

**MADISON COUNTY BOARD OF SUPERVISORS**  
**Meeting – Tuesday, June 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 except for Supervisor Hammond (21 votes).

Pledge of Allegiance.

Chairman Becker made a statement at this time addressing negative comments made regarding CSEA White Collar negotiations.

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

**COMMUNICATIONS**

1. Acknowledgement received from NYSAC regarding resolution no. 211-09 – Supporting Adoption of the Federal Milk Marketing Improvement Act.

**REPORTS OF COMMITTEES**

Supervisors, Highway, Social Services, Employment & Training/WIA And Cazenovia Sewer District:	\$2,315,423.72
Miscellaneous Accounts:	\$ 55,690.01
Cowaselon Watershed District:	\$ 720.00

County Historian Mary Messere addressed the Board and urged everyone to attend the 170<sup>th</sup> Birthday of the Madison County Brookfield Fair scheduled for July 9-12, 2009.

**UNFINISHED BUSINESS**

**Resolution No. 207-09 Authorizing the Chairman to Execute a Contract With Motorola Inc. to Upgrade the County Public Safety Communications Trunked Land Mobile Radio Network Infrastructure.**

**Several Supervisors commented that the Criminal Justice Committee and the Finance Committee have done a tremendous job and have put a great deal of time and effort into this project and now is the time to move ahead.**

**Supervisor Bargabos having concerns about putting any kind of a tax increase on county residents offered a motion to amend this resolution. The amendment was seconded by Supervisor Williams. The amendment reads as follows:**

**BE IT FURTHER RESOLVED, that the 2009 Adopted County Budget be modified to appropriate \$5,000,000 from the un-appropriated fund balance to be dedicated to the Emergency Communication Capital Project. A vote was then taken on the amendment and:**

**DEFEATED: NAYS – 1452 AYES – 27 (Bargabos) ABSENT – 21 (Hammond)**

**Supervisor Darrin Ball, Chairman of the Criminal Justice Committee made the following statement:**

**Today’s decision is one that has been discussed, it has been pondered and it has been delayed for many years. An opportunity is upon us today to consider the timing of a project of such significant magnitude that it will have lasting effects on our communities in the future for years to come. I think that in this case timing is everything!**

**We have worked this project from inception to specification development and then to project bid that has brought us to where we are today. It has been a long road that has had a multitude of user group meetings, committee meetings, special meetings including such things as finance, project reductions, fostered relationships with our adjoining counties, frequency acquisition, engineering, project management, site development, specification review, equipment review, vendor meetings, funding opportunities, grant requests, and as of last week a futuristic vision of bringing broadband to Madison County utilizing the communications infrastructure.**

**With the soon to be retired debt service and through the diligence of the County Treasurer and the Chairman of the Finance Committee we have found a viable way to make this project a reality. We all wish the projects costs were half as much as they are, and we hope for stimulus funding that we may or may not receive, but either way after today the cost is going up regardless.**

**Without this project we at some point will have a failure that cannot be repaired. The costs will continue to be a staggering hurdle that we may not ever be able to overcome, licensing agreements will be lost, the county jeopardizes becoming ineligible for federal and regional funding opportunities, and a system designed to provide a greater degree of protection for its residents and its responders would now become a detriment.**

**As evidenced today by those that appear in this room that hold specific interest in the forward movement of this project it’s evident to me that it is in-fact time to move forward. The Criminal Justice Committee became a quick study to the inherited project with assistance from its consultants and county employees. The federal government is mandating narrow banding in the near future that will again impact this county’s system. You have all heard this morning of the**

instances that could have had a more efficient and better outcome if we had the capabilities of this new system.

As of late yesterday we received news from Park Strategies that we have indication that our efforts might bear fruit in respect to our funding request efforts. Keeping in mind our financial projection has not included any what if type of funds. We will work diligently to seek all sources of funds for this project and do it as cost effective as possible.

In conclusion, I will ask for your support of a yes vote to increase the capabilities of our system responders, to become more efficient in their already inherently dangerous occupations and to provide a public safety network that assures the public that we have acted with a deliberate, reasonable and sound fiscal responsibility.

A final vote on Resolution No. 207-09 was taken:

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

### **RESOLUTIONS**

By Supervisor Bargabos:

#### **RESOLUTION NO. 224-09**

##### **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 the following employee upon her retirement:

Shirley D. Cornell	Social Services	1977- 2009	31 years
--------------------	-----------------	------------	----------

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

Shirley Cornell could not make the meeting today so DSS Commissioner Mike Fitzgerald accepted a gift from the Board on her behalf.

#### **RESOLUTION NO. 225-09**

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

**WHEREAS**, the 2009 Technical Child Passenger Safety Conference will be held in Lancaster, Pennsylvania, September 9 - 11, 2009; and

**WHEREAS**, Eric Faisst, Public Health Director has requested that Chrystal Johnson, Public Health Educator II attend said conference; and

**WHEREAS**, her expenses for transportation, meals and registration are funded by the 2009 Health Department Budget, and her lodging fee is fully funded by the New York State Governor's Traffic Safety Committee; and

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

**NOW, THEREFORE BE IT RESOLVED** that Chrystal Johnson be and hereby is authorized to attend said conference at County expense not to exceed \$255.00.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 226-09**

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

**WHEREAS**, the Kronos Time Clock Training will be held in Chelmsford, Massachusetts, June 10 - 13, 2009; and

**WHEREAS**, Michael Bischoff, Information Technology Director has requested that Daryl Piersall, Network Engineer attend said training; and

