

MADISON COUNTY BOARD OF SUPERVISORS
Meeting – Friday, March 12, 2010

The Board convened at 10:30 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Henderson (64 votes).

Pledge of Allegiance.

COMMUNICATIONS

1. Copy of a resolution from Seneca County – Opposing Various Proposed Anti-Gun Owner Legislation in New York State.
2. Copy of a resolution from Schuyler County – Requesting Support of Counties and State Legislators in Relation to Legislation Amending County Law, Section 215 Regarding Entering Into Lease Natural Gas Drilling.

REPORTS

1. Madison County Occupancy Tax Receipts/Expenditures for Quarter 10/1/09 through 12/31/09.
2. Madison County Mental Health Department Monthly Report – February 2010.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA And Cazenovia Sewer District:	\$ 1,653,844.47
Miscellaneous Accounts:	\$ 108,927.66

At this time Chairman Becker called upon Madison-Cortland ARC Executive Director Ray Lewandowski and presented him with a proclamation. Chairman Becker read the proclamation naming the month of March 2010 as: Disabilities Developmental Month. Mr. Lewandowski thanked the Board for their continued support not only for this program, but for the many other programs that help people with disabilities.

Chairman Becker also had the three new Madison County 4-H Government Interns introduce themselves to the Board.

RESOLUTIONS

By Supervisor Bargabos:

RESOLUTION NO. 50-10

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

WHEREAS, the Madison County Board of Supervisors believes that County employees should be recognized for their faithful service to the public; and

WHEREAS, recognition of the distinguished service of a certain County employee with an upcoming retirement is in order,

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Marlene C. Albanese upon her retirement.

Marlene C. Albanese Treasurer’s 1993 – 2010 16 years

ADOPTED: AYES – 1436 NAYS – 0 ABSEN T- 64 (Henderson)

Mrs. Albanese and Cindy Edick, County Treasurer stepped forward and Mrs. Albanese was presented a gift on behalf of the County. Cindy Edick addressed everyone, thanking Mrs. Albanese for her many years of dedication and naming the many accomplishments she implemented as Payroll Manager, a very important position at the County.

RESOLUTION NO. 51-10

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

WHEREAS, the National Environmental Health Association Radon Resistant New Construction Training will be held in Washington, DC from March 23-25, 2010; and

WHEREAS, Eric Faisst, Public Health Director has requested that Virginia Zombek, Public Health Educator attend said conference; and

WHEREAS, these expenses will be funded 100% by a National Environmental Health Association sponsorship; and

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

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

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 52-10

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE

(Health)

WHEREAS, the Public Health Accreditation Board (PHAB) has selected Eric Faisst, Public Health Director to be a Beta Test site visitor and training will be provided to a team of diverse public health practitioners; and

WHEREAS, the training will take place at the Gaylord National Hotel in the Washington, DC area from March 30-31, 2010; and

WHEREAS, these expenses will be funded 100% by a PHAB; and

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

NOW, THEREFORE BE IT RESOLVED, that Eric Faisst be and hereby is authorized to attend said training.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 53-10

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

WHEREAS, the National Health Services Corps – Annual Loan Repayors Orientation Conference will be held in Tampa, Florida from March 25-27, 2010; and

WHEREAS, Dr. James Yonai, Mental Health Director, has requested that Kimberly Gerace, Staff Social Worker, attend this conference; and

WHEREAS, her expenses are fully funded by the National Health Services Corps; and

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

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

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 54-10

**REVISING THE POLICY WITH REGARD TO THE LOCATION OF
LEGISLATIVE COMMITTEE MEETINGS**

WHEREAS, the Madison County Board of Supervisors wishes to facilitate public access to the meetings of its legislative committees; and

WHEREAS, the Government Operations Committee has reviewed and recommends the revision of the policy for Meeting Locations for Legislative Committees;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby revises the attached policy with regard to the location of legislative committee meetings.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

MADISON COUNTY POLICIES AND PROCEDURES

I. Subject: Meeting Location for Legislative Committees

II. Adopted: March 11, 2008

Revised: March 12, 2010

III. Policy: In order to facilitate public access to meetings, all legislative committee meetings will normally be held in one of the Supervisors' conference rooms on the second floor of the County Office Building – Building #4, Supervisors' Chambers, in the training room in the Health Department Building – Building #5 (Public Health Services Committee), in the County Landfill Westside Scale House Conference Room (Solid Waste and Recycling Committee) or at Morrisville College (Public Utility Service Committee and Ad Hoc Committee on Energy).

The Chairman of the Board of Supervisor's reserves the right to designate alternate locations within the County to facilitate committee business and for the convenience of attendees provided that advance notice to members and the public shall be given.

Meeting notices and agendas shall include the precise location of the all legislative committee meetings to the extent practicable.

