivism and allow children in State custody to re-enter communities across the State with the necessary supports required to achieve success; and

WHEREAS, the existing child welfare financing of 62 percent /38 percent should be maintained providing counties with the necessary resources to assist the State in reforming the juvenile justice system; and

WHEREAS, Governor Cuomo and many members of the State legislature have called for a 2 percent property tax cap, which will further exacerbate local budget pressures as additional costs are shifted from the state to counties;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors urges the Governor and the Legislature of the State of New York to enact meaningful and comprehensive juvenile justice reform that provides incentives for local governments to find alternatives to incarceration for at-risk juveniles and improves treatment options and outcomes for these individuals and their families, while saving money for both the State and local taxpayers; and

BE IT FURTHER RESOLVED, that copies of this resolution are forwarded to Governor Andrew M. Cuomo, the full membership of the New York State Legislature and all others deemed necessary and proper.

PENDING BOARD APPROVAL

RESOLUTION NO. 15

CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO ENSURE ADEQUATE FUNDING AND LOCAL FLEXIBILITY IN THE USE OF FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDING AND THE FLEXIBLE FUND FOR FAMILY SERVICES (FFFS)

WHEREAS, under State law, counties are mandated to administer and pay for one-half of the non-federal share of public assistance program costs in New York; and

WHEREAS, the two primary public assistance programs, Temporary Assistance for Needy Families (TANF) and New York's Safety Net program, have cost Madison County property taxpayers over \$1.5 million in 2010; and

WHEREAS, providing TANF and Safety Net services and supports is one of nine major State mandates that consume 90 percent of county property taxes; and

WHEREAS, the State of New York and counties have achieved significant success in welfare reform, including reducing the public assistance caseload by over 60 percent in the last decade; and

WHEREAS, the current economic downturn has led to significantly increased caseloads in Madison County; and

WHEREAS, the federal Temporary Assistance for Needy Families (TANF) program is the key source of funding for welfare support services such as child care, transportation and employment services; and

WHEREAS, the federal Temporary Assistance for Needy Families (TANF) program together with foods stamps, child support enforcement, and medical assistance, have proven to be essential in transitioning families from cash assistance to paid employment and self-sufficiency; and

WHEREAS, the Flexible Fund for Family Services (FFFS) incorporates TANF funding into a block grant allocation that is meant for counties and the City of New York to customize their own service package to meet the specific needs of welfare recipients; and

WHEREAS, of the almost \$1 billion available in TANF funding, approximately \$622 million is dedicated to the FFFS and approximately \$342 million is set aside for the Child Welfare Threshold funding; and

WHEREAS, while the FFFS, in theory, provides county flexibility, the reality of counties' existing child welfare commitments, coupled with the elimination of the Local Administrative Fund in the 2009-10 enacted State Budget and extraordinarily high demand for services, has rendered most of this funding inflexible; and

WHEREAS, the FFFS creates challenges for counties given the potential for future TANF shortfalls, restrictions on available TANF dollars, and a growing need for services;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors calls on the Governor and State Legislature to ensure adequate funding and local flexibility in the use of TANF and FFFS funding; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors is opposed to the funding of increased provider reimbursements at the expense of other critical support services; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

PENDING BOARD APPROVAL

RESOLUTION NO. 16

URGING THE GOVERNOR AND STATE LEGISLATURE TO END THE UNFUNDED MANDATES CREATED BY THE ELIMINATION OF THE LOCAL ADMINISTRATIVE FUND (LAF), AND ADEQUATELY FUND THE ADMINISTRATIVE COSTS OF OPERATING BOTH THE FOOD STAMP AND SAFETY NET PROGRAMS

WHEREAS, the 2009-10 final State Budget eliminated the approximately \$310,000 State Local Administrative Fund (LAF) entirely; and

WHEREAS, the 2009-10 final State Budget funded the Flexible Fund for Family Services (FFFS) at over \$1.2 million, giving the appearance of a flexible fund for counties; however, the 2009-10 Budget also increased the Child Welfare Component Threshold required in the FFFS by \$300,000 – which predetermined how a portion of the LAF/FFFS funding must be spent, thus rendering the FFFS far less flexible; and

WHEREAS, moving the LAF dollars to Federal TANF funding eliminated any match for State mandated administrative expenses for Safety Net or Food Stamp administration, including the State share support for Safety Net

Administration, Safety Net Employment Program Administration, Food Stamp Program Administration and Food Stamp Employment & Training (FSET); and

WHEREAS, while Federal FFFS dollars are increased by the amount of the State dollar LAF elimination, many of the current reimbursements from the State LAF in Madison County cannot be shifted to the Federal FFFS, as these costs are ineligible for Federal FFFS reimbursement; and