**WHEREAS**, his expenses for transportation, meals, lodging and registration are funded through appropriations in the Treasurer's Department 2009 budget; and

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

**NOW, THEREFORE BE IT RESOLVED** that Daryl Piersall be and hereby is authorized to attend said conference at County expense not to exceed \$415.00.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 227-09**

**RATIFYING AND AUTHORIZING THE CHAIRMAN OF THE BOARD  
TO ENTER INTO LABOR AGREEMENTS (CSEA BLUE COLLAR UNIT)**

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors hereby ratifies a negotiated Memorandum of Agreement with the CSEA Blue Collar Unit with regard to the issue of One Person Plowing (OPP) and a negotiated collective bargaining agreement covering the period of January 1, 2009 through December 31, 2010, the terms of such agreements having been reviewed by this Board; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized and empowered to enter into the aforesaid negotiated agreements with the CSEA Blue Collar Unit.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 ( Hammond)**

**RESOLUTION NO. 228-09**

**ESTABLISHING THE 2009 SALARY FOR  
DEPUTY PROBATION DIRECTOR II**

**WHEREAS**, the Probation Director II will promote an employee to Deputy Probation Director II in June 2009; and

**WHEREAS**, the promotion will be funded through existing appropriations in the 2009 Probation Department budget; and

**WHEREAS**, the Criminal Justice, Public Safety and Telecommunications Committee and the Government Operations Committee recommend that the 2009 salary be established at \$51,322,

**NOW, THEREFORE BE IT RESOLVED** that the 2009 salary for Deputy Probation Director II be and hereby is established at \$51,322 effective immediately.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 ( Hammond)**

**RESOLUTION NO. 229-09**

**MODIFYING THE COMPENSATION OF THE CONFIDENTIAL SECRETARY TO THE COMMISSIONER OF SOCIAL SERVICES**

**WHEREAS**, due to recent retirements within the Department of Social Services, the Commissioner has made certain changes in the organizational structure of the department; and

**WHEREAS**, certain duties have been reassigned to the Confidential Secretary to the Commissioner of Social Services; and

**WHEREAS**, the Commissioner of Social Services has recommended that the salary of the Confidential Secretary to the Commissioner of Social Services be increased to \$34,317 with a federal and state reimbursement rate of 68%; and

**WHEREAS**, the additional salary and fringe benefits for this position will be funded through appropriations in the Department of Social Services budget resulting from retirements; and

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

**NOW, THEREFORE BE IT FURTHER RESOLVED** that the 2009 compensation for the Confidential Secretary to the Commissioner of Social Services be increased to \$34,317 in accordance with Civil Service Law and Rule effective June 9, 2009.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 230-09**

**ABOLISHING A LABOR RELATIONS TECHNICIAN POSITION AND CREATING A COORDINATOR OF LABOR RELATIONS POSITION IN THE PERSONNEL DEPARTMENT AND MODIFYING THE 2009 COUNTY BUDGET**

**WHEREAS**, the Personnel Officer recommends that a full-time Labor Relations Technician position be abolished and a Coordinator of Labor Relations position be created in the Personnel Department; and

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

**WHEREAS**, this request was reviewed and approved in accordance with the vacancy review procedure by the Government Operations Committee,

**NOW, THEREFORE BE IT RESOLVED** that a Labor Relations Technician position be and hereby is abolished effective July 1, 2009; and

**BE IT FURTHER RESOLVED** that the new Coordinator of Labor Relations be and hereby is created effective June 9, 2009; and

**BE IT FURTHER RESOLVED** that the title of Coordinator of Labor Relations be and hereby is allocated to Grade M of the Management Salary Plan; and

**BE IT FURTHER RESOLVED** that the Personnel Officer be and hereby is authorized to fill said position at the 2009 salary of \$53,197 in accordance with Civil Service Law and Rule effective July 1, 2009;

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

**General Fund**

**1430 PERSONNEL & CIVIL SERVICE**

	<b><u>From</u></b>	<b><u>To</u></b>
A1430.1070 Extra Help/Intern	\$13,000	\$ 3,000
A1430.1025 Personnel Services	<u>\$37,621</u>	<u>\$47,621</u>
	\$50,621	\$50,621

**ADOPTED: AYES -1479 NAYS – 0 ABSENT – 21 (Hammond)**

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 231-09**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT FOR A  
FEDERAL & STATE GRANT IMMUNIZATION ACTION PLAN  
AND MODIFYING THE 2009 COUNTY BUDGET**

**WHEREAS**, the Madison County Public Health Department has been administering the Immunization Action Plan through federal and state funding provided by the New York State Department of Health; and

**WHEREAS**, Madison County has been awarded \$35,249 to cover the program costs during the period April 1, 2009 through March 31, 2010; and

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

Awarding Agency: US Department of Health & Human Services  
Center for Disease Control & Prevention  
Pass-through Agency: NYS Department of Health  
Catalog #: 93.268  
Program Name: Immunization Action Plan  
Grant Extension: 04/01/09-03/31/10

Contract: C-023252  
 Federal Funds: 40%  
 Total Grant Award: \$35,249

**WHEREAS**, the Retired and Senior Volunteer Program (RSVP) has agreed to provide senior volunteers to attend immunization clinics to assist the Health Department with educational services related to immunizations from April 1, 2009 through March 31, 2010; and

**WHEREAS**, the Public Health Services Committee has approved this proposal;

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

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with Retired and Senior Volunteer Program (RSVP) for their expenses, not to exceed \$1,000, as is on file with the Clerk of the Board of Supervisors; and

