

**MADISON COUNTY BOARD OF SUPERVISORS**  
**1<sup>st</sup> Day – Annual Session Monday, November 9, 2009**

The Board convened at 10:00 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present.

Pledge of Allegiance.

At this time Chairman Becker introduced and welcomed the four (4) newly elected Supervisors to the Board: Ralph Monforte, Town of Cazenovia, David Coye, Town of Georgetown, Robert Kuiper, Town of Hamilton and Roger Bradstreet, Town of Nelson, along with newly elected Sheriff, Allen Riley

Also joining us today is the new group of Madison County 4-H Interns along with Group Leader, Terry Lanterman-Becker.

Chairman Becker reminded everyone that Veteran's Day is this Wednesday, November 11, 2009, asking for recognition for the Veterans of the 174<sup>th</sup> Fighter Wing.

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

**COMMUNICATIONS**

1. Copy of a resolution from Saratoga County – Urging New York State and all New York State Counties and Cities to Adopt a Policy that Favors the Purchase of Personal Computers that are Powered by AMD Chips.
2. Copy of a resolution from Delaware County – Encouraging Immediate Relief for Dairy Farmers and Supporting Changes at the Federal Level Establishing the Price of Fluid Milk at the Farm Gate.
3. Copies of resolutions from Orleans County – Opposition to New York State Fee for Issuing License Plates and Supporting an Increase in Funding Provided to the Office of Fire Prevention and Control by the Dept. of State for Firefighter Training.
4. Copy of a resolution from Wyoming County – Urging Senators Schumer and Gillibrand and Congressman Lee to Oppose any "Carcieri Fix".

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services, Employment & Training/WIA and Cazenovia Sewer District:	\$1,921,446.32
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Miscellaneous Accounts:

\$ 176,298.66

### **UNFINISHED BUSINESS**

**Resolution No. 413-09 Accepting Offer Received by New York State Office of Parks Recreation Historic Preservation and Directing the Conveyance of County Owned Premises. TABLED BY: Supervisor DiVeronica, 2<sup>ND</sup> BY: Supervisor Jaquay on October 13, 2009.**

**Supervisor DiVeronica did not get the answer he was looking for regarding this resolution so it was suggested that this resolution be unanimously defeated and brought before the Board at a later date.**

**DEFEATED: NAYS – 1500 AYES - 0**

### **RESOLUTIONS**

**By Supervisor Cary:**

#### **RESOLUTION NO. 429-09**

#### **WAIVING THE RULES FOR RESOLUTIONS**

**RESOLVED**, that Rule 24 and Rule 24-A of the Madison County Board of Supervisors, to the extent requiring that all resolutions intended to be moved for adoption be filed with the Clerk not less than seven calendar days prior to the meeting, and copies mailed to all members with the meeting agenda; and to the extent providing that resolutions be filed with the Chairman of the appropriate legislative committee at least ten days prior to the meeting at which its introduction will be sought, be waived during this annual session so that all resolutions may be acted upon immediately. Nothing herein shall be construed to limit the ability to table resolutions until the next succeeding meeting pursuant to Rule 17.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Reinhardt:**

#### **RESOLUTION NO. 430-09**

#### **ACCEPTING TENTATIVE BUDGET AS FILED BY THE BUDGET OFFICER**

**WHEREAS**, Paul W. Miller, Madison County Budget Officer has on November 9, 2009, filed the fiscal year 2010 budget with the Clerk of the Board of Supervisors; and

**WHEREAS**, said 2010 tentative budget contains several amounts recommended for the conduct of fiscal year 2010 County Government;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors hereby acknowledge receipt of said budget; and

**BE IT FURTHER RESOLVED**, that in the event the Board of Supervisors fails to adopt by December 20, 2009, a budget for fiscal year 2010, the tentative budget with such changes, alterations, revisions, as shall have been made by resolutions of the Board of Supervisors, shall constitute the budget for fiscal year 2010 in accordance with Section 361 of the County Law.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 431-09**

**APPOINTING A COMMITTEE TO REVIEW THE 2010 TENTATIVE BUDGET**

**RESOLVED**, that the Standing Finance, Ways and Means Committee of this Board, who were duly appointed by the Chairman and affirmed by the Board of Supervisors be and the same are hereby designated as the proper Committee to review the tentative budget for 2010, which said budget was filed with the Clerk of this Board on Monday, November 9, 2009.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 432-09**

**AUTHORIZING PUBLIC HEARING ON THE TENTATIVE BUDGET  
FOR MADISON COUNTY (CAZENOVIA) SEWER DISTRICT  
FOR 2010**

**RESOLVED**, that the public hearing on the tentative budget for the Madison County (Cazenovia) Sewer District will be held at 9:00 a.m. on Tuesday, November 17, 2009; and

**BE IT FURTHER RESOLVED**, that pursuant to Section 271 of the County Law providing for the cost of improvements which will benefit each lot or parcel of land; the assessment roll has been filed in the office of the Clerk of the Board of Supervisors and is available for public inspection.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 433-09**

**AUTHORIZING PUBLIC HEARING ON THE TENTATIVE BUDGET FOR  
COWASELON WATERSHED DISTRICT FOR 2010**

**RESOLVED**, that the public hearing on the tentative budget for the Cowaselon Watershed District will be held at 9:10 a.m. on Tuesday, November 17, 2009; and

**BE IT FURTHER RESOLVED**, that the annexed detailed statement of the estimated expenditures and revisions and the assessment roll heretofore submitted by the administrative agency heretofore appointed pursuant to Section 299-p of the County Law, which has been filed in the office of the Clerk of the Board of Supervisors and a summary of the entire budget is available for public inspection.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 434-09**

**AUTHORIZING PUBLIC HEARINGS ON THE TENTATIVE COUNTY  
BUDGET FOR FISCAL YEAR 2010**

**RESOLVED**, pursuant to the provisions set forth in Section 359 of the County Law, public hearings on the tentative budget for fiscal year 2010 will be held on Tuesday, November 17, 2009 at the following times and locations:

- 9:20 a.m. Supervisors Chambers, Second floor, County Office Building #4,  
N. Court St., Wampsville, New York
  
- 7:00 p.m. Supervisors Chambers, Second floor, County Office Building #4,  
N. Court St., Wampsville, New York

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Bargabos:**

**RESOLUTION NO. 435-09**

**APPOINTING A PLANNING DIRECTOR**

**WHEREAS**, the County Planning Director retired effective August 15, 2009; and

**WHEREAS**, the members of the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee and the Government Operations Committee recommend that Scott G. Ingmire be appointed as Planning Director,

**NOW, THEREFORE BE IT RESOLVED** that Scott G. Ingmire of Oneida, New York be and hereby is appointed as Planning Director at the 2009 annual salary of \$64,371 effective immediately.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 436-09**

**AUTHORIZING THE CHAIRMAN TO EXECUTE A RELEASE AND AGREEMENT WITH UNIVERSAL BUILDERS CONTRACTORS INC. AND ERIE INSURANCE COMPANY**

**WHEREAS**, on or about May 26, 2009, water damage occurred at the Madison County Courthouse as a result of clogged roof drains; and

**WHEREAS**, the County of Madison filed an insurance claim against Universal Builders Contractors Inc. to recover damages sustained to the building; and