WHEREAS, costs for the expenses that cannot be refinanced with FFFS dollars result in increased local share on a dollar-for-dollar basis, which means that Safety Net Administrative costs and Safety Net Employment Administrative costs are now 100 percent (vs. 50 percent) county cost, and Food Stamp Program Administration and Food Stamp Employment and Training are now 50 percent (vs. 25 percent) county cost; and

WHEREAS, the State of New York requires counties to conduct eligibility determinations for Food Stamps and Safety Net Assistance; and

WHEREAS, the removal of State general funds from the LAF effectively removed any State aid for the administrative costs of determining eligibility for both the Food Stamp Program and Safety Net Assistance Program; and

WHEREAS, Food Stamp enrollment has increased in Madison County by 41 percent over the past two years, requiring the county to increase the administrative costs associated with the Food Stamp Program; and

WHEREAS, with the onset of the current economic downturn, Safety Net Assistance enrollment has also increased in Madison County by 42 percent, requiring the county to increase the administrative costs associated with the program; and

WHEREAS, Madison County is currently responsible for over \$616,000 in administrative expenditures for both the Food Stamp and Safety Net Assistance Programs; and

WHEREAS, Governor Cuomo and many members of the State Legislature have called for a 2 percent property tax cap, which will further exacerbate local budget pressures as additional costs are shifted from the State to counties; and

WHEREAS, the 2009-10 elimination of the LAF dissolved the State's financial commitment to the administrative partnership in their own public assistance programs; and

WHEREAS, the gradual, but steady, pullback in State funding support for a variety of human services programs, including child welfare, adoption

subsidies, Food Stamp administration, Family Assistance, Safety Net and youth detention and treatment creates an environment in which the State is directly moving away from its constitutional requirement to care for the needy, effectively forcing this State constitutional responsibility on county government and local property taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors calls on the State to end the expansion of unfunded social services mandates on counties and New York City and to also fund the administrative costs of these varied programs; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to Governor Andrew M. Cuomo, the full membership of the New York State Legislature and all others deemed necessary and proper.

PENDING BOARD APPROVAL

RESOLUTION NO. 17

CALLING ON THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW YORK TO IMPLEMENT A FULL TAKEOVER OF ALL LOCAL COSTS OF THE MEDICAID PROGRAM IN ORDER TO REDUCE NEW YORK'S HIGHEST IN THE NATION LOCAL TAX BURDEN

WHEREAS, Medicaid is a federal, state, and local health care program in New York, and for which the costs and administration represent the largest component of the state and local fiscal relationship in New York, estimated to be more than \$58 billion in State fiscal year 2011-12 under current law; and

WHEREAS, since the program's inception, the State has mandated that counties and New York City administer and pay for a significant share of the costs of this program, with Madison County costs exceeding \$10 million in 2011, and even with local budget austerity measures, the program's cost has forced increases in property taxes for decades, along with a decline in the number and comprehensiveness of discretionary county services; and

WHEREAS, Medicaid is the largest of the nine major State mandates that drive increases in county property taxes; and

WHEREAS, in 2010, the State Legislature enacted legislation that requires the State to assume local governments' administration of the Medicaid program, with assurances this action would generate savings for county property taxpayers; and

WHEREAS, the New York State Department of Health has not defined with clarity how it intends to assume these Medicaid administrative

responsibilities while also meeting the legislative intent of reducing counties' costs in the process and improving the delivery of services; and

WHEREAS, counties remain leery of a reform process that is intended to reduce overall costs to county property taxpayers when administration of the Medicaid program is responsible for less than two percent of all Medicaid expenditures; and

WHEREAS, if the State takeover of local Medicaid administrative costs is poorly implemented, it would negatively impact recipients' access to medical care and also increase costs for local property taxpayers; and

WHEREAS, Governor Cuomo and many members of the State Legislature have called for a 2 percent property tax cap under which the allowed annual growth in county property taxes would be almost entirely consumed by the State-required 3 percent increase in county Medicaid costs alone; and

WHEREAS, Congress has enacted comprehensive health care reform that greatly expands Medicaid coverage at enhanced federal matching rates and requires New York to review and reevaluate its existing Medicaid program and all public health spending with a focus on a modern, patient-driven system that ensures public integrity, improves patient outcomes, and places it on a fiscally sustainable path; and