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

<u>General Fund</u>	<u>From</u>	<u>To</u>
<b><u>4012 Public Health Preventive Expense</u></b>		
A4012.41031 Immunization Grant Expense	\$ 6,646	\$ 14,288
Control Total		<u>\$ 7,642</u>
 <b><u>Revenue</u></b>		
A3401.1050 St Aid Public Health Immunization Grant	\$ 19,564	\$ 24,149
A4401.1050 Federal Grant Immunization Action	<u>\$ 13,043</u>	<u>\$ 16,100</u>
Total	\$ 32,607	\$ 40,249
Control Total		<u>\$ 7,642</u>

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 232-09**

**MODIFYING THE 2009 COUNTY BUDGET TO PAY HEALTH FACILITY CASH ASSESSMENT PROGRAM**

**WHEREAS**, the Public Health Department operates a duly Certified Home Health Agency (CHHA) and Long Term Home Health Care Program (LTHHCP); and

**WHEREAS**, New York State will reinstate the Health Facility Cash Assessment Program as part of the enacted 2009-2010 State Fiscal budget requiring payment back to the NYS Department of Health; and

**WHEREAS**, Chapter 58 of the Laws of 2009 requires designated providers to pay an assessment to New York State Department of Health on cash operating receipts commencing April 1, 2009; and

**WHEREAS**, Article 36 Certified Home Health Agencies and Long Term Home Health Care Programs are required to report separate monthly cash assessment for each category and pay .35% of cash received on and after April 1, 2009 to New York State Department of Health; and

**WHEREAS**, Section 2807-d of the Public Health Law requires that interest and penalty be charged and remitted to New York State Department of Health when monthly payments are submitted after the required due date, failure to comply with required monthly payment obligations will result in recoupment of established amounts due from Madison County Medicaid claims cycle checks issued by the State; and

**WHEREAS**, the amount of cash assessments for the remainder of 2009 is estimated to be \$7,000; and

**WHEREAS**, the Public Health Services Committee has approved this proposal;

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

<u>General Fund</u>	<u>From</u>	<u>To</u>
<b><u>4013 Public Health Home Care</u></b>		
<b><u>Expense</u></b>		
A4013.4504 Health Assessment Expense CHHA	\$ 0	\$ 5,810
A4013.41047 Health Assessment Expense LTHHC	\$ 0	\$ 1,190
<b><u>1990 Contingent Fund</u></b>		
A1990.4444 Contingent Fund	<u>\$863,792</u>	<u>\$ 856,792</u>
Control Total	<u>\$863,792</u>	<u>\$ 863,792</u>

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 233-09**

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

**WHEREAS**, the Madison County Health Department administers the Public Health Preparedness Grant through State funding provided by the New York State Department of Health; and

**WHEREAS**, the 2008-2009 Preparedness grant funding was decreased by \$12,838 for the time period August 10, 2008 through August 9, 2009; and

**WHEREAS**, the Board of Health and Public Health Services Committee recommends approval of the budget modification;

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

**General Fund**

**4016 Public Health Federal and State Grants**

<b><u>Expense</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
A4016.4911 Bioterrorism Expense	\$ 47,208	\$ 34,370
Control Total		<u>\$ 12,838</u>

**Revenue**

A3401.6710 St Aid Emergency Preparedness	\$ 47,208	\$ 34,370
Control Total		<u>\$ 12,838</u>

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 234-09**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE EAT WELL PLAY HARD COMMUNITY PROJECT AND MODIFYING THE 2009 COUNTY BUDGET**

**WHEREAS**, the Madison County Department of Health currently works with residents on issues regarding health and fitness; and

**WHEREAS**, the New York State Department of Health has funds through Maternal Child Block Grant to promote education on nutrition and physical activity; and

**WHEREAS**, the Madison County Health Department has the expertise to accomplish the necessary tasks and continue working with this grant; and

**WHEREAS**, the Board of Health and Public Health Services Committee has proposed to enter into agreements with Cornell Cooperative Extension of Madison County and Herkimer County HealthNet to help accomplish the goals of the work-plan; and

**WHEREAS**, grant funds are available with funding being provided as follows:

Awarding Agency: Maternal Child Block Grant  
 Pass-through Agency: New York State Department of Health  
 Catalog #: 93.994  
 Program Name: Eat Well Play Hard Community Project  
 Grant Period : October 1, 2009-September 30, 2010  
 Contract #: C-021519  
 State Funds: 100%  
 Grant Total: \$81,106

**WHEREAS**, the Madison County Board of Health and the Public Health Services Committee believe that it is appropriate for the Department to provide this service to the community;

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

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements with Cornell Cooperative Extension and Herkimer County HealthNet, as is on file with the Clerk of the Board of Supervisors; and

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

**General Fund**

**A4017 Public Health – Eat Well Play Hard**

<b><u>Expense</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A4017.402	Grant Expenses	\$16,887	\$ 26,518
A4017.41028	Contractual Expense	<u>42,979</u>	<u>92,979</u>
	Total	\$59,866	\$119,497
	Control Total		<u>\$ 59,631</u>

<b><u>Revenue</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
A3401.68	State Aid- Eat Well Play Hard	<u>\$81,183</u>	<u>\$140,814</u>
	Control Total		<u>\$ 59,631</u>