**WHEREAS**, the parties have resolved to settle this matter by payment by or on behalf of Universal Builders Contractors Inc. to the County of Madison the sum of Fourteen Thousand Six and 23/100 dollars (\$14,006.23), for said damages in addition to that which has been paid to D & S Professional Services separately for recovery and cleanup services; and

**WHEREAS**, Universal Builders Contractors Inc. and Erie Insurance Company, the release(s) are requiring the County of Madison to execute a Release and Agreement in order to settle this matter; and

**WHEREAS**, the County Buildings and Grounds Committee and the Government Operations Committee have reviewed and recommend the settlement of this matter and the execution of the Release and Agreement with regard to same;

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Madison accept the settlement of \$14,006.23 in full satisfaction of the claims against Universal Builders Contractors Inc. and Erie Insurance Company and that the Chairman of the Board of Supervisors be and hereby is authorized to execute the Release and Agreement with regard to the settlement of this matter.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 437-09**

**AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE**

**NACo BOARD OF DIRECTORS MEETING  
(Supervisor)**

**WHEREAS**, the NACo Fall Board of Directors Meeting will be held December 3-5, 2009 in Santa Rosa, California; and

**WHEREAS**, Town of Lenox Supervisor, Rocco DiVeronica, has been appointed to serve as an at-large member on this Board; and

**WHEREAS**, Supervisor DiVeronica has requested to attend said meeting; and

**WHEREAS**, his expenses for transportation, lodging and meals will be funded through appropriations in the 2009 Legislative Board's budget; and

**WHEREAS**, this request has been approved by the Government Operations Committee;

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Rocco DiVeronica be and hereby is authorized to attend said meeting at County expense not to exceed \$1,755.00.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 438-09**

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

**WHEREAS**, the Northeast Regional CAC Accreditation Boot Camp Training will be held November 9-11, 2009 in Providence, Rhode Island; and

**WHEREAS**, Doug Bailey, Undersheriff has requested that Renee Smith, CAC Director, attend this training; 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 and the Government Operations Committee;

**NOW, THEREFORE BE IT RESOLVED** that Renee Smith be and hereby is authorized to attend said training at no expense to the County.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 439-09**

**ESTABLISHING THE 2009 PERFORMANCE INCENTIVE PAYMENT FOR THE DEPUTY SHERIFF CAPTAIN**

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

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

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

**WHEREAS**, the Madison County Management Salary Plan authorizes the lump sum payment of \$1,000, which will not be added to base salary, to employees that have achieved two or more goals; and

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

**WHEREAS**, in accordance with policy, upon appeal, the Criminal Justice Committee concluded that incentive payment was earned and the Government Operations Committee concurs with said findings;

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

TITLE	PAYMENT
Deputy Sheriff Captain	\$ 1,000

**On motion by Supervisor Ball, seconded by Supervisor Degear, this resolution was TABLED.**

**RESOLUTION NO. 440-09**

**REALLOCATING TITLES IN THE MANAGEMENT SALARY PLAN FROM THE HIGHWAY DEPARTMENT**

**WHEREAS**, due to recent vacancies within the Highway Department, the County Highway Superintendent has made certain changes in the organizational structure of the department; and

**WHEREAS**, the County Highway Superintendent has requested the reallocation of the Deputy County Highway Superintendent position and the Highway Division Manager position in the Management Salary Plan due to increased duties and responsibilities resulting from the changes; and

**WHEREAS**, these requests have been reviewed and approved by the Personnel Officer; and

**WHEREAS**, the Public Works Committee and the Government Operations Committee have reviewed and approved the requested changes to the allocation of these titles in the Management Salary Plan,

**WHEREAS**, the additional salary and fringe benefits for this position will be funded through appropriations in the Highway Department budget resulting from vacancies; and

**NOW, THEREFORE BE IT RESOLVED** that the title of Deputy County Highway Superintendent be and hereby is reallocated from Grade L to Grade M in Appendix A of the Management Salary Plan; and

**BE IT FURTHER RESOLVED** that the title of Highway Division Manager be and hereby is reallocated from Grade J to Grade K in Appendix A of the Management Salary Plan.

**ADOPTED: AYES – 1500 NAYS**

**RESOLUTION NO. 441-09**

**ESTABLISHING THE 2010 SALARY FOR MADISON COUNTY SHERIFF**

**WHEREAS**, the Madison County Sheriff retired effective September 18, 2009; and

**WHEREAS**, the Board desires to establish the 2010 starting salary for his successor; and

**WHEREAS**, the Government Operations Committee members, at their regular meeting on October 29, 2009, recommended that the starting salary be \$73,500,

**NOW, THEREFORE BE IT RESOLVED** that the 2010 starting salary for the Madison County Sheriff be and hereby is established at \$73,500 effective January 1, 2010.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 442-09**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR THE ADMINISTRATION OF EARLY INTERVENTION IN ACCORDANCE WITH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

**WHEREAS**, Madison County Public Health Department, through the Preventive Health Programs, has administered the Early Intervention Program, which is a program to assist families of children ages 0-2 years with developmental delays by determining appropriate services for these children; and

**WHEREAS**, the New York State Department of Health has devoted much time to implement this program on the local level in an effort to assure continuity of care for all children who meet the criteria; and

**WHEREAS**, the New York State Department of Health is providing supplemental funding for local administration of the Early Intervention Program under the American Recovery and Investment Act of 2009:

Awarding Agency:	U.S. Dept. of Education/U.S. Dept. of Health & Human Services
Pass-through Agency:	New York State Department of Health
Catalog #:	84.181A
Program Name:	Early Intervention Administration
Grant Extension:	October 1, 2009 – September 30, 2011
Contract #:	C-025224
Federal Funds:	100%
Grant Total:	\$28,348

**WHEREAS**, the Public Health Services Committee has reviewed this grant renewal and finds it to be appropriate;

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

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

**Public Health Department**

**A4012 Preventive**

Expense	From	To
A4012.4102 EI Grant Expense	\$0	<u>\$ 28,348</u>
Control Total		<u>\$ 28,348</u>

Revenue	From	To
A4489. 2025 Fed Aid EI Grant	\$48,190	<u>\$76,538</u>
Control Total		<u>\$28,348</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 443-09**

**AUTHORIZING THE CHAIRMAN TO MODIFY AN AGREEMENT FOR THE CHILDHOOD LEAD POISONING PREVENTION GRANT AND MODIFYING THE 2009 BUDGET**

**WHEREAS**, the Board of Supervisors passed Resolution 324-09 on August 11, 2009 to enter an agreement with New York State Department of Health to renew the Childhood Lead Poisoning Prevention Grant; and

**WHEREAS**, it is necessary to modify the grant budget to cover expenses due to lead abatement; and

**WHEREAS**, both Board of Health and the Public Health Services Committee supports the budget modification;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of The Board of Supervisors be and is hereby authorized to modify the 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 2009 Adopted County Budget be modified as follows:

**Public Health Department**

**A4012 Prevent**

<u>Expense</u>	<u>From</u>	<u>To</u>
A4012.41037Lead Grant Expenses	\$ 5,310	\$ 7,806
A4012.41049 Prenatal Vitamins	1,200	0
A4012.40101Computer Equipment	<u>3,600</u>	<u>2,304</u>
Total	\$10,110	\$ 10,110
Control Total		<u>\$ 2,496</u>