WHEREAS, these federal reforms and subsidies can help New York to realign, right-size, and reduce its Medicaid and public health costs by billions of dollars annually;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors calls on the Governor and State Legislature to use savings available to New York under the federal health reform law, as well as the State takeover of local Medicaid administrative functions, as the first steps in a full and complete assumption of all county Medicaid costs, which will lead to significant property tax reductions and a lower local tax burden for Madison County taxpayers, vastly improving the State's economic competitiveness; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

PENDING BOARD APPROVAL

RESOLUTION NO. 18

OPPOSING GOVERNOR CUOMO'S PROPOSED

PRIMARY PREVENTION INCENTIVE PROGRAM

WHEREAS, Governor Cuomo has submitted his proposed 2011-2012 Executive Budget recommending the development of a Primary Prevention Incentive Program (PPIP); and

WHEREAS, this proposed PPIP consolidates and slashes by 50% a number of primary prevention and youth development funding streams, including Youth Development and Delinquency Prevention (YDDP), Special Delinquency Prevention Program (SDPP), and Runaway and Homeless Youth Act (RHYA), which are administered through the Youth Bureau system; and

WHEREAS, the creation of the PPIP eliminates these funding streams effective July 1, 2011 and provides for the distribution of funds on a competitive basis to counties, resulting in the elimination of funding to many rural counties, thereby promoting inequities in primary prevention and positive youth development services across New York State; and

WHEREAS, current youth development and prevention services are provided through a fair and equitable formula-driven allocation to Youth Bureaus through the New York State Office of Children and Family Services; and

WHEREAS, the PPIP will dismantle the current Youth Bureau system, structure and funding streams, and will have a devastating impact on our cost-effective primary prevention and youth development system; and

WHEREAS, youth development and primary prevention are essential in the continuum of critical services to youth; and

WHEREAS, if adopted, this portion of the Executive Budget would result in the minimal loss of \$181,715 of youth services dollars for Madison County; and

WHEREAS, the Madison County Board of Supervisors believes that providing primary prevention and youth development services and programs for youth is an investment, not only in delinquency prevention but also in the positive development of our young people in all ways;

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors hereby requests Governor Cuomo and the New York State Legislature to eliminate the concept of this Primary Prevention Incentive Program and maintain the current Youth Bureau funding streams, albeit with proportionate and reasonable reductions; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this resolution to Governor Andrew Cuomo, Assemblyman William Magee, Senator David Valesky, New York State Senate

Majority Leader Dean Skelos, New York State Assembly Speaker Sheldon Silver and all others deemed necessary and proper.

PENDING BOARD APPROVAL

RESOLUTION NO. 19

APPOINTING MEMBER OF THE COMMUNITY SERVICES BOARD

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

WHEREAS, there are currently two vacancies on the Board; and

WHEREAS, the Membership Committee has favorably reviewed an application for membership from: **Andy Ali, 124 Pleasant St. Canastota, New York 13032** and the Community Services Board has voted in favor of his appointment; and

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

NOW, THEREFORE BE IT RESOLVED, that Andy Ali be appointed to a four year term on the Madison County Mental Health and Community Services Board, with his term of membership running from March 1, 2011 through February 28, 2015.

PENDING BOARD APPROVAL

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 20

**AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT MODIFICATION
AND MODIFYING THE 2011 ADOPTED COUNTY BUDGET**

WHEREAS, the Office of Alcoholism and Substance Abuse has approved one-time funding for Liberty Resources Alcohol Community Residence Program (Maxwell House); and

WHEREAS, these additional funds result in 100% State Aid for 2011 to Liberty Resources Behavioral Healthcare, Inc.;

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

General Fund

<u>4316 Mental Health - Liberty Resources</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A3490.3083 St. Aid Liberty Resources	<u>\$282,394</u>	<u>\$286,894</u>
Control Total		<u>\$ 4,500</u>
<u>Expense</u>		
A4316.4276 Liberty Resources Halfway House	<u>\$282,394</u>	<u>\$286,894</u>
Control Total		<u>\$ 4,500</u>

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute a modification agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2011 through December 31, 2011 with Liberty Resources Behavioral Healthcare, Inc.