**ADOPTED: AYE S- 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**By Supervisor Salka:**

**RESOLUTION NO. 235-09**

**AUTHORIZING THE COMMUNITY SERVICES BOARD  
 TO SPONSOR AN ANNUAL DINNER MEETING AND AWARDS CEREMONY**

**WHEREAS**, for over 40 years, Madison County has made a commitment to community-based systems of mental health care in which all residents can receive high-quality and consumer-responsive services; and

**WHEREAS**, under Article 41 of the New York State Mental Hygiene Law, the Madison County Board of Supervisors created the Community Services Board to oversee services to the mentally ill, the mentally retarded and developmentally disabled, and those suffering from alcoholism and substance abuse; and

**WHEREAS**, since 1990 the Community Services Board has exercised its responsibility for promoting community and public understanding of mental disabilities and advocating for the cooperation with other human service agencies in advancing the provision of services by inviting representatives from county public and private agencies, certain elected officials, and other guests to participate in the Annual Dinner Meeting and Awards Ceremony; and

**WHEREAS**, at this event community volunteers and/or community professionals are recognized for their contributions in the service areas of Alcoholism and Substance Abuse, Mental Health, Developmental Disabilities, and Consumer Advocacy; and

**WHEREAS**, the Community Services Board also recognizes employees of the Mental Health Department with mementos for their dedicated service at five-year career milestones; and

**WHEREAS**, the Community Services Board moves the location of the Annual Dinner Meeting and Awards Ceremony to venues in different parts of Madison County with the 2009 event to be held at the Colgate Inn, Hamilton, New York;

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors authorizes the Community Services Board to hold its Annual Dinner Meeting and Awards Ceremony at the Colgate Inn and purchase plaques and mementos from Malone's Service, Inc.; and

**BE IT FURTHER RESOLVED** that payment for the dinner, plaques and mementos shall be approved from the appropriate line item - Mental Health Administration – Mental Health Board Expense, A4310.4035 in the Mental Health Department 2009 budget with the cost of the dinner not to exceed \$2000.00 and the plaques and mementos not to exceed \$900.00.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 236-09**

**AUTHORIZING CHAIRMAN TO MODIFY AN AGREEMENT  
FOR MENTAL HEALTH CONSULTATION SERVICES**

**WHEREAS**, on September 9, 2008, Resolution#327-08 authorized the Chairman to enter into an agreement for mental health consultation services with Mary Horan, MSW from September 1, 2008 through June 30, 2009; and

**WHEREAS**, Ms. Horan, M.S.W., has been providing consultation and treatment services at the Cazenovia School District; and

**WHEREAS**, the County Mental Health Department needs an additional mental health consult for its clients due to various maternity leaves; and

**WHEREAS**, the 2009 County budget provides funds for the provision of mental health counseling services;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be hereby authorized to enter into a modified agreement, a copy of which is on file with the Clerk of the Board of Supervisors, with Mary Horan, MSW, for the provision of mental health consultation services to the Mental Health Department at an hourly rate of \$35.00, said rate to be effective July 1, 2009 to August 31, 2009 not to exceed 20 hours a week.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 237-09**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
WITH EARLVILLE OPERA HOUSE, INC.**

**WHEREAS**, the need has been identified to provided opportunities for children & youth to be exposed to and participate in the arts, especially during the summer months when school is not in session; and

**WHEREAS** the Earlville Opera House, Inc. has the skills and experience to provide these opportunities through their Children’s Performing Arts Series and their KidsArt and TeensArt Exhibits; and

**WHEREAS**, the Madison County Youth Bureau desires to enter into an agreement with the Earlville Opera House, Inc. to operate the above mentioned programs; and

**WHEREAS**, the Madison County Youth Board and the Social & Mental Health Services Committee have recommended funding these programs; and

**WHEREAS**, these costs are reimbursed 100% by State Aid;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with Earlville Opera House, Inc. in the amount of \$ 7,000 for the operation of the Children's Performing Arts Series and KidsArt and TeensArt Exhibits during the period of January 1, 2009 – December 31, 2009, in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT- 21 (Hammond)**

**RESOLUTION NO. 238-09**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE MADISON COUNTY SHERIFF'S OFFICE**

**WHEREAS**, the need has been identified for substance abuse resistance education for students in the late elementary school grades; and

**WHEREAS** the Madison County Sheriff's Office has the expertise and staff to address this need through their Drug Abuse Resistance Education (D.A.R.E.) program; and

**WHEREAS**, the Madison County Youth Bureau desires to enter into an agreement with the Madison County Sheriff's Office to operate the D.A.R.E. program; and

**WHEREAS**, the Madison County Youth Board and the Social & Mental Health Services Committee have recommended funding this program; and

**WHEREAS**, these costs are reimbursed 100% by State Aid;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with the Madison County Sheriff's Office in the amount of \$ 9,000 for the operation of the D.A.R.E. program during the period of January 1, 2009 – December 31, 2009, in the form as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**By Supervisor Ball:**

**RESOLUTION NO. 239-09**

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

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

**WHEREAS**, the Information Technology Department is the lead Department for this system and is responsible for maintaining the Maintenance Agreement with Continuum Voice and Data Systems;

**WHEREAS**, the term of the contract is from May 1 through April 30, renewable on an annual basis;

**WHEREAS**, the cost of this contract for 2009 through 2010 is Thirty Six thousand, One Hundred Forty One and 11/100 Dollars (\$36,141.11); and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors authorize the Chairman of the Board to sign the agreement, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT- 21 (Hammond)**

**RESOLUTION NO. 240-09**

**AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT**

**WHEREAS**, the Sheriff's Office owns a licensed version of software from Data Support, Inc. for the daily activities of the Evidence Unit; and