END

RESOLUTION NO. 55-10

ESTABLISHING STANDARD WORK DAY FOR ALL ELECTED AND APPOINTED OFFICIALS

WHEREAS, The Office of the State Comptroller has requested that a standard work day be officially established for all elected and appointed officials for Employees' Retirement System purposes;

NOW, THEREFORE, BE IT RESOLVED; that the Madison County Board of Supervisors hereby establishes as a standard work day for elected and

appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System as follows:

ALL ELECTED OFFICIALS

Five day work week, six hour day: Chairman, Board of Supervisors
Vice Chairman, Board of Supervisors
Members of the Board of Supervisors
County Clerk
District Attorney
Treasurer
Sheriff

APPOINTED OFFICIALS

Five day work week, six hour day: County Attorney
1st Assistant County Attorney
4th Assistant District Attorney
5th Assistant District Attorney

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 56-10

**RENEWING THE STIPEND FOR THE ON-CALL
SYSTEM FOR CERTAIN COUNTY MANAGERS**

WHEREAS, management personnel in the Health, Maintenance and Mental Health Departments, as well as the Madison County Sewer District, provide on-call coverage; and

WHEREAS, the Board of Supervisors has approved stipends for these managers since 1994; and

WHEREAS, the Government Operations Committee has reviewed the compensation for this on-call system and recommends that the Board authorize continuation of the stipend at the existing rates (no increase since 2004); and,

WHEREAS, the Solid Waste and Recycling Committee and the Government Operations Committee recommend that the Landfill Operations Manager receive \$50.00 per week when they provide primary or backup on-call coverage;

NOW, THEREFORE BE IT RESOLVED that the managers in the Maintenance, Mental Health and Solid Waste departments as well as the Madison County Sewer District shall receive \$50.00 per week when they provide primary or backup on-call coverage except as modified below; and

BE IT FURTHER RESOLVED that the managers in the Health Department shall receive \$100.00 per week when they provide primary or back-up on-call coverage except as modified below; and

BE IT FURTHER RESOLVED that the managers in the titles of Deputy Director of Health, Director of Community Health Services, Director of Patient Services, and Assistant Director of Patient Services shall receive \$200.00 per week when they provide primary on-call coverage; and

BE IT FURTHER RESOLVED that these rates are effective through December 31, 2010.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 57-10

**AUTHORIZING THE CHAIRMAN TO ENTER INTO
AN AGREEMENT WITH SYNERGY GLOBAL SOLUTIONS, INC.**

WHEREAS, the Information Technology Department will be upgrading the Microsoft Exchange Email system in 2010; and

WHEREAS, the Email system provides a critical function for County employees and requires this upgrade to maintain support with Microsoft Corporation; and

WHEREAS, the Information Technology Department received four (4) separate proposals to assist Information Technology staff with this upgrade in 2010; and

WHEREAS, the Information Technology Department has completed a thorough review of these proposals and has chosen Synergy Global Solutions, Inc. as the best vendor to meet the needs of this project; and

WHEREAS, the cost of this project is Ten Thousand, Six Hundred, Seventy Seven and 56/100 dollars (\$10,677.56);

WHEREAS, the Government Operations Committee recommends that the Chairman execute the agreement with Synergy Global Solutions, Inc.,

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to execute the agreement with Synergy Global Solutions, Inc., a copy of which is on file with the Clerk to the Board.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 58-10

AUTHORIZING THE CHAIRMAN TO ACCEPT SETTLEMENT

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

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

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

WHEREAS, they have recently reached a settlement with Serono in the amount of \$347,674.98, Madison County's distribution after expenses being Twenty Nine and 35/100 dollars (\$29.35); and

WHEREAS, they have also recently reached a settlement with Abbot, Baxter Roxane (Little Group) in the amount of Seventeen Million dollars (\$17,000,000.00), Madison County's distribution after expenses being Nine Hundred Ninety Eight and 77/100 dollars (\$998.77); and

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

NOW, THEREFORE, BE IT RESOLVED, that the County of Madison accept the settlements set forth above in full satisfaction of the claims against Serono Pharmaceutical and Abbot, Baxter Roxane (Little Group) and that the Chairman of the Board of Supervisors be and hereby is authorized to execute any necessary paperwork with regard to the acceptance of these amounts.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisor Salka:

RESOLUTION NO. 59-10

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

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

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

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

WHEREAS, a number of veterinarian professionals have provided such services to the Department, and the Department desires to enter into contracts

with said veterinarian professionals to renew agreements to provide veterinarian services for the year 2010; and

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

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

WHEREAS, the Public Health Services Committee has approved this proposal to provide these services at the same rate(s) as 2009 and as further stated to be:

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements with all rabies clinic program contractors effective January 1, 2010 through December 31, 2010, as is on file with the Clerk of The Board.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 60-10

AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH DREXEL UNIVERSITY FOR ITS COLLEGE OF NURSING AND HEALTH PROFESSIONS

WHEREAS, Madison County Public Health Department is duly certified to operate both the Home Health Care Agency and the Diagnostic and Treatment Center ; and

WHEREAS, the Public Health Department employs registered nurses to provide home visits to County residents; and

WHEREAS, Drexel University desires to have nursing students receive clinical field work experience with Madison County registered nurses; and

WHEREAS, Madison County Health Department is willing to accept nursing students to work with their registered nurses to gain field experience; and

WHEREAS, this joint project has been reviewed and approved by the Public Health Services Committee;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter the agreement between

Madison County Department of Health and Drexel University effective March 12, 2010 through December 31, 2010, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 61-10

AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH HEALTH RESEARCH AND MODIFYING THE 2010 ADOPTED COUNTY BUDGET

WHEREAS, on October 13, 2009, resolution 398-09 was approved; and

WHEREAS, it is now desired to amend such contract to add a “Maximum Reimbursement Amount” of Agreement Contract number 1620-07 at the amount of \$78,816; and

WHEREAS, the grant funds have converted to Federal funds since the 2010 budget was prepared; and

WHEREAS, the Board of Health and Public Health Services Committee believes it is appropriate and in the best interest of Madison County to amend the grant funds;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to amend the agreement with the Health Research, Inc. as is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the 2010 Adopted County Budget be modified as follows:

General Fund

Public Health Department

4016 Public Health Federal & State Grants

<u>Expense</u>	<u>From</u>	<u>To</u>
A4016.4911 Emergency Preparedness Expense	\$171,894	\$ 33,012
Control Total		<u>\$138,882</u>

<u>Revenue</u>		
A4489.4010 Federal Aid PH Emergency Preparedness	\$171,894	\$ 56,939
A3401.6710 State Aid PH Emergency Preparedness	<u>\$ 23,927</u>	<u>0</u>
Total	\$195,821	\$ 56,939
Control Total		<u>\$138,882</u>

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 62-10

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR THE ENHANCED
IMMUNIZATION PROGRAM IN ACCORDANCE WITH THE AMERICAN
RECOVERY AND REINVESTMENT ACT OF 2009 AND MODIFYING THE 2010
ADOPTED COUNTY BUDGET**

WHEREAS, Madison County Public Health Department, through the Preventive Health Programs, has administered the Immunization Program, which is a program to provide immunizations the community; and

WHEREAS, the New York State Department of Health is providing supplemental funding for the enhanced Immunization Program under the American Recovery and Investment Act of 2009:

Awarding Agency:	Center of Disease Control
Pass-through Agency:	New York State Department of Health
Catalog #:	93.268
Program Name:	Immunization Action Plan
Grant Extension:	October 1, 2009 – March 31, 2011
Contract #:	T-025284
Federal Funds:	100%
Grant Total:	\$20,000

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; and

BE IT FURTHER RESOLVED, that the 2010 Adopted County Budget be modified as follows:

Public Health Department
A4012 Preventive

Expense	From	To
A4012.41032 ARRA Immunization Grant	\$ 0	<u>\$ 20,000</u>
Control Total		<u>\$ 20,000</u>
Revenue	From	To
A4401.1051 Fed Aid ARRA Immunization Grant	\$ 0	\$ 20,000
Control Total		<u>\$ 20,000</u>

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisors Suits and Reinhardt:

RESOLUTION NO. 63-10

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

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

WHEREAS, these funds will provide reimbursement of eligible costs incurred in the effort to make poll sites accessible for individuals with disabilities. This grant program is described as follows:

Awarding Agency: US Department of Health & Human Services
 Pass Thru. Agency: New York State Board of Elections
 Catalogue # CFDA 93.617
 Program Name: HHS 2009 Voting Access for Individuals with Disabilities
 Grant Period: January 1, 2010 to December 31, 2014
 Contract # T002980
 Grant Total: \$ 3,203

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 and that the 2010 County Budget be modified as follows:

General Fund			
<u>1451-Polling Place Access Improvement</u>		<u>From</u>	<u>To</u>
<u>Revenue</u>			
A4089.30	Fed Aid-2009 Access for Disabled Individuals	\$ 0	\$3,203
	Control Total		<u>\$3,203</u>
 <u>Expense</u>			
A1451.4101	Access Improvement Expense	<u>\$2,159</u>	<u>\$5,362</u>
	Control Total		<u>\$3,203</u>

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisor Ball:

RESOLUTION NO. 64-10

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH ONONDAGA COUNTY FOR AUTOPSY SERVICES**

WHEREAS, the Madison County Coroner's office must contract out for autopsy services; and

WHEREAS, the Onondaga County Medical Examiner's Office can provide the services needed; and

WHEREAS, the Onondaga County Medical Examiner's Office will provide 70 autopsies for Seventy Seven Thousand Dollars (\$77,000), additional autopsies will be performed pursuant to the contract; and

WHEREAS, the term of this contract will be from January 1, 2010 through December 31, 2010;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to sign the agreement with Onondaga County to provide autopsy services as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 65-10

APPOINTING MADISON COUNTY FIRE ADVISORY BOARD MEMBERS AND DEPUTY COORDINATORS FOR 2010

WHEREAS, the duly appointed officers and members of the Madison County Fire Advisory Board met at annual session on Thursday, January 28, 2010 and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be appointed to the Madison County Fire Advisory Board and to the Staff of Deputy Coordinators for 2010:

Fire Advisory Board 2010

James McFadden	Brookfield
Terry Auston	Cazenovia
John Durfee.	Cazenovia
Floyd Woods.	DeRuyter
Richard Stoddard Sr.	Eaton
Steven Brody	Eaton
Ralph Tallett.	Fenner
Dale Burgess	Georgetown
Jason Murray	Hamilton
Robert Tracy.	Lebanon
Alex Brown	Lenox

Deputy Coordinators

Anthony Stagnitti	Co. Car 2
Lyle Mason	Co. Car 3
James McFadden	Co. Car 4
Robert Freunsch	Co. Car 5
Robert Sturdevant	Co. Car 6
David Vredenburgh	Co. Car 8

Richard Stagnitti	Lenox
Robert Sturdevant Jr.	Lincoln
Steven Johnson.	Madison
Patrick Massett.	Nelson
Gregg Myers.	Oneida
Chester Reeves	Smithfield
Roland Shea.	Stockbridge
Joseph Watkins.	Sullivan
Paul Haynes	Sullivan
Robert Freunsch.	Sullivan

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 66-10

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, 2010 through February 28, 2011. 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 Six Hundred Sixty Dollars and .50 cents(\$3,660.50) 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 Three Thousand Nine Hundred Twenty Six Dollars (\$43,926); and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf

of the County of Madison with Madison-Oneida BOCES, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 67-10