PENDING BOARD APPROVAL

By Supervisor Suits:

RESOLUTION NO. 21

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE BOARD OF ELECTIONS IN REGARDS TO THE HELP AMERICA VOTE ACT STATE GRANT

WHEREAS, the Madison County Board of Elections has been allocated State HAVA (Help America Vote Act) funds; and

WHEREAS, these funds are scheduled to expire on March 31, 2011 and the extension of this grant program is described as follows:

Awarding Agency: New York State
Pass Thru. Agency: New York State Board of Elections
Program Name: Voter Education/Poll-worker Training Program

Grant Period: April 1, 2011 – March 31, 2012
Contract # T002550
State Funds: \$ 40,509.00
Grant Total: \$ 40,509.00

NOW, THEREFORE BE IT RESOLVED, that the Chairman be hereby authorized to execute grant contracts for the Madison County Board of Elections with the State Board of Elections; a copy of which is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

By Supervisor Ball:

RESOLUTION NO. 22

AUTHORIZING THE CHAIRMAN TO APPLY FOR A STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP) GRANT FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR FINANCIAL YEAR 2010 (FY2010)

WHEREAS, the County of Madison is eligible to apply for a State Law Enforcement Terrorism Prevention Program (SLETPP) grant from the New York State Division of Homeland Security and Emergency Services (DHSES) for financial year 2010 (FY2010) in an amount not to exceed \$44,935; and

WHEREAS, a grant award requested under this program is to implement a "FY10 State Law Enforcement Terrorism Prevention Program" that will support a local law enforcement agency's efforts to Prevent terrorist attacks; protect the people of New York, our critical infrastructure and key resources; prepare to respond to and recover from terrorist attacks, effectively and efficiently in their locality; 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, this is a grant to acquire video conferencing hardware and software, arson/post blast investigation kits, video surveillance/monitoring equipment, and explosive investigation training; and

WHEREAS, the total cost of the program elements is \$44,935 and the grant will provide 100% of the total cost; and

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to sign any and all necessary

contract documents for a State Law Enforcement Terrorism Prevention Program (SLETPP) grant from the New York State Division of Homeland Security and Emergency Services (DHSES) for financial year 2010 (FY2010) in an amount not to exceed \$44,935.

PENDING BOARD APPROVAL

RESOLUTION NO. 23

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MADISON-ONEIDA BOCES

WHEREAS, it is necessary and required to provide educational services and programs to inmates at the Madison County Jail in the regular course of their incarceration; and

WHEREAS, the Sheriff of Madison County seeks to continue to cut costs and enhance the efficiency in the provision of such services and programs by utilizing the expertise of Madison-Oneida BOCES; and

WHEREAS, Madison-Oneida BOCES possesses experienced personnel with special skills and training required to perform the necessary services pursuant to the terms of the contract by providing a staff person to the Madison County Jail; and

WHEREAS, the term of this contract shall be from March 1, 2011 through February 28, 2012. This contract may be terminated without cause by either party hereto at any time upon thirty (30) days written notice of the intention to so terminate. The County reserves the right to terminate this Agreement for cause at anytime; and

WHEREAS, the County hereby agrees to pay Madison-Oneida BOCES a monthly rate of Three Thousand Seven Hundred Seventy Dollars and .33 cents (\$3,770.33) in full and final satisfaction of all services and expenses, which is a 3% increase from the previous year. The total amount of compensation shall not exceed Forty Five Thousand Two Hundred Forty Four Dollars (\$45,244); and

WHEREAS, this agreement has been reviewed and approved by the Criminal Justice, Public Safety and Telecommunications Committee; 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 Madison-Oneida BOCES, in the form as is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

RESOLUTION NO. 24

AUTHORIZING THE CHAIRMAN TO APPLY FOR AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (AKA: BYRNE JAG EQUIPMENT GRANT) FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the County of Madison is eligible to apply for a New York State Division of Criminal Justice Services Edward Byrne Memorial Justice Assistance Grant (AKA: Byrne JAG Equipment Grant) in an amount not to exceed \$50,000; and

WHEREAS, a grant award requested under this program is for the acquisition of equipment that will support a local law enforcement agency's efforts to effectively and efficiently reduce the incidence of crime and violence in their locality; 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, this is a grant to acquire and deploy two marked patrol vehicles with all wheel drive to increase the total number of patrol vehicles we have available and to provide an all wheel drive capability that we do not currently have; and

WHEREAS, the marked four wheel drive patrol vehicles will be deployed to support crime reduction efforts and are expected to contribute to reducing crime in our jurisdiction; and

WHEREAS, the total cost of the equipment is \$64,251.22; and the grant will provide for \$50,000 of this total cost; and

WHEREAS, the county agrees to provide for the remaining \$14,251.22 from public funds; 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 Criminal Justice Services Edward Byrne Memorial Justice Assistance Grant application, in an amount not to exceed \$50,000 having a total project cost of \$64,251.22.