**WHEREAS**, the software system includes barcode scanners, label printing to maintain an accurate chain of custody of all evidence and property and also includes a portable scanning data collection device; and

**WHEREAS**, all maintenance fees will be due net 30 days prior to renewal date and the annual maintenance fee for this agreement will be Five Hundred Ninety Five Dollars (\$595); and

**WHEREAS**, the term of this agreement shall begin on June 1, 2009 and end May 31, 2010; 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 Data Support, Inc. for the purpose of software maintenance; and

**BE IT FURTHER RESOLVED**, that a copy of this agreement is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 241-09**

**AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT**

**WHEREAS**, the Sheriff's Office is in need of a supplier to provide commissary items to the inmates of the Madison County Public Safety Building; and

**WHEREAS**, the Sheriff's Office has contracted with Keefe Commissary Network since 1996 and have been doing business with same since 1978; and

**WHEREAS**, the Keefe Commissary Network has provided the Sheriff's Office with the necessary computer equipment and software which allows the Sheriff's Office to order commissary items through a commissary network program; and

**WHEREAS**, the term of this agreement shall be from June 1, 2009 until May 31, 2011, with the option to automatically renew for successive 1 year terms thereafter; and

**WHEREAS**, the Criminal Justice, Public Safety and Telecommunications Committee have reviewed the agreement submitted by Keefe Commissary Network and recommend its approval; 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 Keefe Commissary Network of New Jersey; and

**BE IT FURTHER RESOLVED**, that a copy of this agreement is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 242-09**

**AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT**

**WHEREAS**, the Sheriff's Office would like to enter into agreement with Keefe Commissary Network, LLC for processing of inmate deposits; and

**WHEREAS**, the Sheriff's Office has contracted with Keefe Commissary Network since 1996; and

**WHEREAS**, the Keefe Commissary Network provides payment processing services to correctional facilities; and

**WHEREAS**, the payment methods for facilitating deposits into inmate accounts by the public will include (a) Online Website or (b) Call Center – using a toll free number to make deposits using any a Mastercard or Visa; and

**WHEREAS**, there is no cost to Madison County for this service; and

**WHEREAS**, the term of this agreement shall be from June 1, 2009 until May 31, 2012, with the option to automatically renew for successive 1 year terms thereafter; and

**WHEREAS**, the Criminal Justice, Public Safety and Telecommunications Committee have reviewed the agreement submitted by Keefe Commissary Network and recommend its approval; 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 Keefe Commissary Network, LLC; and

**BE IT FURTHER RESOLVED**, that a copy of this agreement is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 243-09**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK, EXECUTIVE DEPARTMENT, OFFICE OF GENERAL SERVICES, DIVISION OF FOOD DISTRIBUTION & WAREHOUSING**

**WHEREAS**, the Madison County Sheriff's Office wishes to enter into an agreement with the State of New York, Executive Department, Office of General Services, Division of Food Distribution & Warehousing for the Child Nutrition Program; and

**WHEREAS**, the Madison County Sheriff's Office will hereby make application for food donated by the United States Department of Agriculture for distribution to Madison County Jail and agree to the terms and conditions regarding the receipt, transportation, handling, storage, record keeping, preparation, use and disposal of such donated foods; and

**WHEREAS**, the term of this agreement shall commence effective September 1, 2008 and shall be considered permanent unless terminated by either party; 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 the State of New York, Executive Department, Office of General Services, Division of Food Distribution & Warehousing, a copy of which is on file with the Clerk of the Board.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

By Supervisors Ball and Reinhardt:

**RESOLUTION NO. 244-09**

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

**WHEREAS**, Madison County has received a Federal Grant through the New York State Office of Homeland Security; and

**WHEREAS**, this Federal Awards Grant is identified as follows:

Awarding Agency: US Department of Homeland Security Office  
Pass-through Agency: New York State Office of Homeland Security  
Catalog #: #97.067  
Program Name: State Law Enforcement Terrorism Prevention Program  
WM2008 SLETPP  
Award Year: September 1, 2008 – August 31, 2011  
Federal Funds Percentage 100%  
Grant No.: WM08837082  
Contract No.: T837082  
Total Grant Amount: \$31,750

**WHEREAS**, the funding agencies have approved the following budget for this project during project year 09/01/08 – 08/31/11:

**3645 Homeland Security**

<b><u>Expense</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
A3645.44205 CCIP/IED Training-SLETPP Grant	0	\$ 27,750
A3645.4200 CCIP Consultant-SLETPP Grant	0	\$ 2,000
A3645.4110 Travel & Training-CCIP & IDE-SLETPP Grant	0	\$ 2,000
	<u>\$ 0</u>	<u>\$ 31,750</u>
<b>Control Total</b>		<b><u>\$ 31,750</u></b>
	Revenue	
A4306.1070 Fed Aid-SLETPP Grant 2008	<u>\$ 0</u>	<u>\$ 31,750</u>
Control Total		<u>\$ 31,750</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 2009 County Budget be modified in accordance with this Project Budget.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**By Supervisor Moran:**

**RESOLUTION NO. 245-09**

**SUPPORTING ADOPTION OF LEGISLATIVE BILLS A.6687 AND S.4476  
TO MAKE LAND TRUSTS ELIGIBLE APPLICANTS FOR FARMLAND PROTECTION  
FUNDING**

**WHEREAS**, New York’s Farmland Protection Program has awarded more than \$144.5 million in grants for projects in 28 counties to help protect 63,700 acres on 276 farms; and