**APPROVAL FOR THE PROVISION OF MEALS AT THE
“DRIVING SPRING FLING”**

WHEREAS, Madison County’s STOP DWI Program is working in conjunction with Morrisville College and several other Community Groups to sponsor a Traffic Safety Fair named “Driving Spring Fling” at Morrisville College on April 15, 2010; and,

WHEREAS, all of the high schools in the Madison County Area are invited to bring 30 – 50 students apiece; and,

WHEREAS, it is desired to provide lunch to the students who will be attending this event by utilizing the College’s Food Service; and,

WHEREAS, the providing of meals at an affair sponsored by the County Departments must be approved by the Board of Supervisors; and,

WHEREAS, the monies for this purpose are contained in the 2010 Budget of the STOP DWI Department;

NOW, THEREFORE, BE IT RESOLVED, that the STOP DWI Program may provide meals for the high school students attending this event through an arrangement with the Morrisville College Food Services, using the monies set aside in the 2010 STOP DWI Budget for this purpose.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 68-10

**ACCEPTING BIDS AND AWARDING CONTRACTS FOR THE EMERGENCY
COMMUNICATIONS PROJECT FOR MADISON COUNTY**

WHEREAS, bids were duly received and opened on February 24, 2010 for the Emergency Communications Project for Madison County; and

WHEREAS, all bids were canvassed and reviewed by C&S Companies of Syracuse, New York and the Criminal Justice, Public Safety and Telecommunications Committee, who have made their recommendation for the bids to be awarded to the following vendors meeting bid specifications;

NOW, THEREFORE BE IT RESOLVED, that the County accepts the following bids:

Contract No. 2: Towers
Sabre Communications Corp.
2101 Murray St.
Sioux City, IA 51111
Bid Award Amount: \$416,516.00

Contract No. 3: Shelters
PROCOMM SYSTEMS, INC
823 Uniontown Road
Phillipsburg, NJ 08865
Bid Award Amount: \$599,795.00

Contract No. 4: Generators
CSI Shelter Technologies
15 Independence Drive
Londonderry, NH 03053
Bid Award Amount: \$371,463.00

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors be authorized to execute agreements with the contractors named therein.

ADOPTED: AYES- 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisor Cary:

RESOLUTION NO. 69-10

APPOINTING A MEMBER TO THE REGION 7 DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGIONAL ADVISORY COMMITTEE ON OPEN SPACE

WHEREAS, Article 49 of the Environmental Conservation Law established Regional Advisory Committees to provide the Department of Environmental Conservation and Office of Parks, Recreation and Historic Preservation with advice on preparation and implementation of an open space conservation plan;

NOW, THEREFORE BE IT RESOLVED, that James Petreszyn is hereby appointed to represent Madison County on the Regional Advisory Committee for a term commencing March 12, 2010 and expiring on December 31, 2011.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 70-10

APPOINTING MEMBERS TO THE MADISON COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

RESOLVED, that John Salka, Supervisor of the Town of Brookfield, and Ronald Bono Supervisor of the Town of Madison, be appointed Board of Supervisors' representatives to the Madison County Soil and Water Conservation District Board for two-year terms commencing on March 12, 2010 and ending on December 31, 2011; and

BE IT FURTHER RESOLVED, that Cedric Barnes, a practicing farmer from the Town of DeRuyter, be reappointed as a the Farm Bureau representative for a three year term commencing on March 12, 2010 and ending on December 31, 2012.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 71-10

REAPPOINTING FOUR MEMBERS TO THE MADISON COUNTY PARKS COMMISSION

RESOLVED, that the following members of the Madison County Parks Commission be reappointed for a term of two (2) years, commencing on March 12, 2010 and expiring on December 31, 2011:

Robert Stokes of 8503 N Main St, Canastota, NY. 13032 (Town of Lenox)
Theresa Davis of 3542 Clover Hill Rd., Morrisville, NY. 13408 (Town of Eaton)
Russell Cary of RD # 3 Mile Strip Rd, Canastota, NY. 13032 (Town of Fenner)
Patricia Sterling of 5901 Peterboro Rd., Munnsville, NY13409 (Town of Stockbridge)

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 72-10

APPOINTING A MEMBER TO THE MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BE IT RESOLVED, that Elizabeth Moran of 1812 State Route 20 West, Cazenovia NY 13035, be hereby appointed to the Madison County Industrial Development Agency, filling the position left vacant by the resignation of Jim Rafte, commencing on March 12, 2010, and to serve at the pleasure of the Board of Supervisors.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 73-10

AUTHORIZING SUBMISSION OF AN APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, Madison County plans to submit an application for funding for community development activities to New York State under the Office for Community Renewal; and

WHEREAS, Madison County proposes to apply for funds for direct homeownership assistance; and

WHEREAS, Madison County has followed a citizen participation plan in developing the proposed application; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign and submit the application for funding from New York State on behalf of Madison County.

