

MADISON COUNTY BOARD OF SUPERVISORS
Monthly Meeting – Tuesday, May 12, 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 Williams (44 votes).

Pledge of Allegiance.

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

COMMUNICATIONS

1. Correspondence from Reality Check informing the Board of the decreasing number of middle and high school students who smoke.
2. Acknowledgement received from Assemblyman Bill Magee regarding resolution 168-08 adopted by this Board regarding electric power generation from renewable sources and resolution 188-09 opposing the proposed statewide severance tax on oil and natural gas production.
3. Thank you received from the staff at Liberty Resources Victims of Violence Program.
4. Acknowledgement received from NYSAC regarding Resolution No. 31-09, Reject Governor's Proposed Budget Cuts to Home Care.

REPORTS

1. Madison County Department of Social Services – 2008 Annual Report.
2. Madison County Financial Report for fiscal year ended December 31, 2008.
3. Madison County Occupancy Tax Receipts/Expenditures for Quarter 1/1/09-3/31/09,

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, Employment & Training/WIA And Cazenovia Sewer District::	\$1,655,610.38
Miscellaneous Accounts:	\$ 58,002.45
Cowaselon Watershed District	\$ 9,240.00

At this time Chairman Becker called upon Town of Eaton Supervisor Suits who introduced Ryan LeBlanc and his father/coach Duane LeBlanc. Ryan was presented a

proclamation which was read by Supervisor Suits acknowledging him for winning the State Wrestling Championship. The following proclamation outlines many of his great accomplishments:

PROCLAMATION

RECOGNIZING RYAN LEBLANC ON HIS WRESTLING CAREER

WHEREAS, Ryan LeBlanc started wrestling when he was 4 years old, with his two older brothers as mentors; and

WHEREAS, Ryan is a two time New York State Champion; and

WHEREAS, Ryan finished third in the state tournament as a sophomore, won the overall sophomore national tournament, placed 2nd in the nation as a junior and finished 5th in the nation as a senior; and

WHEREAS, Ryan finished his High School career with 200 wins and 18 losses; and

WHEREAS, Ryan has wrestled in places like Amsterdam, Germany, Turkey and Puerto Rico; beating the Turkey National Champ and the South African National Champ in his last trip to Turkey; and

WHEREAS, Ryan has also devoted his time to assisting his father, Coach Duane Leblanc in wrestling and helping with youth wrestlers for the last six seasons; and

WHEREAS, Ryan will be wrestling for Indiana University next year on a full scholarship; and

WHEREAS, Ryan is a national honor society member and has been a great role model for many individuals in our community;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors does hereby recognize and congratulates Ryan Leblanc for his exceptional athletic achievements and wish him continued success in his future endeavors.

Given under our hands and the seal of Madison County in Wampsville, New York On this 12th day of May in the year Two Thousand and Nine. Signed by Chairman John Becker and Supervisor Priscilla Suits.

At 10:20 a.m. Chairman Becker announced the scheduled public hearing on Local Law No. 1 for the year 2009 entitled "A Local Law Superseding Public Officers Law Section 3(1) as to the Residency of a Certain Public Officer in Madison County." Supervisor Moran made the motion to open the hearing, seconded by Supervisor Reinhardt and carried. Chairman Becker asked several times for

speakers, but no speakers stepped forward. Chairman Becker then called for a motion to close the hearing. Supervisor Goldstein made that motion, seconded by Supervisor Suits and carried.

RESOLUTIONS

By Supervisor Bargabos:

RESOLUTION NO. 190-09

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 certain County employees with upcoming retirements is in order,

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of the following employees upon their retirement:

Diane M. Myers	Social Services	1976 – 2009	33 years
Cynthia E. Dragulski	Probation	1979 – 2009	30 years
Lorie K. Pearsall	Public Health	1986 – 2009	23 years

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

Diane Myers and Lorie Pearsall were presented gifts on behalf of the Board and thanked for their many years of dedicated service to the County. Cynthia Dragulski was not able to attend and her gift was accepted by Probation Director Karen Birch on her behalf.