**WHEREAS**, over the past three years Farmland Protection Program grants have been awarded that will strongly benefit four Madison County farms, and it is likely that additional Madison County farms will be highly competitive for such grants in the future; and

**WHEREAS**, two land trusts, the Cazenovia Preservation Foundation (CPF) and the Southern Madison Heritage Trust (SMHT), are active within Madison County; and

**WHEREAS**, with the recent hiring of paid staff, the New York Agricultural Land Trust will have a greater potential to operate in those areas of Madison County not covered by CPF and SMHT; and

**WHEREAS**, under current law governing the Farmland Protection Program only municipalities are eligible to apply for and receive “implementation grants” to purchase development rights on interested farms; and

**WHEREAS**, this restriction on grant eligibility creates unnecessary complexity and delays to projects because of the municipal governments’ typically limited capacity and familiarity with conservation easements transactions; and

**WHEREAS**, whereas Assembly Bill, A.6687, introduced by Assemblyman Bill Magee, and its companion Senate Bill S.4476, introduced by Senator Darrell Aubertine, by making land trusts eligible to apply directly for Farmland Protection Implementation Grants, would reduce the timeline to complete many farmland protection projects, as well as the workload for local governments;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors supports the adoption of bills A.6687 and S.4476 to amend the Agriculture and Markets Law in relation to the Farmland Protection Program; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to Assemblyman Bill Magee, Senators David Valesky and Darrell Aubertine, Assembly Majority Leader Sheldon Silver, and Senate Majority Leader Malcolm Smith.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**By Supervisor Hammond:**

**RESOLUTION NO. 246-09**

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

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

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

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

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

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

**BE IT FURTHER RESOLVED**, the Solid Waste Disposal Agreement shall cover the period from January 1, 2006 through December 31, 2010; and

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

1. DB Remodeling

2. AALCO Septic & Sewer Inc.
3. Controller Waste Systems, Inc.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 247-09**

**AUTHORIZING LEASING OF APPROXIMATELY 69 ACRES OF  
COUNTY OWNED LAND IN THE TOWN OF LINCOLN**

**WHEREAS**, Madison County and the Madison County Department of Solid Waste have no immediate use for approximately 69 acres of vacant, Madison County owned, land located on the east side of Tuttle Road in the Town of Lincoln; and

**WHEREAS**, sealed bids for the Lease of this land for agricultural production were received and opened after advertisement in the officially designated Madison County newspaper(s); and

**WHEREAS**, Richard L. Carrier Jr., ABC Farms, 7762 North Court Street, Canastota NY 13032 has submitted a bid in the amount of \$1,800.00 per annum for Lease of said land; and

**WHEREAS**, Lease of said land is in consonance with Madison County's officially declared policy of supporting agricultural production in the County; and

**WHEREAS**, a copy of the proposed Lease Agreement has been filed with and is available for review in the office of the Clerk of the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors hereby determines that the aforementioned 69 acres of vacant land is presently not required for public use; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors is hereby authorized to enter into an Agreement for Lease of said land for three (3) years with Richard L Carrier Jr., ABC Farms, 7762 North Court Street, Canastota NY 13032.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**By Supervisor Williams:**

**RESOLUTION NO. 248-09**

**AGREEMENT FOR ENGINEERING SERVICES WITH C&S COMPANIES**

**WHEREAS**, the Public Works Committee met on May 19, 2009 and authorized the Madison County Highway Department to proceed with Engineering Services in

connection with Lebanon Road over Stone Mill Brook (BIN 3367070) in the Town of Lebanon; and

**WHEREAS**, the firm C&S Companies has provided a lump sum fee for Engineering Services at One thousand nine hundred dollars and no cents (\$1,900.00); and

**WHEREAS**, the cost for Engineering Services will be provided in the County Road Fund 2009 Budget line item D5020.4229; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into this Agreement with C&S Companies as outlined in the Agreement on file with the Clerk to the Board of Supervisors.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 249-09**

**AGREEMENT WITH VECTOR CONSTRUCTION CORP. FOR REPLACEMENT OF NORTH LAKE STREET BRIDGE OVER CSX RR, CITY OF ONEIDA**

**WHEREAS**, the Public Works Committee authorized the Madison County Highway Department to proceed with the replacement of the North Lake Street Bridge over CSX RR (BIN 2257570), City of Oneida, Madison County; and

**WHEREAS**, sealed bids were opened on May 7, 2009 and low bid meeting specifications is as follows:

**Vector Construction Corp. / Total Bid Price      \$1,384,981.05**

**WHEREAS**, the cost for construction services has been appropriated in the County Road Fund Budget line Item D5110.450029; and

**WHEREAS**, Federal and State funds have been secured for this project at 80% Federal, 15% State and 5% Local;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and he hereby is authorized to enter into an Agreement with low Bidder for the replacement of the North Lake Street Bridge over CSX RR, in the City of Oneida, a copy of which will be kept in the office of the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 250-09**

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

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

**Modification #1:**

**General Fund**

**3150 Sheriff-Correctional Facility**

<b><u>Expense</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
A3150.408 Advertising Expense	\$ 250	\$ 750
A3150.4110 Training and Staff Development	3,500	3,000
A3150.4238 PSB Energy Study	13,200	13,270
A3150.4425 Personnel Uniforms & Equipment	22,000	21,700
A3150.478 Misc. Maintenance Contracts	<u>12,000</u>	<u>11,965</u>
Total	\$ 50,950	\$ 50,685
Control Total		<u>\$ 265</u>