ADOPTED: AYES – 1373 NAYS – 0 ABSTAIN – 63 (Bono) ABSENT – 64 (Henderson)

RESOLUTION NO. 74-10

AUTHORIZING AGREEMENT WITH COOPERATIVE EXTENSION FOR PROFESSIONAL SERVICES IN SUPPORT OF AGRICULTURAL ECONOMIC DEVELOPMENT

WHEREAS, one of the primary goals of the Madison County Agriculture and Farmland Protection Plan is the establishment of an Agricultural Economic Development Specialist to provide leadership and coordination for agricultural development and expansion; and

WHEREAS, implementation of the goals and objectives identified in the Plan are essential to realization of the benefits of the approved plan; and

WHEREAS, Cooperative Extension is able to provide professional services in support of the agricultural economic development specialist goal of the Madison County Agriculture and Farmland Protection Plan and Board; and

WHEREAS, Cooperative Extension has agreed to provide these services for an annual reimbursement rate of ninety-one thousand two hundred sixty-four dollars (\$91,264), the entire County funding to come from funds appropriated for the purpose in the 2010 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is authorized to sign a contract (a copy of which is on file with the Clerk of the Board) with Cooperative Extension to deliver the required services.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 75-10

AUTHORIZING AGREEMENT WITH COOPERATIVE EXTENSION FOR PROFESSIONAL SERVICES IN SUPPORT OF IMPLEMENTATION OF FARMLAND PROTECTION PLAN

WHEREAS, New York State has an approved Madison County's Agriculture and Farmland Protection Plan; and

WHEREAS, implementation of goals and objectives identified in the Plan are essential to realization of the benefits of the approved plan; and

WHEREAS, Cornell Cooperative Extension of Madison County is able to provide professional services in support of such implementation; and

WHEREAS, Cooperative Extension has agreed to provide those services for a sum not to exceed \$1,600, the entire funding to come from funds appropriated for the purpose in the 2010 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is authorized to sign a contract (a copy of which is on file with the Clerk of this Board) with Cooperative Extension to deliver the required services.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 76-10

RESOLUTION IN OPPOSITION TO THE IDA TAX IMPOSED ON ALL LOCAL INDUSTRIAL DEVELOPMENT AGENCIES BY NEW YORK STATE AS A MEANS TO HELP CLOSE THE STATE'S BUDGET DEFICIT

WHEREAS, the Madison County Industrial Development Agency ("IDA") serves as the primary agency for the implementation of economic development programs in our community; and

WHEREAS, the primary mission of our IDA is to create and retain jobs and encourage capital investments that add to our tax base to improve the quality of life for the people of Madison County; and

WHEREAS, the 2009-2010 State budget contained a maximum statewide "cost recovery" tax of \$5 million to "reimburse to New York State and allocable share of state governmental costs attributable to the provisions of services to industrial development agencies;" and

WHEREAS, the State Department of Taxation and Finance has sent tax bills to every IDA in the state, for amounts corresponding to 4.727% of the gross revenue received by an IDA in the 2008 calendar year, payable by March 31, 2010; and

WHEREAS, the statute had as a condition that the Department Of Budget notify IDA's by November 1st, 2009 of the cost to be recovered and the methodology for the charge; and

WHEREAS, the tax bills received by our IDA was received long after its budget was developed and implemented, without the inclusion of this new unanticipated tax in their adopted budgets; and

WHEREAS, the revenue received by our IDA that is subject to this tax includes local taxpayer-funded appropriations; and

WHEREAS, imposing a state gross receipts tax on revenues from 2008 is redundant, punitive and will lead to these resources and those appropriated by counties for local job creation to be used instead to help bail out the State during its time of financial crisis;

NOW THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors strongly opposes the imposition of the new tax on the gross revenues of local Industrial Development Agencies as a means to help eliminate the state budget deficit; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors calls upon the Governor and the State Legislature to repeal this onerous tax on the primary economic development organizations of New York's counties and other local government; a tax which will take local resources that could better be used to create jobs in our communities in this time of economic crisis; and

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

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 77-10

RESOLUTION IN OPPOSITION TO PROPOSED IDA REFORM LEGISLATION

WHEREAS, the Madison County Industrial Development Agency ("IDA") serves as the primary vehicle for the implementation of economic development programs our community; and

WHEREAS, the primary mission of our IDA is to create and retain jobs and encourage capital investments that add to our tax base to improve the quality of life for the people of Madison County; and

WHEREAS, prevailing wage mandates would add an average of 23 percent to the cost of projects in Upstate, according to the Center for

Governmental Research, thereby making New York more costly and less competitive in comparison to other states; and

WHEREAS, the cost of living wage mandates would discourage prospective employers from locating or expanding in New York and would add significant new costs to IDA assisted projects; and

WHEREAS, given all of New York's competitive impediments, this legislation would make it significantly more difficult to attract new projects and help existing businesses expand in our communities;

NOW THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors strongly opposes this legislation because it would significantly harm the economic development efforts of the State of New York and Madison County; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors calls upon the Governor and the State Legislature to oppose any proposed legislation that would cause the state to be less competitive in comparison to other states due to wage mandates; and

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

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisors Cary and Reinhardt:

RESOLUTION NO. 78-10

**AUTHORIZING MODIFICATION OF THE 2010 BUDGET FOR
THE MADISON COUNTY FAIR**

WHEREAS, the Madison County Fair Board has requested immediate financial support from the County to begin to advertise for the 2010 Madison County Fair, and;

WHEREAS, the Madison County Fair Board appreciates the level and success of participation by Madison County Departments at the 2009 Madison County Fair and would like to ensure their continued participation at the 2010 Madison County Fair, and;

WHEREAS, the County Fair Board has also requested Madison County continue financial support for other general costs associated with 2010 Madison County Fair, and;

WHEREAS, Madison County is committed to continue to offer its support to help ensure a successful 2010 Madison County Fair;

NOW THEREFORE BE IT RESOLVED, that the County will provide \$5,000 for advertising related expenses, \$5,000 for expenses related to support County Departments that wish to participate in the 2010 Madison County Fair, and up to \$15,000 for general support of the Madison County Fair to be disbursed at the direction of the County Administrator contingent upon the Madison County Fair Board demonstrating receipts of receiving matching funds directed toward facility improvements and/or fair events; and