**ADOPTED: AYES – 1500 NAYS - 0**

**By Supervisor Salka:**

**RESOLUTION NO. 444-09**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT WITH POMCO, INC.**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be and is hereby authorized to enter into an agreement with POMCO Inc., a copy of which is on file with the Clerk of the Board of Supervisors, making the Madison County Mental Health Department a participating provider for both mental health treatment services and alcoholism and substance abuse treatment services.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 445-09**

**APPOINTING MEMBERS TO THE MADISON COUNTY YOUTH BOARD**

**WHEREAS**, the Madison County Board of Supervisors must approve the appointment of members to the Madison County Youth Board, which acts as a community advisory board to the Madison County Youth Bureau; and

**WHEREAS**, the following individuals have been recommended by the membership of the Madison County Youth Board for appointment to the Youth Board and have been approved by the Social & Mental Health Services Committee;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors do hereby appoint **Melinda Whaley**, 2754 Perryville Road, Canastota and **Jill Moore**, Madison County Probation Department to the Madison County Youth Board for terms commencing on November 1, 2009 and expiring on December 31, 2011.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Ball:**

**RESOLUTION NO. 446-09**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT WITH SAFETY FIRST TRAINING AND CONSULTING**

**WHEREAS**, Madison County has been awarded grant monies by the New York State Office of Homeland Security from appropriations authorized by Congress under the FFY 2007 and FFY 2008 State Homeland Security Grant Program and

**WHEREAS**, these funds provide 100% federal reimbursement of eligible costs incurred in the effort to train first responders and to exercise emergency incident response planning documents dealing specifically with terrorism and weapons of mass destruction, and

**WHEREAS**, Michael Sudol of Safety First Training and Consulting, has the requisite training and expertise to provide the specialized services required of this planning, training and exercise program; and

**WHEREAS**, this agreement shall become effective on January 1, 2010 and expire on December 31, 2011

**NOW THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be authorized to extend an existing agreement with Safety First Training and Consulting at a cost of \$18,750 per annum ( a copy of which is on file with the Clerk of the Board ) to perform the required services.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 447-09**

**AUTHORIZING CHAIRMAN TO EXECUTE SUBLEASE AGREEMENT WITH ROBERT TACKABURY FOR MADISON COUNTY MULTI-DISCIPLINARY TEAM**

**WHEREAS**, the Madison County Children’s Advocacy Center, a grant-funded program through the Madison County Sheriff’s Department, has established a satellite interview site in the Hamilton area; and

WHEREAS, such site is located at 2556 Route 12B in the Town of Hamilton, New York, said location currently being leased by Robert L. Tackabury (“sublessor”); and

WHEREAS, the County and the sublessor had originally negotiated a sublease agreement for the initial period of the sublease which terminated on October 31, 2008, and which sublease agreement had been reviewed and approved by the Madison County Attorney’s Office, the county’s insurance agent and the sublessor; and

WHEREAS, said sublease agreement had been previously extended to October 31, 2009; and

WHEREAS, said sublease agreement needs to be extended for an additional twelve-month period; and

WHEREAS, except for the term of the sublease, all other language of the sublease remains unchanged; and

WHEREAS, said sublease has also 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 hereby is authorized to execute the aforesaid sublease agreement on behalf of the County of Madison and the Madison County Multi-Disciplinary Team, in the form and as is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1437 NAYS – 0 ABSTAIN – 63 (Bono)**

**RESOLUTION NO. 448-09**

**AUTHORIZING THE CHAIRMAN AND THE SHERIFF TO ENTER INTO AN AGREEMENT TO PROVIDE SPECIALIZED LAW ENFORCEMENT SERVICES WITH THE VILLAGE OF EARLVILLE**

**WHEREAS**, The Village of Earlville has requested of the Madison County Sheriff a provision to it of specialized law enforcement services, consisting of coverage in excess of that usually and normally furnished by the Sheriff to the village; and

**WHEREAS**, the Sheriff is willing to provide such coverage presently to the extent of up to 16 man hours per week, subject to increase or decrease upon the mutual agreement of the Sheriff and the Village of Earlville; and

**WHEREAS**, the Village of Earlville will reimburse the Sheriff at an hourly

rate of \$30.00 per hour for the part-time personnel, which personnel shall be used predominantly where reasonably possible; and will reimburse the Sheriff at a rate based upon the rate payable by the County to full-time deputies in the event the same shall be required to be used, which rate shall be inclusive of fringes, benefits, and related allocable costs; and

**WHEREAS**, the sheriff shall furnish the vehicle, all labor, equipment and supplies required to deliver said services and the Village shall provide and maintain an office, necessary office equipment (including but not limited to a telephone, computer, printer parking space/facility), all is more fully set forth in this Agreement; and

**NOW, THEREFORE BE IT RESOLVED** that the Sheriff and the Chairman of the Board of Supervisors be and are hereby authorized to execute an agreement with the Village of Earlville for the provision of Specialized Law Enforcement Services, for a term of two years commencing September 1, 2009, in the form as is on file with the Clerk of this Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 449-09**

**AUTHORIZING THE CHAIRMAN AND THE SHERIFF TO ENTER INTO AN AGREEMENT TO PROVIDE SPECIALIZED LAW ENFORCEMENT SERVICES WITH THE VILLAGE OF MORRISVILLE**

**WHEREAS**, The Village of Morrisville has requested of the Madison County Sheriff a provision to it of specialized law enforcement services, consisting of coverage in excess of that usually and normally furnished by the Sheriff to the village; and

**WHEREAS**, the Sheriff is willing to provide such coverage presently to the extent of up to twenty (20) man hours per week, subject to increase or decrease upon the mutual agreement of the Sheriff and the Village of Morrisville; and

**WHEREAS**, the Village of Morrisville will reimburse the Sheriff at an hourly rate of \$30.00 per hour for the part-time personnel, which personnel shall be used predominantly where reasonably possible; and will reimburse the Sheriff at a rate based upon the rate payable by the County to full-time deputies in the event the same shall be required to be used, which rate shall be inclusive of fringes, benefits, and related allocable costs of \$60.00 per hour; and

**WHEREAS**, the Sheriff shall furnish the vehicle, all labor, equipment and supplies required to deliver said services and the Village shall provide and maintain an office, parking space and facility, all is more fully set forth in this Agreement; and

**NOW, THEREFORE BE IT RESOLVED** that the Sheriff and the Chairman of the Board of Supervisors be and are hereby authorized to execute an agreement with the Village of Morrisville for the provision of Specialized Law Enforcement Services, for a term of two years commencing December 1, 2009, in the form as is on file with the Clerk of this Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 450-09**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NYS-DOCS COOKS/CHILL PROGRAM**

**WHEREAS**, the Madison County Sheriff's Office wishes to enter into an agreement to procure food products from the New York State Department of Correctional Services' Office of Nutritional Services located in Rome, New York; and

**WHEREAS**, DOCS will provide food products as requested by the Madison County Jail that are standard production items processed consistent with DOCS menu items and DOCS transportation staff will deliver food products to Madison County Sheriff's on a weekly basis; and