**Revenue**

A3389.4610 St. Aid NYSERDA PSB Energy Study	\$ 6,600	\$ 6,635
Total	\$ 6,600	\$ 6,635
Control Total		<u>\$ 35</u>

**3110 Sheriff Department**

**Expense**

A3110.2806 New Hand Guns	\$ 2,700	\$ 3,000
Total	\$ 2,700	\$ 3,000
Control Total		<u>\$ 300</u>

**Modification #2:**

**General Fund**

**3114 Multi-Disciplinary Team**

	<b><u>From</u></b>	<b><u>To</u></b>
<b><u>Revenue</u></b>		
A2770.4050 Miscellaneous Revenue – Donations	\$ 0	\$ 100
Control Total		<u>\$ 100</u>

**Expense**

A3114.4101 MDT Expense – Donations	<u>\$ 0</u>	<u>\$ 100</u>
Control Total		<u>\$ 100</u>

**Modification #3:**

**General Fund**

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

	<u>From</u>	<u>To</u>
A4306.4200 Misc. Consulting Services	\$ 3,670	\$ 1,595
A4306.4226 Transcription Service	<u>\$ 1,000</u>	<u>\$ 3,075</u>
Totals	<u>\$ 4,670</u>	<u>\$ 4,670</u>
Control Total		\$ 0

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

	<u>From</u>	<u>To</u>
A4308.4200 Misc. Consulting Services	\$ 6,330	\$ 4,320
A4308.4227 Medical & Psych Services	\$246,150	\$243,560
A4308.4226 Transcription Service	<u>\$ 8,960</u>	<u>\$ 13,560</u>
Totals	<u>\$261,440</u>	<u>\$261,440</u>
Control Total		\$ 0

**Modification #4:**

**General Fund**

**Department: 4307 – Mental Health - Cedar House Expenses**

	<u>From</u>	<u>To</u>
A4307.4011 Petty Cash	\$ 600	\$ 700
A4307.403 Misc. Building Expense	40,815	47,617
A4307.4227 Med & Psychiatric Services	203,945	234,809
A4307.42911 Day Treatment Supplies	3,663	4,300
4307.4501 Medicaid Reimb Prescriptions	11,630	12,030
A4307.4723 Other Client Transportation	7,250	8,458
A4307.4724 Food Service	<u>13,437</u>	<u>15,676</u>
Totals	<u>\$281,340</u>	<u>\$323,590</u>
Control Total		<u>\$ 42,250</u>

**Revenues**

A1620.11 Mental Health Fees	\$139,500	\$156,936
A1620.111 MH Fees – Staff Replacement	142,365	166,779
A1620.112 Medicaid Reimb Prescriptions	11,630	12,030
Totals	<u>\$293,495</u>	<u>\$335,745</u>

Control Total \$ 42,250

**Modification #5:**

General Fund

**7510-Historian**

**Expense**

	<u>From</u>	<u>To</u>
A7510.4101 Heritage Trail Project	\$ 1,000	\$ 0
A7510.42742 County Historian Expense	<u>1,200</u>	<u>2,200</u>

Control Total \$ 2,200 \$ 2,200

**Modification #6:**

General Fund

**7510-Historian**

**Revenue**

	<u>From</u>	<u>To</u>
A2770.7040 Misc. Revenue-Donations	\$ 0	\$ 1,000

Control Total \$ 1,000

**Expense**

A7510.4105 Ag Promotion/County Fair	\$ 25,000	\$ 26,000
-------------------------------------	-----------	-----------

Control Total \$ 1,000

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 251-09**

**AMENDING THE TOTAL MAXIMUM ESTIMATED COST  
OF THE PUBLIC SAFETY COMMUNICATION UPGRADE PROJECT**

**WHEREAS**, by Resolution No. 545, dated December 8, 2006, the Madison County Board of Supervisors authorized a Public Safety Communication Upgrade Project at a total maximum estimated cost of \$17,000,000, and authorized the issuance of \$17,000,000 bonds to pay costs thereof; and

**WHEREAS**, the most recent project estimates indicate that the maximum estimated cost of the project has increased by \$2,500,000, to \$19,500,000.

**NOW THEREFORE BE IT RESOLVED**, that the maximum estimated cost of the Public Safety Communication Upgrade Project be and hereby is established at \$19,500,000.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 252-09**

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

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

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

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

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

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

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

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

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

**Supervisor Henderson commented that he thought it wasn't necessary at this time to place an increase on cell phones and landlines and voiced his opposition to this and the next resolution.**

**ADOPTED: AYES – 1415 NAYS – 64 (Henderson) ABSENT – 21 (Hammond)**

**RESOLUTION NO. 253-09**

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

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

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

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

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

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

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

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

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

**ADOPTED: AYES – 904 NAYS – 575 (Moran, Cary, Williams, Becker, Henderson)  
ABSENT – 21 (Hammond)**

**RESOLUTION NO. 254-09**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ALLIED  
AMERICAN ABSTRACT CORPORATION FOR LIEN/TITLE AND  
BANKRUPTCY SEARCH SERVICES**

**WHEREAS**, Madison County Treasurer is required, in connection with Article 11 of the New York State Real Property Tax Law In Rem Foreclosure Proceeding, to serve Petitions and Notices of Foreclosure to lien holders of record; and

**WHEREAS**, the County Treasurer, as the official County Tax Enforcement Officer, has issued to local abstract companies a request for proposal to submit bids for performing services that will provide information necessary to carry out the due process requirement of Article 11 of the New York State Real Property Tax Law; and