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

Contingent - Department 1990	<u>From</u>	<u>To</u>
A1990.4444 Contingent Fund	\$732,580	\$707,580
<u>Madison County Fair – Department 7550</u>		
A7550.401 County Departments Expense	-0-	\$ 5,000
A7550.42745 Advertising Expense	-0-	\$ 5,000
A7550.42746 General Expense	-0-	\$ 15,000
Control Total:	<u>\$732,580</u>	<u>\$732,580</u>

Supervisor Bargabos offered the following amendment which was seconded by Supervisor Reinhardt to read as follows:

AMENDMENT TO RESOLUTION NO. 78-10

AUTHORIZING MODIFICATION OF THE 2010 BUDGET FOR THE MADISON COUNTY FAIR

WHEREAS, the Madison County Fair Board has requested that Madison County continue financial support for costs associated with the 2010 Madison County Fair, and;

WHEREAS, Madison County is committed to continue its support to help ensure a successful 2010 Madison County Fair for the benefit of its citizens;

NOW THEREFORE BE IT RESOLVED, that the County will provide \$10,000 to underwrite expenses for attractions to the Fair and;

BE IT FURTHER RESOLVED, that the County will provide an additional amount not to exceed \$15,000 for General Expenses and as matching funds equal to other documented monetary and material in-kind donations as approved and authorized by the County Administrator; and

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

Contingent - Department 1990

	<u>From</u>	<u>To</u>
A1990.4444 Contingent Fund	\$732,580	\$707,580

Madison County Fair – Department 7550

A7550.4101 Attractions – Promotions	-0-	\$ 10,000
A7550.42746 General Expense	-0-	\$ 15,000

Control Total:	<u>\$732,580</u>	<u>\$732,580</u>
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ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

The resolution with amendment was then voted on as follows:

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisor Degear:

RESOLUTION NO. 79-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO A MAINTENANCE AGREEMENT WITH TRANE

WHEREAS, it is necessary to enter into a maintenance agreement for the routine maintenance inspections (to include: spring startup inspection, one midseason inspection, one shutdown inspection and annual maintenance) for each chiller per year, located in the County Office Building: and

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

WHEREAS, the maintenance agreement is for three years commencing April 1, 2010 through March 31, 2013 in the amounts of:

April 1, 2010 – March 31, 2011 - \$6,820.00
April 1, 2011 – March 31, 2012 - \$7,025.00
April 1, 2012 – March 31, 2013 - \$7,235.00

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 **Trane of East Syracuse, New York**, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 80-10

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, 2010, in the amount of \$702.53 for the Public Safety Building, \$628.87 for the County Office Building, \$558.27 for the Social Services Building, \$557.51 for Public Health and \$767.11 for the Highway Department , a total of **\$3,214.29** per 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**, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 81-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENT WITH UNIFIED COURT SYSTEM FOR COURT CLEANING AND MINOR REPAIRS FOR 2009-2010

WHEREAS, counties and cities are required by law to furnish and maintain adequate court facilities for use by trial courts of the State of New York; and

WHEREAS, Madison County is responsible for furnishing and maintaining the Madison County Courthouse; and

WHEREAS, this agreement shall be effective beginning April 1, 2009 and shall terminate March 31, 2010; and

WHEREAS, the proposed budget for services to be rendered to this agreement shall be \$236,793; and

WHEREAS, pursuant to the provisions of Chapter 686 of the laws of 1996, as amended to date, the maximum compensation for the 2005-2006 period shall be 100% of the total amount;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into a renewal

agreement with the Unified Court System, as is on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 82-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO A CONTRACT TO ACCEPT COVER

WHEREAS, Meloon Foundries, Inc. in the County of Onondaga are possessed with a surplus of “foundry sand”, which such sand has been used for daily landfill cover in accordance with the New York State Department of Environmental Conservation rules and regulations; and

WHEREAS, the County of Madison has received written approval from the New York State Department of Conservation indicating that foundry sand is acceptable for the purpose of daily landfill cover; and

WHEREAS, Meloon Foundries, Inc. is willing to continue to provide such cover, and it is in the best interest of Madison County to receive same upon payment to Madison County of an agreed upon price; and

WHEREAS, a Contract has been drafted whereby such arrangement may be formalized with Meloon Foundries, Inc. interested in continuing to provide such material to the County; and

NOW, THEREFORE, BE IT RESOLVED, that Madison County enter into a Contract or Contracts with such foundry willing to provide foundry sand as daily landfill cover consistent with the provisions of the Contract for providing cover, a copy of which is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the Chairman of this Board be is hereby authorized and directed to enter into a two (2) year Contract with such Meloon Foundries, Inc., and that the County accept the price of Thirty Five Dollars (\$35.00) per ton for each ton received.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 83-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO A CONTRACT WITH THE VILLAGE OF CLINTON FOR LEACHATE DISPOSAL

WHEREAS, the Madison County Board of Supervisors has before it a proposal to contract with the Village of Clinton, New York to provide Madison County with disposal capacity at the Clinton Wastewater Treatment Facility not to exceed 6 million gallons per year or 1.5 million gallons per month of leachate generated by the Madison County Landfill at a rate of \$0.025 per gallon; and

WHEREAS, in 1994 the County had reviewed the environmental impacts associated with the proposed Contract pursuant to the State Environmental Quality Review Act (“SEQR”) and after finding no significant adverse environmental impacts adopted a negative declaration; and