PENDING BOARD APPROVAL

RESOLUTION NO. 25

AUTHORIZING THE CHAIRMAN TO APPLY FOR AND PARTICIPATE AS A PARTNER WITH SYRACUSE UNIVERSITY IN APPLICATION FOR A BUILDING AND ENHANCING CRIMINAL JUSTICE RESEARCHER-PRACTITIONER PARTNERSHIPS GRANT (CFDA 16.560) UNDER THE CRIMINAL JUSTICE RESEARCHER-PRACTITIONER FELLOWSHIP PLACEMENT PROGRAM AREA FROM THE NATIONAL INSTITUTE OF JUSTICE

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

WHEREAS, the County of Madison is eligible to apply for and participate as a partner with Syracuse University in application for a Building and Enhancing Criminal Justice Researcher- Practitioner Partnerships Grant (CFDA 16.560) under the Criminal Justice Researcher-Practitioner Fellowship Placement Program area from the National Institute of Justice in an amount not to exceed \$350,000; and

WHEREAS, the National Institute of Justice (NIJ), under the United States Department of Justice is interested in supporting collaborative partnerships between researchers and criminal justice practice-based organizations. It is anticipated that this program will establish new criminal justice researcher-practitioner partnerships that can continue throughout the career of the researchers and criminal justice organizations as well as promote future partnerships; and

WHEREAS, the Criminal Justice Researcher-Practitioner Fellowship Placement Program will support the placement of a researcher within a criminal justice practice-based organization, in this case the Madison County Office of the Sheriff, with the objective to develop and analyze information and data having clear implications for criminal justice policy and practice in the United States. The researcher will work directly with Madison County and the Madison County Office of the Sheriff to conduct needed criminal justice research and/or evaluation related to the needs of the organization; and

WHEREAS, Syracuse University through the School of Information Studies Wireless Grids Lab has agreed to assign Joseph Treglia, as a Research Associate Professor, to this project to conduct research and assessment to meet the criminal justice related research needs and objectives of Madison County and the National Institute of Justice as proposed in the 2011 project narrative, application and statement of work, with guidance from senior faculty members; Prof. Steve Sawyer, Prof. Murali Venkatesh and Associate Prof. Lee McKnight; and

WHEREAS, this is conditioned on the formal approval and financial support of the project by the National Institute of Justice as it is described in the application and that Joseph Treglia meets required researcher qualification requirements for this position, as described in the application, at the time of project commencement, and

WHEREAS, the proposed period of activity and service of this grant and project is from October 1, 2011 through December 31, 2013; and

WHEREAS, Madison county bears no financial cost or obligation for salary and benefits for the Researcher(s) assigned or acting under this program; and

WHEREAS, Madison county has agreed to provide physical office space and basic office supplies in support of this project at the Madison County Sheriffs headquarters complex for the duration of the project, to include use of phone, fax, and internet connection; and

WHEREAS, The proposed project will, from the perspective of a rural upstate New York sheriff's department, investigate develop and analyze information and data that will lead to a better understanding of the information sharing processes and barriers that exist where local governments interact with other federal, tribal, state and local agencies as well as non-government agencies and organizations; and

WHEREAS, Madison county agrees to provide from the project:

1. A final report providing a comprehensive overview of the project and a detailed description of the project design, data, and methods; a full presentation of scientific findings; and a thorough discussion of the implications of the project findings for criminal justice practice and policy in the United States.
2. Quarterly financial reports, semi-annual progress reports, and a final progress report.
3. If applicable, each data set that was collected, acquired, or modified in conjunction with the project.

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 to apply for and participate as a partner with Syracuse University in application for a Building and Enhancing Criminal Justice Researcher- Practitioner Partnerships Grant (CFDA 16.560) under the Criminal Justice Researcher-Practitioner Fellowship Placement Program area from the National Institute of Justice in an amount not to exceed \$350,000.

PENDING BOARD APPROVAL

RESOLUTION NO. 26

AUTHORIZING A UTILITY EASEMENT TO NATIONAL GRID IN THE TOWN OF FENNER

WHEREAS, Madison County purchased 1 acre of raw land (tax parcel no. 77.-02-49.12) in the Town of Fenner for the construction of a radio tower for the upgrade of the county's Public Safety Communication System; and

WHEREAS, National Grid wishes to locate and install a new power line to provide service to this parcel located off of Carrys Hill Road; and

WHEREAS, to effect such a service it is necessary to cross a portion of land owned by Mary Hirt and Thomas Lyga (tax parcel no. 77.-02-49.12); and

WHEREAS, the National Grid has requested an Easement from the county to install and maintain such electrical line as shown and described in the proposed easement agreement and accompanying drawing; and

WHEREAS, the Director of E-911 and C&S Engineers, the project managers of the Public Safety Communication System upgrade has reviewed and recommended approval of same;