**WHEREAS**, the term of this agreement shall be from January 1, 2010 until December 31, 2012; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and he is hereby authorized to enter into agreement with NYS Department of Correctional Services' Office of Nutritional Services, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisors Ball and Reinhardt:**

**RESOLUTION NO. 451-09**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT FOR A FEDERAL GRANT**

**WHEREAS**, Madison County has received a Federal Grant through the New York State Governor's Traffic Safety Committee; and

**WHEREAS**, the Federal awards grant is identified as follows; and

Awarding Agency: National Highway Safety Administration

Pass-through Agency: NYS Governor's Traffic Safety Committee  
 Catalog #: 20.600  
 Program Name: Buckle Up New York – Click It or Ticket  
 Award Year: October 1, 2009 through September 30, 2010  
 Federal Funds Percentage: 100%  
 Grant No.: BUNY-2010-Madison Co SO 00135-(027)  
 Total Grant Amount: \$1,980; and

**WHEREAS**, the funding agencies have approved the following budget for this project during the project year 10/1/2009 – 9/30/2010

<b><u>3112 Sheriff - "BUNY" Federal Grant</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
<b><u>Revenue</u></b>		
A4389.1025 Federal Aid "BUNY" Grant 2009 - 2010	<u>\$ 0</u>	<u>\$1,980</u>
Control Total	<u>\$ 0</u>	<u>\$1,980</u>
<b><u>Expense</u></b>		
A3112.112 Personal Services	<u>\$ 0</u>	<u>\$1,980</u>
Control Total	<u>\$ 0</u>	<u>\$1,980</u>

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

**BE IT FURTHER RESOLVED**, that the adopted 2009 County Budget be modified in accordance with this grant.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Degear:**

**RESOLUTION NO. 452-09**

**AUTHORIZING CHAIRMAN TO ENTER INTO A GOVERNMENT RENTAL RENEWAL PROGRAM WITH PITNEY BOWES**

**WHEREAS**, the County through the Central Services Department has a contract with Pitney Bowes for a DM1000 Mail Processor; and

**WHEREAS**, Pitney Bowes offers to upgrade our DM 1000 Mail Processor to a DM 1100 Mail Processor through a Government Rental Renewal Program, New York State Contract No. PC61730; and

**WHEREAS**, Pitney Bowes offers to upgrade our equipment before the price increase on June 30, 2010 which will save Madison County \$348.00 per year over the length of the lease; and

**WHEREAS**, the present cost is \$2,538.00/quarterly which is due to expire on June 30, 2010; and

**WHEREAS**, the new program will cost \$2,451.00/quarterly, starting January 1, 2010 for 51 months: and

**WHEREAS**, the County Buildings and Grounds Committee have reviewed and recommend that the Board of Supervisors approve of this renewal program;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into the government Rental Renewal Program with Pitney Bowes effective January 1, 2010, a copy of which is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 453-09**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT**

**WHEREAS**, the Central Services Department presently has an agreement with the PRESSTEK Company of Des Plaines, Illinois for the maintenance of the off-set machine and related equipment; and

**WHEREAS**, it is necessary to renew the maintenance agreement at this time; and

**WHEREAS**, the agreement is in the amount of \$3,216.00, an increase of \$35.38,

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to renew this maintenance agreement for a period of one (1) year, commencing on January 1, 2010 and expiring on December 31, 2010, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Moran:**

**RESOLUTION NO. 454-09**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE “LOCAL PLAN MODIFICATION” FOR THE LOCAL WORKFORCE INVESTMENT AREA OF HERIMER-MADISON AND ONEIDA COUNTIES**

**WHEREAS**, the New York State Department of Labor is requiring the execution of an addendum to the Workforce Investment Act Local Plan for Program Year 2009 – 2010; and

**WHEREAS**, the Local Plan requires the Local Workforce Investment Board to reflect upon the current One-Stop delivery system, identify gaps and workforce challenges within our communities and consider the manner in which we will strategically move our system forward in alignment with State and Federal priorities and directives; and

**WHEREAS**, said addendum was developed in collaboration with the Local Workforce Investment Board and would explain the strategies to provide high quality services to both jobseekers and employers in our three-County area; and

**WHEREAS**, said addendum directs the use of the 100% federally funded Workforce Investment funds with no impact on County budget,

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors for the County of Madison be and hereby is authorized to sign the document entitled “Local Plan Modification”, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 455-09**

**AUTHORIZING AN ECONOMIC DEVELOPMENT LOAN**

**WHEREAS**, Madison County maintains an economic development loan fund to assist in job creation and job retention; and

**WHEREAS**, Jill A. Clark dba Helping Hands Muscular Therapy will establish a practice in the village of Hamilton and has requested a loan in the amount of \$8,500 to purchase massage therapy equipment and supplies and;

**WHEREAS**, the project will create 1 - 2 part-time jobs over the next two years;

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors approve a loan to Jill A. Clarke dba Helping Hands Muscular Therapy, in the amount of \$8,500; and be it further

**RESOLVED**, that the Madison County Board of Supervisors authorize the Treasurer of Madison County to sign the documents necessary to close the loan on behalf of Madison County.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 456-09**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO A CONTRACT FOR THE HARVESTING OF TIMBER**

**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**, Madison County proposes to harvest timber from the County's forest land located on Jones Road in the Town of Nelson; and

**WHEREAS**, Madison County advertised for bids for the harvesting of the timber; and

**WHEREAS**, Back Forty Habitat and Timber Management, submitted the highest bid, twelve thousand six hundred ten (\$12,610.00) US Dollars; and

**WHEREAS**, the Madison County Board of Supervisors, as Lead Agency, has made a finding of no significant environmental impact under the State Environmental Quality Review Act relative to harvesting of timber from the Madison County Jones Road Forest on Jones Road;

**NOW, THEREFORE BE IT RESOLVED**, that Madison County Board of Supervisors hereby authorizes John M. Becker, Chairman of the Board, to enter into a contract (a copy of which is on file with the Clerk of this Board) with Back Forty Habitat and Timber Management of 3925 Old State Rd. Erieville, NY. 13061 for the harvesting of timber from the Madison County Jones Road Forest on Jones Road in the Town of Nelson.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 457-09**

**WRITE-OFF THE BALANCE OF AN ECONOMIC DEVELOPMENT LOAN**

**WHEREAS**, Madison County has an economic development loan fund available to assist in job creation and job retention; and

**WHEREAS**, an economic development loan was made to Equine & Pine , Inc in the amount of \$35,000 on June 18, 2004; and

**WHEREAS**, the current balance is \$26,511.90; and

**WHEREAS**, despite diligent efforts having been made to effect further collection of the balance; and

**WHEREAS**, the principals have filed a Chapter 7 Petition in Bankruptcy; the assets have been liquidated, and the Bankruptcy has been discharged;

**NOW, THEREFORE BE IT RESOLVED**, that said balance of \$26,511.90 be written off as uncollectible.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 458-09**

**WRITE-OFF THE BALANCE OF AN ECONOMIC DEVELOPMENT LOAN**

**WHEREAS**, Madison County has an economic development loan fund available to assist in job creation and job retention; and

**WHEREAS**, an economic development loan was made to Karn's Business Services in the amount of \$20,000 on August 31, 2005; and