WHEREAS, the term of the Contract by and between the parties shall be from March 12, 2010 through March 12, 2011; and

WHEREAS, the Madison County Board of Supervisors finds the Contract with the Village of Clinton for leachate disposal to be favorable as a alternative disposal site for the landfill leachate;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized and directed to execute the required contract documents, on behalf of the County of Madison, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

RESOLUTION NO. 84-10

SUPPORTING EXTENDED PRODUCER RESPONSIBILITY

WHEREAS, manufactured goods and packaging constitute approximately 75% of the materials managed by solid waste authorities and departments in the United States, based on figures reported by the U.S. Environmental Protection Agency; and

WHEREAS, residents and businesses in Madison County are required to spend large sums of money to manage discarded manufactured goods and packaging; and

WHEREAS, hazardous and hard-to-recycle product management costs are expected to increase substantially in the short term unless policy changes are made; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of hazardous products; and

WHEREAS, New York State policy currently makes local governments responsible for achieving waste diversion goals, which is an unfunded mandate; and

WHEREAS, the municipal waste management system in the United States was established a century ago to manage far simpler and more homogeneous wastes like ashes, food scraps and horse manure, rather than the manufactured goods and packaging which dominate today’s municipal waste; and

WHEREAS, local solid waste departments such as Madison County have no input into the design or marketing of products, make no profit from the products, and do not have the resources to adequately address the rising volume of discarded products; and

WHEREAS, costs paid by citizens and local governments to manage products are, in effect, subsidies to producers that enable and encourage producers to design products for disposal and without regard to end of life management; and

WHEREAS, some corporate producers have implemented take-back efforts which have been helpful but there is a need for consistent industry-wide practices and this can only be accomplished by EPR legislation on a State or Federal level, and

WHEREAS, Extended Producer Responsibility (EPR) is an environmental policy approach in which producers (brand owners and importers) accept responsibility for the management of post-consumer products, so those who produce products bear the costs of recycling and responsible disposal; and

WHEREAS, when producers are responsible for ensuring their products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic; and

WHEREAS, the State of New York can advance EPR through a variety of mechanisms including requiring the manufacturers of many products sold to New York State departments to take financial responsibility for collecting and recycling those products at the end of their useful life; by incorporating EPR policies into New York State's product procurement practices; by favoring vendors and manufacturers that take back their product and associated packaging at end of life; and

WHEREAS, the Madison County Board of Supervisors supports statewide efforts to hold producers responsible for hazardous product discard management and other product waste management costs;

NOW, THEREFORE BE IT RESOLVED, by the Madison County Board of Supervisors that the County intends to focus community resources on the recovery and beneficial use of organic materials (food scraps, yard trimmings, etc.) and to encourage the State of New York to transfer responsibility for the costs of managing certain products at end-of-life to producers (brand owners and first importers); and be it

FURTHER RESOLVED, that the Madison County Board of Supervisors urges the New York State Legislature to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to reuse and recycle; and be it

FURTHER RESOLVED, that the Director of the Madison County Department of Solid Waste is directed to send letters to the State legislature and State associations and to use other advocacy methods to urge support for EPR legislation; and be it

FURTHER RESOLVED, that State of New York and its member agencies are urged to include EPR language, such as specifying product and packaging collection and recycling requirements, in contracts for commodities. This Resolution shall take effect immediately.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

Resolution Brief: Extended Producer Responsibility

In the past 20+ years, Madison County has invested local tax dollars to safely manage household hazardous waste and, more recently, electronic waste, in an environmentally sound manner. Generally, these are materials that contain toxic and potentially hazardous constituents. Manufacturers have externalized the cost to safely manage these potentially dangerous products at the end of their useful life. In other words, it has fallen upon local solid waste management systems to bear the high cost of safely disposing of these unwanted – and potentially dangerous -- products. This is not sustainable.

Extended Producer Responsibility (EPR) policies, also known as Product Stewardship (PS) require that manufacturers assume appropriate responsibility of their products at the end of their useful life. These policies improve recycling, create green jobs, and encourage producers to design more sustainable products, all at no costs to taxpayers/ratepayers.

At this time, at least 18 states and the City of New York have already taken a leadership position by passing legislation mandating statewide electronic waste recycling using the EPR approach. An additional 15 states, including New York, are considering EPR legislation for e-waste.

Implementing EPR legislation would relieve local tax payers and rate payers from the cost of collecting and processing these materials for safe disposal, recycling, or reuse. Sustaining these costs on an ongoing basis is an unreasonable financial burden for municipal solid waste programs. If product producers were financially connected to the end of life management of their products, they would surely design safer, easier to recycle goods. The environmental benefits would include:

- 1) The extraction rate of natural resources, including foreign oil, precious metals, and iron ore, needed for the manufacture of new materials, would decrease,
- 2) The generation of greenhouse gasses associated with those energy-intensive mining processes would decrease, and
- 3) The quantity of heavy metals and other toxic/hazardous components entering the waste stream would decrease.