NOW, THEREFORE BE IT RESOLVED, that the National Grid be and is hereby granted a Utility Easement to install and maintain a electrical line in the Town of Fenner, a copy of which easement agreement is filed with the Clerk of this Board, and the Chairman of this Board is authorized and directed to execute such easement on behalf of the County; and

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

PENDING BOARD APPROVAL

RESOLUTION NO. 27

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MADISON COUNTY COOPERATIVE EXTENSION

WHEREAS, the County has received a Federal Grant for \$95,250 through the FFY 2008 Department of Homeland Security Grant Program to support the County's efforts to build capabilities to prevent, protect, respond and recover from catastrophic events, including those caused by acts of terrorism; and

WHEREAS, a portion of this grant was written to provide the Madison County Citizens Corps Council with funds to be used to deliver citizen preparedness education outreach to its citizenry; and

WHEREAS, an element of contract WM07837080 between Madison County and the NYS Division of Homeland Security and Emergency Services includes an allocation of \$15,000 to provide outreach training in home disaster survival skills to targeted elementary school children; and

WHEREAS, Cornell Cooperative Extension of Madison County has the requisite experience and noted expertise in recruiting and managing volunteer resources and delivering educational programs to school aged children that will be the cornerstone of this grant project;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board be authorized to enter into an agreement with the Madison County Cooperative Extension, a copy of which is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

RESOLUTION NO. 28

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, it is necessary to enter into an agreement with the NYS Division of Criminal Justice Services for Ignition Interlock Monitoring Services from the Governor's Traffic Safety Committee Grant; and

WHEREAS, the amount of \$114.66 is to be paid one time for each individual who receives ignition interlock monitoring services through the Probation and District Attorney's offices; and

WHEREAS, the Criminal Justice Committee has reviewed and approved the signing of this contract; and

WHEREAS, this contract covers the one year life of this grant (October 2010 – September 2011); and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to enter into a contract with the NYS Division of Criminal Justice Services, a copy of which is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

By Supervisor Cary:

RESOLUTION NO. 29

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT FOR CLEANING SERVICES (KLOSTER CLEANING)

WHEREAS, the Employment & Training Department presently has an agreement with Kloster Cleaning of 1137 Hubbard Place, Oneida, NY 13421 for the cleaning services at The Career Center located at 1006 Oneida Plaza Drive, Oneida, New York 13421; and

WHEREAS, it is necessary to renew the cleaning services agreement at this time; and

WHEREAS, Kloster Cleaning has agreed to continue the service at the same rate of \$523.00 per month, not to exceed the amount of \$6,276.00 per year; and

WHEREAS, the rate has remained the same for four (4) years and the services of Kloster Cleaning have been acceptable to the Employment and Training Director; and

WHEREAS, the above cost is paid for by the One-Stop partners located in the Career Center using Federal and State money with NO County funds involved;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to renew this Agreement with Kloster Cleaning for a period commencing on April 15, 2011 and expiring on April 14, 2012, a copy of which is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

RESOLUTION NO. 30

AUTHORIZING THE CHAIRMAN TO REQUEST FEDERAL SECTION 5311 CONSOLIDATED GRANT ASSISTANCE FOR PUBLIC TRANSIT

WHEREAS, the County of Madison is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, a request for a grant of funds for a project to provide public mass transportation service for Madison County for the 2011 and 2012 fiscal years; and

WHEREAS, the County of Madison and the State of New York have previously entered into a continuing Agreement which authorizes the undertaking of the Project and payment of the Federal Share; and

WHEREAS, the County of Madison makes application semi-annually to the New York State Commissioner of Transportation for such Federal aid used in Madison County 's rural transportation system; and

WHEREAS, the County of Madison is subcontracting with a third party subcontractor for the project described above;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors is authorized to act on behalf of the County of Madison to sign the grant application and complete the above-named project; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to act on behalf of the County of Madison to sign any and all agreements, required under this consolidated application, between the County of Madison and the State of New York for the above-named project; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to sign the contracts between Madison County and third party subcontractor Birnie Bus, Inc., or any third party subcontractor which may succeed Birnie Bus Inc. during the project period, necessary to complete the above-named public transportation project, a copy of which is on file with the Clerk of the Board, subject to the approval of the County Attorney.

PENDING BOARD APPROVAL

RESOLUTION NO. 31

DETERMINATION OF PRIORITY FOR MADISON COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, Madison County has reviewed its community development activities and needs; and

WHEREAS, Madison County has followed a citizen participation plan to develop its 2011 NYS Office for Community Renewal Community Development Block Grant application; and

WHEREAS, the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee has discussed the County's needs and the proposed approach to meeting the needs;

NOW, THEREFORE, BE IT RESOLVED THAT after review and consideration, the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee has determined that housing ownership is the County's priority community development need; and

BE IT FURTHER RESOLVED THAT Madison County should apply for a \$708,000 Office for Community Renewal Community Development Block Grant to assist first time home buyers purchase homes.