**WHEREAS**, the current balance is \$6,992.77; and

**WHEREAS**, despite diligent efforts having been made to effect further collection of the balance; and

**WHEREAS**, the principal has filed a Chapter 7 Petition in Bankruptcy; there are no assets, and the Bankruptcy has been discharged;

**NOW, THEREFORE BE IT RESOLVED**, that said balance of \$6,992.77 be written off as uncollectible.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Williams:**

**RESOLUTION NO. 459-09**

**AUTHORIZING AMENDMENT TO NYS DOT CHIPS FUNDING RULES AND GENERAL AUDITING REQUIREMENTS**

**WHEREAS**, Madison County adopted Resolution No. 589-08 on December 29, 2008 pertaining to County roads in Incorporated Villages to conform with current NYS DOT CHIPS funding rules and general auditing requirements; and

**WHEREAS**, the County Highway Superintendent finds it necessary to further detail the County Routes in Villages Policy and Exhibit A dated December 29, 2008 with the attached Exhibit B; and

**WHEREAS**, the County Highway Superintendent and Public Works Committee has reviewed Exhibit B and find it necessary to include and made part of the County Routes in Villages Policy;

**NOW, THEREFORE, BE IT RESOLVED** that the attached Exhibit B is hereby adopted and included with adopted Resolution 589-08 and Exhibit A, which is on file with the Clerk to the Board of Supervisors.

**ADOPTED: AYES – 1500 NAYS – 0**

**EXHIBIT B  
COUNTY ROUTES IN VILLAGES POLICY DETAILS**

1. These policy details are applicable only to roads within a Village that are listed as a County Road in the County Road Inventory.
2. These policy details are intended to clarify the County Resolution No.589-08, titled Authorizing a New County Routes Policy, dated December 29, 2008.
3. The County road right of way may vary in width and is defined in accordance with NYS Highway Law section 136, which states that the right of way includes all property over which the County Superintendent has assumed jurisdiction during the period of construction, reconstruction, or improvement and all property which has become part of the County road system through dedication or use.
4. As part of the County road system and in accordance with NYS Highway Law section 136, no person, firm, corporation, or municipality shall construct or improve, within the County right of way an entrance or connection to such road, or construct within any works, structure, or obstruction, or any overhead or underground crossing, or lay or maintain therein underground wires or conduits or drainage, sewer or water pipes, except in accordance with the terms and conditions set forth in a work permit issued by the County Highway department.

5. All sidewalks, sewers, water mains, conduits, facilities and appurtenances shall be maintained or continue to be maintained by the Village in which they are located, or by the agency or other unit owning or having control thereof. Any drainage system, exclusive to the County road system or portion thereof, will be maintained by the County Highway department.
6. All traffic markings, signals and road signs considered part of the County road system will be maintained by the County Highway department.
7. All trees located within the right of way shall be maintained by the County Highway department and those outside the right of way will be cut or trimmed only when a potential safety hazard for the traveling public is identified.
8. Capital road reconstruction will progress only as outlined in the County Highway department annual project list. The cost of such road reconstruction will be the responsibility of the County Highway department with any reimbursement given directly to the County Highway department.
9. NYS Highway Law section 131 states that if the road is constructed therein of a greater width or more expensive type than that of the connecting highway outside the Village, the additional expense shall be borne by the Village. Items such as curbing, sidewalks, and parking areas may be considered additional expenses and paid for by the Village. In the case where a funding source such as CHIPS (Consolidated Local Street and Highway Improvement Program) is available such items may be paid for by the County Highway department with no expense borne by the Village, if the work meets CHIPS guidelines set forth by NYSDOT and deemed beneficial to the County road system.

END

**RESOLUTION NO. 460-09**

**CONTROL OF SNOW AND ICE ON THE VILLAGE OF WAMPSVILLE  
STREETS FOR THE SNOW SEASON OCTOBER 1, 2009 THROUGH MAY 31,  
2010**

**WHEREAS**, the County of Madison is entering into an Agreement with the Village of Wampsville for the control of Snow and Ice on the Village of Wampsville Streets in Madison County and in accordance with the terms and provisions of said agreement, and

**WHEREAS**, the Agreement for payment is \$5,500 for the Snow Season October 1, 2009 through May 31, 2010, and

**WHEREAS**, this Agreement reflects a 10% increase due to cost of fuel, salt, equipment and labor;

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Madison shall enter into Agreement with the Village of Wampsville and the County Superintendent of Highways is hereby authorized to execute said agreement on behalf of the County.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor DiVeronica:**

**RESOLUTION NO. 461-09**

**AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES FOR GROUNDWATER MONITORING AND MISCELLANEOUS ENGINEERING**

**WHEREAS**, Madison County is in need of a variety of miscellaneous engineering services with regard to the County's solid waste management system and facilities; and

**WHEREAS**, Barton and Loguidice Engineering possesses the special skills and training required to perform the engineering services in connection with the County's solid waste management system and facilities; and

**WHEREAS**, the Solid Waste/Recycling Committee has reviewed and approved the Barton and Loguidice Engineering proposal on October 27, 2009; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of this Board is hereby authorized and directed to enter into an Agreement with Barton and Loguidice, P.C. Consulting Engineers, a professional corporation, to furnish professional engineering services in connection with the County's solid waste management system. The estimated cost of services contemplated by said Agreement is not to exceed \$395,000. A copy of said Agreement is filed with the Clerk of this Board; and

**BE IT FURTHER RESOLVED**, that this Agreement shall cover the period from January 1, 2010 and shall terminate on December 31, 2010; and

**BE IT FURTHER RESOLVED**, that funds from the Solid Waste Department engineering accounts will be utilized to cover the cost of the engineering services proposed.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 462-09**

**AUTHORIZING AGREEMENT FOR 2010 MISCELLANEOUS ENGINEERING/  
LAND SURVEYING SERVICES**

**WHEREAS**, Madison County is in need of a variety of miscellaneous engineering/ land surveying services with regard to the County's solid waste management system and facilities; and

**WHEREAS**, Delta Engineers, Architects & Land Surveyors, P.C. possesses the special skills and training required to perform the engineering/ land surveying services in connection with the County's solid waste management system and facilities ; and

**WHEREAS**, the Solid Waste/Recycling Committee has reviewed and approved the Delta Engineers, Architects & Land Surveyors, P.C. proposal on October 27, 2009; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of this Board is hereby authorized and directed to enter into an Agreement with Delta Engineers, Architects & Land Surveyors, P.C. to furnish professional engineering/ land surveying services to assist the Solid Waste Department in determining available space and compaction rates in the operating West-Side landfill. The estimated cost of services contemplated by said Agreement is \$2,100.00 for each quarterly survey completed and not to exceed an annual total of \$8,400.00. A copy of said Agreement is filed with the Clerk of this Board; and

**BE IT FURTHER RESOLVED**, that this Agreement shall cover the period from January 1, 2010 and shall terminate on December 31, 2010; and

**BE IT FURTHER RESOLVED**, that funds from the Solid Waste Department engineering accounts will be utilized to cover the cost of the engineering services proposed.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 463-09**

**EXPRESSING THE COUNTY'S INTENT TO PARTICIPATE IN  
LOCAL COMMUNITY CLEAN-UP PROGRAMS IN THE YEAR 2010**

**WHEREAS**, Madison County Municipalities, community groups, not for profit organizations and other governmental agencies will be conducting clean-up programs of county roadsides, streams, parks and other public areas or buildings during the year 2010; and