RECOMMENDATION:

The Solid Waste/Recycling Committee, after thorough review of this issue, recommends that the County Board of Supervisors pass a resolution urging the New York State Legislature to adopt EPR legislation aimed at involving manufacturers in the end of life

management of their products, and relieving taxpayers and ratepayers of the unsustainable cost of handling these products through local solid waste management systems.
END

RESOLUTION NO. 85-10

**DECLARATION OF INTENT TO ESTABLISH LEAD AGENCY
AND COMMENCEMENT OF SEQR REVIEW**

WHEREAS, the County desires to enter into an agreement with Johnson Brothers Lumber Company for the transfer of a parcel of County-owned land, located at the Madison County Solid Waste Facility on Buyea Road in the Town of Lincoln, and for the conveyance of excess heat from the Landfill Gas to Energy Facility, for the purpose of developing a lumber kiln facility utilizing such excess heat; and

WHEREAS, under the State Environmental Quality Review (“SEQR”) Act, the sale of such lands and subsequent development of same constitute an “action” as defined in the SEQR statute;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby states its intent to establish Lead Agency for this action; and it is

FURTHER RESOLVED, such action is classified as an Unlisted Action pursuant to 6 NYCRR § 617.4(b) (4); and it is

FURTHER RESOLVED, that the Director of Solid Waste identify on behalf of the County, all “Involved Agencies” as defined by 6 NYCRR § 617.2(s) and coordinate any necessary environmental review with such Involved Agencies, if any; and it is

FURTHER RESOLVED, that the County of Madison hereby declares its intent to be established as lead agency, and directs the Director of the Solid Waste Department to undertake the gathering of information necessary to complete a Full Environmental Assessment Form as required by 6 NYCRR § 617.6(a)(2); and

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

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisor Reinhardt:

RESOLUTION NO. 86-10

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

RESOLVED, that the 2010 Adopted County Budget be modified as follows:

Modification No. 1

3110 Sheriff Department

Expense

	<u>From</u>	<u>To</u>
A3110.41017 Supplies – Youth Recognition	\$ -0-	\$ 2,106
Totals	\$ -0-	\$ 2,106

Revenue

A2705.1020 Donation-Youth Recognition Awards	\$ -0-	\$ 55
A2801.4540 Youth Bureau – Youth Recognition Award Program	\$ -0-	<u>2,051</u>
Control Total	<u>\$ -0-</u>	<u>\$ 2,106</u>

Modification No. 2

General Fund

4309 Mental Health-ADAPT

Revenue

	<u>From</u>	<u>To</u>
A2801.7020 STOP DWI Reimbursement	\$ 14,023	\$15,075
Control Total		<u>\$ 1,052</u>

Expense

A4309.4226 Transcription Services	\$ -0-	\$ 3,000
A4309.4227 Medical & Psychiatric Service	<u>36,000</u>	<u>34,052</u>
Total Expense	\$ 36,000	\$ 37,052
Control Total		<u>\$ 1,052</u>

Modification No. 3

General Fund

6010 Social Services Administration

Expense

	<u>From</u>	<u>To</u>
A6010.2001 File Cabinets	\$ 2,730	\$ 1,034
A6010.2100 Computers/Printers., Etc.	<u>\$ 0</u>	<u>\$ 1,696</u>
Control Total	<u>\$ 2,730</u>	<u>\$ 2,730</u>

Modification No. 4

County Road Fund

5020 County Highway Engineering

Expenses

	<u>From</u>	<u>To</u>
D5020.2004 Office Furniture	\$ 0	\$ 1,338
D5020.2005 Map Files & Table	<u>6,000</u>	<u>4,662</u>
Control Total	<u>\$ 6,000</u>	<u>\$ 6,000</u>

ADOPTED: AYES – 1436 NAYS – 0 ABSENT- 64 (Henderson)

RESOLUTION NO. 87-10

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

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

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

NOW, THEREFORE BE IT RESOLVED, that Rule No. 24 is hereby waived for the purpose of the introduction of resolutions for the balance of this meeting; and

BE IT FURTHER RESOLVED, that portion of Rule No. 24-A calling for all resolutions to be first filed with the Chairman of the appropriate committee ten (10) days prior to the meeting, is also hereby waived to the extent of such time limitation for the balance of this meeting; providing however, that to the extent not hereby specifically waived all such rules remain in full force and effect.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisor DiVeronica:

RESOLUTION NO. 88-10

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE CITY OF ROME FOR LEACHATE DISPOSAL

WHEREAS, the Madison County Board of Supervisors has before it a proposal to contract with the City of Rome, New York to provide Madison County with disposal capacity at the City of Rome Wastewater Treatment Facility not to exceed 8 million gallons per year of leachate generated by the Madison County Landfill at the rates specified in the Agreement; and

WHEREAS, in 1994 the County had reviewed the environmental impacts associated with the proposed Contract pursuant to the State Environmental Quality Review Act (“SEQR”) and after finding no significant adverse environmental impacts adopted a negative declaration; and

WHEREAS, the term of the Agreement by and between the parties shall be from March 12, 2010 through March 12, 2011; and

WHEREAS, the Madison County Board of Supervisors finds the Contract with the Village of Clinton for leachate disposal to be favorable as a alternative disposal site for the landfill leachate ; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized and directed to execute the required Agreement documents, on behalf of the County of Madison, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1436 NAYS – 0 ABSENT – 64 (Henderson)

By Supervisor Reinhardt:

RESOLUTION NO. 89-10

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 – 1436 NAYS – 0 ABSENT – 64 (Henderson)

**PROCLAMATION
DEVELOPMENTAL DISABILITIES AWARENESS MONTH
MARCH 2010**

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 people 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 people 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 people 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:

2010 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.

PUBLIC COMMENT PERIOD

No Speakers at this time.

On motion by Supervisor Cary, seconded by Supervisor Reinhardt, the meeting adjourned until Tuesday, April 13, 2010.