PENDING BOARD APPROVAL

RESOLUTION NO. 32

ACKNOWLEDGING INTRODUCTION OF A PROPOSED LOCAL LAW FOR THE YEAR 2011 AND CALLING FOR A PUBLIC HEARING

WHEREAS, Supervisor Cary has duly introduced proposed Local Law No. 1 for the year 2011 entitled "**MADISON COUNTY OCCUPANCY TAX LAW**", and

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

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held in the Chambers of the Board of Supervisors at the Madison County Office Building on April 12, 2011 at 10:45 a.m. or as soon thereafter as possible; and

BE IT FURTHER RESOLVED, that the Clerk of the Board duly publish a notice of said hearing in the official newspapers of the County at least five (5) days prior to the scheduled hearing date.

PENDING BOARD APPROVAL

By Supervisor Degear:

RESOLUTION NO. 33

RE-APPOINTING A MEMBER TO THE CAZENOVIA SEWER DISTRICT BOARD

WHEREAS, the Cazenovia Sewer District Board recommends that Mr. Jim Brady of Cazenovia, NY be re-appointed to the Cazenovia Sewer District Board for another term of office; and

WHEREAS, the Public Works Committee a their regular committee meeting approved of this re-appointment;

NOW, THEREFORE BE IT RESOLVED, that Mr. Jim Brady of Cazenovia, New York be hereby re-appointed to the Cazenovia Sewer District Board for a five (5) year term commencing on February 16, 2011 and expiring on February 15, 2016.

PENDING BOARD APPROVAL

RESOLUTION NO. 34

SUPPORT FOR THE DISSOLUTION AND TRANSFER OF THE MADISON COUNTY SEWER DISTRICT TO THE TOWN OF CAZENOVIA

WHEREAS, the Madison County Sewer Board and Town of Cazenovia Board have passed resolutions of support for the dissolution of the Madison County Sewer District and the transfer of the Madison County Sewer District's assets and liabilities from Madison County to the Town of Cazenovia; and

WHEREAS, numerous procedures and approvals are requisite necessary prior to the effectiveness of such dissolution, acquisition and transfer; and;

WHEREAS, the Madison County Board of Supervisors also desires to declare its' support with respect to said proposal; and

NOW, THEREFORE, BE IT RESOLVED, the Madison County Board of Supervisors supports the dissolution of the Madison County Sewer District and simultaneously transfer of the Madison County Sewer District's assets and liabilities to the Town of Cazenovia subject to the necessary procedures and approvals required therein.

PENDING BOARD APPROVAL

RESOLUTION NO. 35

AUTHORIZING THE CHAIRMAN TO ENTER INTO A MAINTENANCE AGREEMENT WITH CUMMINS NORTHEAST, INC.

WHEREAS, it is necessary to enter into a maintenance agreement for the bi-annual inspections to keep the generator systems, located in the County Office Building, Public Safety Building, Social Services Building, Public Health and Highway Department in top working condition; and

WHEREAS, the County Buildings and Grounds Committee have reviewed and approve of this maintenance agreement; and

WHEREAS, the maintenance agreement is for one year, commencing on March 31, 2011, in the amount of \$770.40 for the Public Safety Building, \$553.91 for the County Office Building, \$697.42 for the Social Services Building, \$631.41 for Public Health and \$561.15 for the Highway Department , a total of **\$3,214.29** per year with no increase from the previous year;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to enter

into a maintenance agreement with **Cummins Northeast, Inc. of Syracuse, NY**, a copy of which is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

By Supervisor DiVeronica:

RESOLUTION NO. 36

**ELIMINATING THE FEE FOR DISPOSING OF WASTE MOTOR OIL
AT THE MADISON COUNTY LANDFILL AND TRANSFER STATIONS**

WHEREAS, the Department of Solid Waste is currently using all of the waste motor oil being generated on site to heat the Madison County Landfill Operations/Maintenance Building; and

WHEREAS, additional waste oil is needed to heat the Landfill Operations/Maintenance Building for an entire heating season; and

WHEREAS, the current charge for disposal of up to two gallons of waste oil is one punch (\$2.65) on a solid waste disposal punch card; and

WHEREAS, the Solid Waste/Recycling Committee has discussed this proposal and recommends that the Board of Supervisors approve this change in the solid waste fee schedule.