**WHEREAS**, The Solid Waste Committee has recommended that the Director of the Solid Waste and Sanitation Department be authorized to issue a free permit to Madison County Municipalities, community groups, not for profit organizations and other governmental agencies interested in cleaning up sections of roadway, streams, parks or other public areas or public buildings; and

**WHEREAS**, to implement the plan, the Solid Waste Committee agreed that participants be issued special landfill permits which will allow them to dispose of the collected waste at the Madison County Landfill free of charge during the regular hours of operation, and

**NOW, THEREFORE, BE IT RESOLVED**, That the Madison County Board of Supervisors hereby:

- 1) Agree to have the Madison County Department of Solid Waste and Sanitation be a major participant in the community clean-up programs during the year 2010, and
- 2) Authorizes the issuance of a Special Waste Permit upon recommendation of the Solid Waste Director, to be issued without charge to Madison County Municipalities, community groups, not for profit organizations and other governmental agencies for disposition of solid waste found in and about Madison County Towns, Villages or City of Oneida, providing that during the year 2010 not more that twenty five (25) tons be accepted from each such Town, Village, City of Oneida or other governmental agency. Such Special Waste Permits shall be issued for each clean-up program upon completion of an application in the form that shall be prescribed by the Solid Waste Director.

This Resolution shall take effect January 1, 2010.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 464-09**

**WAIVING THE LANDFILL TIPPING FEE  
FOR UP TO 25 TONS OF SOLID WASTE GENERATED BY THE  
N.Y.S. CORRECTION FACILITY AT CAMP GEORGETOWN**

**WHEREAS**, the Camp Georgetown Correction Facility has been assisting Madison County in it's solid waste program for over ten years, at no charge to the County; and

**WHEREAS**, due to the efforts of the Camp Georgetown staff and inmates, the County will receive over \$100,000 in revenue from the sale of sorted scrap metal at the landfill site in the year 2009;

**NOW, THEREFORE, BE IT RESOLVED**, that in a cooperative effort to reduce cost of operation to the State and in consideration of the continued provision by the State in the year 2010 of assistance from the Camp Georgetown Correction Facility, the Madison County Board of Supervisors hereby agree to waive the solid waste tipping fee for up to 25 tons of solid waste generated by Camp Georgetown during the year 2010.

This resolution shall take effect January 1, 2010.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 465-09**

**PROVIDING FOR A LIST OF FEES FOR PARTICIPATING IN THE COUNTY'S SOLID WASTE MANAGEMENT PROGRAM, AS REQUIRED BY LOCAL LAW #3 FOR 2004**

**WHEREAS**, Local Law # 3 for 2004 created a process by which the list of fees may be amended without the need to amend the Law itself; and

**WHEREAS**, the County finds that it will be more reasonable and efficient to maintain and amend the list in accordance with the requirements of the proposed Local Law, rather than to amend the Local Law each time the list of fees must be amended; and

**NOW, THEREFORE BE IT RESOLVED**, that the following corrected fees shall apply to activities undertaken pursuant to the Local Law:

<b>Type of Fee</b>	<b>Amount</b>	<b>Local Law Provision</b>
<b>Commercial Waste Permit</b>	\$50 plus \$20 per vehicle	III.1.c.
Renewal of CWP	Same as original permit fee	III.1.g.
Lost permit fee	\$5	III.1.h.

Type of Fee	Amount	Local Law Provision
<b><u>Commercial tipping fees/ton</u></b>	<b><u>\$61/ton</u></b> Contract rate / All Towns, Villages and the City of Oneida <b><u>\$72/ton</u></b> without Contract <b><u>\$82/ton</u></b> Day Use Permits <ul style="list-style-type: none"> <li>• Minimum scale charge \$15.00</li> <li>• Vehicle weighing charge \$6.00</li> </ul>	III.5.a., III.6.a.
<b>Tire Disposal Fee - car , truck tires, Off Road Tires (for all Commercial and Day Use Permittees)</b>	\$90 per ton	III.5.a., III.6.a.
Refrigeration Units Propane Cylinders Televisions Computer Monitors	\$13.00 each \$2.60 each \$2.60 each \$2.60 each	III.5.a., III.6.a.
Insufficient Funds (Bounced Check) Charge (Residential and Commercial)	\$20	III.5.e
Penalty for Late Tipping Fee Payments	Municipalities shall pay 1.5 % per month on unpaid balance after 60 days All others shall pay 1.5 % per month on unpaid balance after 30 days	III.5.d.
Day Use Permit Fee (Special Use)	No Charge	III.2.a.

**FURTHER RESOLVED**, that this list of fees shall remain in effect until amended or deleted by the procedure designated in Local Law # 3 for 2004 or by or amendment of the Local Law; and it is

**FURTHER RESOLVED**, that this Resolution takes effect January 1, 2010.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 466-09**

**EXTENDING LEASE FOR YARD WASTE COMPOSTING  
IN THE TOWN OF SULLIVAN FOR A PERIOD OF FIVE (5) YEARS**

**WHEREAS**, the Town of Sullivan and the County originally entered into a written lease for a term of one (1) year, commencing October 01, 1988 and terminating September 30, 1989 for purposes of maintaining a site for the composting of organic materials; and

**WHEREAS**, the lease has been previously extended and it is recommended that such site be again continued and pursuant to same an Extension of Lease Agreement has been prepared, which provided that the **lease be extended (Five (5) years) through December 31, 2014**, under all the terms, conditions and provisions of the original lease; and

**WHEREAS**, the parties entered into a written Extension of Lease, extending the term for an additional period; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized and directed to enter into an extension of Lease Agreement with the Town of Sullivan, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 467-09**

**AUTHORIZING THE FILING OF AN APPLICATION AND ENTERING INTO A  
STATE CONTRACT FOR A STATE GRANT-IN-AID FOR HOUSEHOLD  
HAZARDOUS COLLECTION PROGRAM, UNDER THE APPROPRIATE LAWS  
OF NEW YORK STATE.**

**WHEREAS**, Chapter 610 of the Laws of 1993 provides up to 50% State assistance for Local Government Household Hazardous Waste Collection Programs; and

**WHEREAS**, Madison County is eligible for reimbursement of up to 50% of eligible funds spent in the 2009 budget year (**total estimated cost \$20,000**) for Household Hazardous Waste Collection & Disposal; and

**WHEREAS**, Madison County, North Court Street, Wampsville, New York 13163, hereinafter called **MUNICIPALITY**, has examined and duly considered Chapter 610 of the Laws of 1993 of the State of New York and the **MUNICIPALITY** deems it to be in the public interest and benefit to file an application under these laws; and

**WHEREAS**, it is necessary that a Contract by and between the New York State Department of Environmental Conservation, hereinafter called the **DEPARTMENT**, and the **MUNICIPALITY** be executed for such State assistance;