**WHEREAS**, there are approximately 500 parcels that are currently in the foreclosure process; and

**WHEREAS**, Allied American Abstract Corporation has submitted a bid proposal for performing the required services at a cost of \$70.00 for each title/lien search and bankruptcy search completed and typed, and \$35.00 for each search completed but un-typed.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board be, and hereby is, authorized to enter into an agreement with Allied American Abstract Corporation, for lien/title and bankruptcy search services, as is on file with the Clerk of the Board of Supervisors.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 255-09**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
WITH NEW YORK STATE DEPARTMENT OF EDUCATION AND  
MODIFYING THE ADOPTED 2009 BUDGET**

**WHEREAS**, the New York State Department of Education has awarded a Local Government Records Management Improvement Fund grant in the amount \$7,489 for processing, restoration preservation of Department of Social Services records damaged by a faulty water pipe on April 26, 2009;

**NOW, THEREFORE, BE IT RESOLVED**, That the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with the New York State Department of Education to accept the LGRMIF Grant, a copy of which is on file with the Clerk of the Board,

**BE IT FURTHER RESOLVED**, that the Adopted 2009 County Budget is hereby modified as follows;

**General Fund**

**1460 – Records Management Grant**

A1460.113 Personal Services LGRMIF – DSS

**From**

\$0

**To**

\$ 5,303

A1460.4294	Supplies & Materials LGRMIF – DSS	\$0	\$ 2,186
------------	-----------------------------------	-----	----------

**Revenue**

A3060.1010	St. Aid Records Management – DSS	\$0	\$ 7,489
------------	----------------------------------	-----	----------

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 256-09**

**ESTABLISHING A CAPITAL RESERVE FUND TO FINANCE  
A PUBLIC SAFETY COMMUNICATION UPGRADE PROJECT**

**WHEREAS**, by Resolution No. 545, dated December 8, 2006, the Madison County Board of Supervisors authorized a Public Safety Communication Upgrade Project; and

**WHEREAS**, the magnitude of this project warrants the establishment of a Capital Reserve Fund to finance the capital improvements associated therewith.

**NOW, THEREFORE BE IT RESOLVED**, that pursuant to Section 6-c of the General Municipal Law as amended, the Madison County Board of Supervisors does hereby establish a capital reserve fund to be known as the “Public Safety Communication Upgrade Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of the Public Safety Communication Upgrade Project. The specific capital improvements to be financed from the Reserve Fund are the purchase and acquisition of land, the purchase of new towers and refurbishment of existing towers, and the acquisition of mobile radios and departmental base stations, the maximum cost of which is estimated to be \$19,500,000.

The Madison County Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Madison County Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of Madison County. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Madison County Treasurer shall account for the Reserve Fund in a manner which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c of the General Municipal Law; and

**BE IT FURTHER RESOLVED**, that it is the intent of this Board to accumulate only those funds actual and necessary to complete the Public Safety Communication Upgrade Project in order to minimize the unexpended balance of the Reserve Fund upon the project's completion.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 257-09**

**TRANSFERRING MONIES FROM THE CORRECTIONAL FACILITY CAPITAL RESERVE FUND TO THE PUBLIC SAFETY COMMUNICATION UPGRADE PROJECT CAPITAL RESERVE FUND**

**WHEREAS**, by Resolution No. 200, dated August 11, 1981, the Madison County Board of Supervisors established a Capital Reserve Fund for a Correctional Facility; and

**WHEREAS**, the Correctional Facility Capital Reserve Fund was established to finance the construction/reconstruction of the Madison County Correctional Facility at a maximum estimated cost of \$4,250,000; and

**WHEREAS**, any and all revenue derived from the County's participation in off-track betting, as a corporate member of the Capital District Off-Track Betting Corporation, has been allocated to the Correctional Facility Capital Reserve Fund since 1982; and

**WHEREAS**, the County continues to be a participant in off-track betting, and therefore continues to receive revenue from the Capital District OTB; and

**WHEREAS**, the financing for the construction/reconstruction of the Madison County Correctional Facility has been completed, and there exists an unexpended balance remaining in the Correctional Facility Capital Reserve Fund; and

**WHEREAS**, section 6-c of the General Municipal Law provides that unexpended balances remaining in a capital reserve fund may be transferred to another capital reserve fund; and

**WHEREAS**, by Agenda Resolution No. 34, dated June 9, 2009, the Madison County Board of Supervisors has established a Capital Reserve Fund to finance a Public Safety Communication Upgrade Project; and

**WHEREAS**, it is the desire of this Board to transfer the unexpended balance of the Correctional Facility Capital Reserve Fund to the Public Safety Communication Upgrade Project Capital Reserve Fund and to continue to utilize revenue from off-track betting to offset future tax burdens for capital improvements.

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Treasurer is hereby directed to transfer the unexpended balance of monies from the Correctional Facility Capital Reserve Fund to the Public Safety Communication Upgrade Project Capital Reserve Fund; and

**BE IT FURTHER RESOLVED**, that future revenue derived from off-track betting is hereby allocated to the Public Safety Communication Upgrade Project Capital Reserve Fund.

**ADOPTED: AYES – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**RESOLUTION NO. 258-09**

**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 – 1479 NAYS – 0 ABSENT – 21 (Hammond)**

**PUBLIC COMMENT PERIOD**

1. Doug Holdridge from the Town of Lincoln spoke regarding updating the E911 Communications System. He thanked the Board for their support on this project.

On motion by Supervisor DiVeronica, seconded by Supervisor Rafte, the Board adjourned.