RESOLUTION NO. 191-09

ABOLISHING DIRECTOR OF STAFF DEVELOPMENT/IT AND CREATING DIRECTOR OF TEMPORARY ASSISTANCE/FINANCIAL AID IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Director of Staff Development/IT will retire effective May 16, 2009; and

WHEREAS, the Commissioner desires to abolish this position and create Director of Temporary Assistance/Financial Aid due to the increased demand for public assistance and food stamps; and

WHEREAS, the Personnel Officer certifies that Director of Temporary Assistance/Financial Aid is the appropriate classification based on the description of duties submitted for this position; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Social and Mental Health Services Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that the Director of Staff Development/IT be and hereby is abolished effective May 16, 2009; and

BE IT FURTHER RESOLVED that the new Director of Temporary Assistance/Financial Aid be and hereby is created effective May 18, 2009; and

BE IT FURTHER RESOLVED that the title of Director of Temporary Assistance/Financial Aid be and hereby is allocated to Grade L of the Management Salary Plan; and

BE IT FURTHER RESOLVED that the Commissioner of Social Services be and hereby is authorized to fill said position at the 2009 salary of \$48,362 in accordance with Civil Service Law and Rule effective May 18, 2009.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 192-09

ABOLISHING AN OFFICE ASSISTANT II POSITION AND CREATING A PRINCIPAL ACCOUNT CLERK POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Commissioner of Social Services recommends that a full-time Office Assistant II position be abolished due to realignment of duties in the Accounting unit; and

WHEREAS, the Commissioner has also requested a full-time Principal Account Clerk position be created to accommodate those duties; and

WHEREAS, the Personnel Officer certifies that Principal Account Clerk is the appropriate classification based on the description of duties submitted for this position; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Social and Mental Health Services Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one full-time Office Assistant II position be and hereby is abolished effective immediately; and

BE IT FURTHER RESOLVED that one full-time Principal Account Clerk position be and hereby is created effective immediately; and

BE IT FURTHER RESOLVED that the Commissioner of Social Services be and hereby is authorized to fill said position at the 2009 hourly rate of \$16.56 in accordance with Civil Service Law and Rule effective immediately.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 193-09

CREATING THREE TEMPORARY FULL-TIME POSITIONS IN THE SOLID WASTE DEPARTMENT

WHEREAS, the Director of Solid Waste Management has requested the creation of one temporary, full-time Solid Waste Operator and two temporary, full-time Groundskeeper positions for the summer season; and

WHEREAS, the additional salaries and benefits for said positions will be funded from appropriations in the 2009 Solid Waste Department budget; and

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

NOW, THEREFORE BE IT RESOLVED that one, temporary full-time Solid Waste Operator position be and hereby is created for a period not to exceed three (3) months; and

BE IT FURTHER RESOLVED that two temporary full-time Groundskeeper positions be and hereby are created for a period not to exceed four (4) months; and

BE IT FURTHER RESOLVED that the Director of Solid Waste Management be and hereby is authorized to fill said positions at the 2009 hourly rates of \$10.82 for Solid Waste Operator and \$9.40 for Groundskeeper in accordance with Civil Service Law and Rule and County policies and procedures effective immediately.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Reinhardt and Bargabos:

RESOLUTION NO. 194-09

ESTABLISHING THE 2009 SALARY FOR ASSISTANT DIRECTOR OF PLANNING

WHEREAS, the Planning Director will promote an employee to Assistant Director of Planning in May 2009; and

WHEREAS, the promotion will be funded through existing appropriations in the Planning Department budget; and

WHEREAS, the Planning, Economic Development, Environmental and Intergovernmental Affairs 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 Assistant Director of Planning be and hereby is established at \$51,322 effective immediately; and

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

<u>General Fund</u>	<u>From</u>	<u>To</u>
<u>8020 – Planning</u>		
<u>Expense</u>		
A8020.1020 Assistant Director	\$0	\$36,801
A8020.1045 Planner	<u>\$36,801</u>	<u>\$ 0</u>
Control Total	\$36,801	\$36,801

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 195-09

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

WHEREAS, the National Sheriffs' Association 2009 Conference will be held June 20 – 25, 2009 in Fort Lauderdale, Florida; and

WHEREAS, the Madison County Sheriff has requested to attend said conference; and

WHEREAS, his expenses are fully funded by the National Sheriffs' Association; 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 Ronald Cary be and hereby is authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 196-09

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

WHEREAS, the Disaster Mortuary Operational Response Team (DMORT) Preparedness Training will be held in Nashville, Tennessee, May 26 – June 1, 2009; and

WHEREAS, Ronald Cary, Sheriff has requested that Matthew Episcopo, Deputy Sheriff Captain attend said conference; and

WHEREAS, his expenses are fully funded by the United States Department of Health and Human Services; 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 Matthew Episcopo be and hereby is authorized to attend said conference at no expense to the County.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 197-09

**ADOPTING POLICY AND PRODECURES FOR DISPOSAL OF OBSOLETE AND/OR
SURPLUS COUNTY PERSONAL PROPERTY**

WHEREAS, County Law, Section 215 authorizes the County to sell personal property no longer necessary for public use; and

WHEREAS, in the past such personal property was disposed of principally through an annual auction conducted by the County; and

WHEREAS, the Madison County Board of Supervisors has reviewed the matter and determined that such an auction is not always the best manner in which to obtain the best prices for such personal property; and