**NOW, THEREFORE, BE IT RESOLVED**, by the Madison County Board of Supervisors;

1. That the filing of an application in the form required by the State of New York and in conformity with Chapter 610 of the Laws of 1993 and rules and regulations promulgated thereunder is hereby authorized, including all understandings and assurances contained in said application.
2. That the Chairman of the Board of Supervisors is hereby directed and authorized as the official representative of the **MUNICIPALITY** to sign said application, to provide to the **DEPARTMENT** such information as may be required and to sign the resulting contract, if said application is approved by the **DEPARTMENT**.
3. That the **MUNICIPALITY** agrees that it will fund its portion of the cost of said Household Hazardous Waste Collection Program.
4. That one certified original and four (4) copies of the Resolution be prepared and sent to the DIRECTOR, DIVISION OF SOLID & HAZARDOUS MATERIALS, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, 625 BROADWAY, 9<sup>TH</sup> FL., ALBANY, NY 12233-7253, accompanied by one original and two copies of the complete grant application package.
5. That this resolution shall take effect immediately.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 468-09**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ENVIRONMENTAL PRODUCTS AND SERVICES, INC. TO RECEIVE, PROCESS AND DISPOSE OF MADISON COUNTY’S HOUSEHOLD HAZARDOUS WASTE**

**WHEREAS**, the County of Madison is required pursuant to its New York State Department of Environmental Conservation approved Solid Waste Management Plan to collect, process and dispose of Household Hazardous Waste; and

**WHEREAS**, Environmental Products and Services, inc. owns and operates a permitted facility in Syracuse, NY for the proper management of Household Hazardous Waste; and

**WHEREAS**, the County of Madison has no comparable facility and has met with Environmental Products and Services, Inc. about continuing service to Madison County residents for the year 2009 at the same rates charged to the County in the year 2003, 2004, 2005, 2006, 2007, 2008 & 2009 (\$85.00 per household for large quantities and \$50.00 per household for small quantities);

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized and directed to enter into an Agreement with Environmental Products and Services, Inc., a copy of which is on file with the Clerk of the Board, for a total sum not to exceed \$20,000.00 for the period beginning January 01, 2010 and ending December 31, 2010.

This resolution shall take effect January 01, 2010.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 469-09**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT  
FOR A LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT  
FUND MODIFYING THE 2009 BUDGET**

**WHEREAS**, the New York State Education Department has chosen to award Madison County with a LGRMIF project grant; and

**WHEREAS**, this grant will enable the County Clerk's office to facilitate back scanning, microfilm production and document integration of more than 1,000 mortgage books into the County Clerk's electronic records management system; and

**WHEREAS**, this state award grant is identified as follows:

Awarding Agency:	New York State Education Department
Pass-through Agency:	New York State Archives
Project Number:	0580-10-1005
Program Name:	Book-to-Image Mortgage Back Scanning
Award Year:	10/15/2009-06/30/2010
State Funds:	100%
Total Grant Amount:	\$49,920

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and hereby is authorized to execute the necessary agreement in connection with this grant (a copy of which is on file with the Clerk of the Board); and

**BE IT FURTHER RESOLVED**, that the 2009 adopted County budget be modified as follows:

<b><u>General Fund</u></b>			
<b><u>Madison County Clerk</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
<b><u>Expense</u></b>			
A1410.4200	Contractor	<u>\$5200</u>	<u>\$55,120</u>
	Control Total		<u>\$49,920</u>
<b><u>Revenue</u></b>			
A3060.1050	State Aid		
	Book to Image Mortgage Back Scanning	\$0	<u>\$49,920</u>
	Control Total		<u>\$49,920</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 470-09**

**APPROVAL – MORTGAGE TAX REPORT**

**WHEREAS**, this Board is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each tax district of the County of the money collected during the preceding six months ending September 30, 2009;

**NOW, THEREFORE BE IT RESOLVED**, that pursuant to Section 261 of the Tax Law, this Board issue tax warrants for the payment of the respective tax districts of the amounts so credited, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report:

Town of Brookfield	\$9,096.96
Town of Cazenovia	\$126,629.96
Village of Cazenovia	\$22,999.74
Town of DeRuyter	\$13,774.33
Village of DeRuyter	\$1,234.63
Town of Eaton	\$23,870.34
Village of Hamilton	\$4.41
Village of Morrisville	\$6,523.54

Town of Fenner	\$11,751.99
Town of Georgetown	\$2,113.20
Town of Hamilton	\$20,902.91
Village of Earlville	\$556.73
Village of Hamilton	\$12,577.73
Town of Lebanon	\$9,022.46
Town of Lenox	\$42,031.04
Village of	\$12,321.96
Canastota	
Village of	\$2,526.01
Wampsville	
Town of Lincoln	\$14,718.12
Town of Madison	\$19,223.66
Village of Hamilton	\$178.19
Village of Madison	\$720.52
Town of Nelson	\$20,607.09
Town of Smithfield	\$5,711.36
Town of Stockbridge	\$6,733.10
Village of	\$746.26
Munnsville	
Town of Sullivan	\$133,056.79
Village of	\$22,097.39
Chittenango	
City of Oneida	\$71,750.23
TOTAL	\$613,480.65

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 471-09**

**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,

Nancy Gosnell  
116 Center Street  
Canastota, NY 13032

Tax Map #36.62-1-19  
Town of Lenox

**WHEREAS**, there are unpaid 2009 Town and County taxes on the above referenced parcel in the amount of \$2,120.18; and

**WHEREAS**, this amount includes the 2008 school relevy in the amount of \$1,297.80; and

**WHEREAS**, the assessed value of this property was reduced by the assessor at an informal meeting with the property owner during the 2008 Town of Lenox Reassessment Project but in error the reduced assessed value was not reflected on the Final Assessment Roll for 2008; and

**WHEREAS**, the correct amount for the 2009 Town and County and 2008 School Relevy should be \$1,847.85; 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 credit the unpaid 2009 Town and County Taxes in the amounts of \$272.33 due to this error.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 472-09**

**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,

Nancy Gosnell  
116 Center Street  
Canastota, NY 13032

Tax Map #36.62-1-19  
Town of Lenox

**WHEREAS**, there is an unpaid 2009 Village of Canastota tax on the above referenced parcel in the amount of \$799.11; and

**WHEREAS**, the assessed value of this property was reduced by the assessor at an informal meeting with the property owner during the 2008 Town of Lenox Reassessment Project but in error the reduced assessed value was not reflected on the Final Assessment roll for 2008; and

**WHEREAS**, the purpose of this resolution is to correct the unpaid amount before it is relevied onto the 2010 Town and County tax bill; and

**WHEREAS**, the correct amount for the 2009 Village of Canastota tax should be \$710.97; 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 credit the unpaid 2009 Town and County Taxes in the amounts of \$88.14 due to this error.