NOW, THEREFORE, BE IT RESOLVED, that in order for Madison County to recover additional waste oil for heating purposes, the current charge for waste oil disposal is hereby rescinded; and

BE IT FURTHER RESOLVED, that the new waste oil disposal policy becomes effective immediately.

PENDING BOARD APPROVAL

RESOLUTION NO. 37

**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; and

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

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

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

1. ANDREW GARDNER
2. TERRY BLOWERS

PENDING BOARD APPROVAL

By Supervisor Reinhardt:

RESOLUTION NO. 38

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH THE STATE UNIVERSITY COLLEGE AT BUFFALO**

WHEREAS, in the preceding two years the County Clerk's Office has regained possession of four oil on canvass portraits of Madison County's earliest judges and leaders of the county,

WHEREAS, the portraits and are in poor condition from decades of storage in non-archival conditions,

WHEREAS, the Courthouse and the County Clerk's Office is desirous of displaying these portraits in the Madison County Courthouse as they once were,

WHEREAS, the County Clerk's office has been able to attain the acceptance of two portraits into the Graduate Program of the Art Conservation Department's clinic of the State University College at Buffalo for conservation and preservation work for material costs only,

WHEREAS, the costs have been apportioned in County Clerk/Historian's budgets and brought forward into 2011 budget with an estimate of \$2,300,

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 is hereby authorized to enter into an agreement on behalf of the County of Madison with the State University College at Buffalo, in the form as is on file with the Clerk of the Board.

PENDING BOARD APPROVAL

RESOLUTION NO. 39

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,

Gerald F. Dubach
P.O. Box 49
Eaton, NY 13334

Tax Map #136.-1-54
4.14 Acres & Residence
Town of Eaton

WHEREAS, the 2010 Morrisville Eaton Central School tax bill for this parcel included a \$15,000 value for a pole barn that was destroyed by fire prior to the March 1, 2010 taxable status date; and

WHEREAS, the 2010 Morrisville Eaton Central School tax bill was not paid to the school and was subsequently turned over to the Madison County Treasurer for relevy; and

WHEREAS, on November 18, 2010 the property owner did pay to the Madison County Treasurer the unpaid Morrisville Eaton Central School tax in the amount of \$1,217.51; and

WHEREAS, under Section 550; 2(a) of the New York State Real Property Tax Law, this is an “error in essential fact”, an entry on the tax roll of an improvement to real property which was removed or destroyed prior to taxable status date; and

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

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be and hereby is directed to refund the 2010 Morrisville Eaton School Taxes in the amount of \$240.60 due to this error.

PENDING BOARD APPROVAL

RESOLUTION NO. 40

AUTHORIZING THE MODIFICATION OF THE 2011 COUNTY BUDGET

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

Modification No. 1

General Fund

1640 Central Garage Expense

Expense

	<u>From</u>	<u>To</u>
A1640.2901 Car Lift	\$ 6,000	\$ 6,095
A1640.4820 Repair Parts	<u>56,030</u>	<u>55,935</u>

Control Total	<u>\$62,030</u>	<u>\$62,030</u>
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Modification No. 2

County Road Fund

5020 County Highway Engineering

Expense

	<u>From</u>	<u>To</u>
D5020.4110 Stormwater Compliance/Training	\$ 2,500	\$ 7,500

5110 Maintenance of Roads & Bridges

Expense

D5110.46001 Bridge Materials	<u>60,000</u>	<u>55,000</u>
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Control Total	<u>\$62,500</u>	<u>\$62,500</u>
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PENDING BOARD APPROVAL

**PROCLAMATION
DEVELOPMENTAL DISABILITIES AWARENESS MONTH
MARCH 2011**

WHEREAS, decades ago, a small group of parents, working against enormous odds fighting for the dignity of their children, created the Madison County ARC. They left a legacy that has changed the course of history for persons with developmental disabilities and their families throughout the county; and

WHEREAS, today Madison Cortland ARC has become a symbol for what parents, family members and persons with disabilities can do for themselves through dedication and perseverance. Due to the tireless efforts of Madison Cortland ARC more than 1,000 people they serve are living lives filled with opportunity, dignity and hope; and

WHEREAS, this year the Madison Cortland ARC will build upon its past successes to increase the public awareness and understanding of individuals with developmental disabilities. As a result, children and adults, in Madison County, may realize a future that will bring them the equality and fulfillment, which is the dream of every citizen of this county;

NOW, THEREFORE, I, John M. Becker, Chairman of the Madison County Board of Supervisors do hereby proclaim official recognition to the month of March as:

2011 Developmental Disabilities Awareness Month

celebrating the achievements and contributions of people with developmental disabilities in Madison County and urge all citizens to observe this proclamation.

END