**ADOPTED: AYES – 1500 NAYS – 0**

**RESOLUTION NO. 473-09**

**AUTHORIZING THE MODIFICATION OF THE 2009 ADOPTED COUNTY BUDGET**

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

**Modification No. 1**

**General Fund**

**1355 Assessment**

<b><u>Expense</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
A1355.4130 Advertising Expense	\$ 500	\$ 0
A1355.4207 Computer Maintenance	500	1,000
A1355.4911 Office Supply & Expense	13,750	12,750
A1355.4206 Computer Software Maintenance	<u>20,450</u>	<u>21,450</u>
Control Total	<u>\$35,200</u>	<u>\$35,200</u>

**Modification No. 2**

**General Fund**

**3110 Sheriff Department**

<b><u>Expense</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
A3110.2111 File Server	\$11,200	\$ 8,939
A3110.4443 Computer Software Maintenance	6,100	5,090
A3110.41 Travel Expense (Sheriff)	2,000	1,541
A3110.4112 Travel Expense-Undersheriff	1,000	621
A3110.401 Furniture	1,000	2,599
A3110.463 Polygraph/Psychological Exams	0	1,500
A3110.2312 Project Lifesaver	1,000	0
A3110.2310 Computer Equipment/Operating System	<u>2,000</u>	<u>3,010</u>
Total	<u>\$24,300</u>	<u>\$23,300</u>
Control Total		<u>-\$1,000</u>

**3115 Sheriff-Project Lifesaver**

<b><u>Expense</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
A3115.2312 Project Lifesaver	315	0
A3115.4101 Equipment/Battery Replacement Expense	0	1,000

A3115.4102	Training/Program Updates	<u>0</u>	<u>315</u>
	Total	<u>\$ 315</u>	<u>\$1,315</u>
	Control Total		<u>\$ 1,000</u>

**3150 Sheriff-Correctional Facility**

<b><u>Expense</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A3150.2843	RICI Live/Card Scan System	\$6,800	\$ 0
A3150.2914	Utility Control-Black Creek	10,000	0
A3150.409	Service Plan-Black Creek	23,184	15,284
A3150.40103	Computer Software Maintenance	5,000	0
A3150.459	Hepatitis Serum	200	0
A3150.452	Medical & Personal Care Expense	143,525	165,725
A3150.465	Psychological/Polygraph Testing	1,000	4,000
A3150.450	Prescriptions	<u>156,166</u>	<u>160,866</u>
	Control Total	<u>\$345,875</u>	<u>\$345,875</u>

**Modification No. 3**

**General Fund**

**3315 Special Traffic Programs Stop-DWI**

<b><u>Expense</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A3315.40101	Computer Equipment	\$ 0	\$ 1,000
A3315.41	Travel Expense	580	380
A3315.41017	Stop DWI Patrol Expense	3,000	1,000
A3315.41019	Stop DWI Information	5,000	7,650
A3315.41020	Stop DWI Administration	250	100
A3315.42900	Road Equipment & Supplies	950	150
A3315.466	Chemical Testing	1,750	1,250
A3315.488	Office Equipment Maintenance	200	0
A3315.4911	Office Supply & Expense (Outside)	<u>500</u>	<u>700</u>
	Control Total	<u>\$ 12,230</u>	<u>\$ 12,230</u>

**Modification No. 4**

**General Fund**

**4013 Public Health Home Care**

<b><u>Expense</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A4013.453	Nursing Supplies	\$ 35,000	\$ 33,394
A4013.4039	Furniture	<u>0</u>	<u>1,606</u>
	Control Total	<u>\$ 35,000</u>	<u>\$ 35,000</u>

**Modification No. 5**

**General Fund**

**4017 Public Health Eat Well Play Hard**

<b><u>Expense</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A4017.402	Grant Expense	\$ 26,518	\$ 27,607
A4017.41028	Contractual Expense	<u>92,979</u>	<u>91,890</u>
	Total	<u>\$119,497</u>	<u>\$119,497</u>

Control Total \$ 1,089

**Modification No. 6**

**General Fund**

**Department: 4308 – Mental Health – Clinic Adult Program**

<b><u>Revenues:</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A2801.7030	Interfund Revenue- Polygraph Tests – Probation	\$ 3,000	\$ 5,700
<b><u>Expenses:</u></b>			
A4308.463	Polygraph Testing	<u>3,000</u>	<u>5,700</u>
	Control Total	<u>\$ 6,000</u>	<u>\$ 11,400</u>

**Department: 4306 – Mental Health – Clinic Child Program**

<b><u>Expenses:</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A4306.2315	Presentation System – 2 Conf. Rooms	\$ 0	\$ 4,828
A4306.4039	Furniture	1,651	455
A4306.4227	Medical & Psychiatric Services	<u>312,303</u>	<u>308,671</u>
	Control Total	<u>\$313,954</u>	<u>\$ 313,954</u>

**Department: 4309 – Mental Health – ADAPT Programs**

<b><u>Expenses:</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A4309.2315	Presentation System – 2 Conf. Rooms	\$ 0	\$ 1,196
A4309.4039	Furniture	3,003	1,807
A4309.4911	Office Supply & Expense	\$ 1,620	\$ 2,240
A4309.4130	Advertising	<u>800</u>	<u>180</u>
	Control Total	<u>\$ 5,423</u>	<u>\$ 5,423</u>

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Salka:**

**RESOLUTION NO. 474-09**

**REALLOCATING TITLES IN THE MANAGEMENT SALARY PLAN  
FROM THE HIGHWAY DEPARTMENT**

**WHEREAS**, due to recent vacancies within the Highway Department, the County Highway Superintendent has made certain changes in the organizational structure of the department; and

**WHEREAS**, the County Highway Superintendent has requested the reallocation of the Deputy County Highway Superintendent position and the Highway Division Manager position in the Management Salary Plan due to increased duties and responsibilities resulting from the changes; and

**WHEREAS**, these requests have been reviewed and approved by the Personnel Officer; and

**WHEREAS**, the Public Works Committee and the Government Operations Committee have reviewed and approved the requested changes to the allocation of these titles in the Management Salary Plan,

**WHEREAS**, the additional salary and fringe benefits for this position will be funded through appropriations in the Highway Department budget resulting from vacancies; and

**NOW, THEREFORE BE IT RESOLVED** that the title of Deputy County Highway Superintendent be and hereby is reallocated from Grade L to Grade M in Appendix A of the Management Salary Plan; and

**BE IT FURTHER RESOLVED** that the title of Highway Division Manager be and hereby is reallocated from Grade J to Grade K in Appendix A of the Management Salary Plan.

**ADOPTED: AYES – 1500 NAYS – 0**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 475-09**

**AMENDING THE 2010 TENTATIVE BUDGET**

**BE IT RESOLVED**, that the salaries for the Board of Supervisors in the 2010 Tentative Budget, Account A1010.1, be modified as follows and that the Tentative Budget be adjusted accordingly:

**General Fund**

**A1010 – Legislative Board**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A1010.1 (1000) Chairman	\$25,365	\$26,000
A1010.1 (1010) Deputy Chairman	18,192	18,558
A1010.1 (1018) Supervisors	<u>207,264</u>	<u>213,486</u>
Control Total		<u>\$ 7,223</u>

Discussion was held among Supervisors some agreeing that a raise is in order for the amount of time a Supervisor spends working in the position, and some not agreeing pointing out the bad state of the economy. The question was called and a roll call vote was taken as follows:

**ADOPTED: AYES – 938 (Salka, Moran, Degear, Suits, Ball, Bono,  
Bargabos, Becker, Reinhardt, Rafte, Carinci)  
NAYS – 562 (Cary, Hammond, Jaquay, Goldstein, DiVeronica,  
Williams, Stepanski, Henderson)**

**RESOLUTION NO. 476-09**

**APPROVING THE PAYMENT OF CLAIMS**

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

**ADOPTED: AYES – 1500 NAYS – 0**

**PUBLIC COMMENT PERIOD**

**No speakers.**

The Board stands recessed until Tuesday, November 17, 2009 at 9:00 a.m.