WHEREAS, the “**MADISON COUNTY DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY POLICY AND PROCEDURES**” attached as Exhibit A, establishes a policy and procedures for the disposal of County owned personal property in a manner that would obtain the best possible price;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors herein and hereby adopts the “**MADISON COUNTY DISPOSAL OF OBSOLETE AND/OR**

SURPLUS COUNTY PERSONAL PROPERTY POLICY AND PROCEDURES”
attached hereto as Exhibit A, effective immediately.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

**MADISON COUNTY DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY
PERSONAL PROPERTY POLICY AND PROCEDURES**

Pursuant to §215 of the County Law, the Board of Supervisors herein and hereby establishes the following policy and procedures for the authorized disposal of the County’s personal property which is declared to be obsolete and/or surplus and is deemed no longer of any use or value to the County. Such personal property includes, but is not limited to, office furniture, computer equipment, motor vehicles, machinery and other equipment. The disposal of this property will be handled pursuant to the procedures set forth below.

1. Items to be declared obsolete and/or surplus personal property with an original cost of \$1,000 or more and a useful life of one year or more will generally be recorded on the County’s fixed asset inventory. Disposal of such items will be referred to the County Administrator by the Department Head to authorize appropriate disposal of the property.
2. If the County Administrator declares the presented item or items NOT to be obsolete and/or surplus personal property, then the requesting department will retain the property for continued use.
3. If the County Administrator declares the presented item or items to be obsolete and/or surplus personal property, then the committee will direct the property to be disposed of by one of the following methods:
 - a. Transfer to another department; or
 - b. For sale to other municipalities; or
 - c. For sale by placing said item or items in a public auction; or
 - d. For sale by reverse bid, in accordance with the bid procedure; or
 - e. For trade-in on the purchase of similar, newer property; or
 - f. For scrap and/or salvage.
4. In the event that the item or items fail(s) to sell, the County Administrator may:
 - a. Designate one of the alternate methods of offering the item or items for sale; or
 - b. Direct the surplus personal property to be destroyed and/or disposed of in an appropriate manner; or with the preferred disposal method being recycling via the Department of Solid Waste; or

- c. Direct that the property be retained by the department or turned over to another department, as appropriate, where it shall be held and made available for any County purpose.
5. For all items with an original cost of less than \$1,000, the County Administrator will make the determination on what items are surplus or obsolete personal property and direct disposal of said items by one of the following methods:
 - a. Use by other County departments; or
 - b. For sale to other municipalities; or
 - c. For sale by placing said item or items in a public auction; or
 - d. For sale by reverse bid, in accordance with the bid procedure; or
 - e. For trade-in on the purchase of similar property; or
 - f. For recycling scrap and/or salvage.
6. In the event that the item or items fail(s) to sell, the County Administrator may:
 - a. Designate one of the alternate methods of offering the item or items for sale; or
 - b. Direct the surplus personal property to be destroyed and/or disposed of in an appropriate manner; or
 - c. Direct that the property be retained by the department or turned over to another department, as appropriate, where it shall be held and made available for any County purpose.
7. The disposal of computer equipment will be coordinated through the Information Technology Department who will take the necessary steps to insure the removal of any and all County data from the data drives of the equipment before it is sold or otherwise disposed of.
8. Proceeds from sales will be credited to the fund from which the original expense was incurred as directed by the County Treasurer.

Since this is a general policy that may not be applicable to every situation, when appropriate, the County Administrator/Board of Supervisors may override the requirements set forth.

RESOLUTION NO. 198-09

ADOPTING LOCAL LAW NO. 1 FOR THE YEAR 2009

WHEREAS, there has been duly introduced Local Law No. 1 of 2009, entitled "A LOCAL LAW SUPERSEDING PUBLIC OFFICERS LAW SECTION 3(1) AS TO THE RESIDENCY OF A CERTAIN PUBLIC OFFICER OF MADISON COUNTY"; and

WHEREAS, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on May 12, 2009;

NOW, THEREFORE BE IT RESOLVED, that Local Law No. 1 for the year 2009 be and the same is hereby adopted.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisors Bargabos and Reinhardt:

RESOLUTION NO. 199-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO
AN AGREEMENT WITH BENEFIT CONSULTING GROUP, INC
AND MODIFYING THE 2009 COUNTY BUDGET**

WHEREAS, the County provides certain medical insurance benefits to its eligible employees and retirees; and

WHEREAS, the County's current BlueCross/BlueShield Traditional Plan will no longer be offered by Excellus BlueCross/BlueShield effective January 1, 2011; and

WHEREAS, the County's Health Insurance Task force has identified a voluntary vision offering and an alternate prescription drug program which may provide better benefits to employees, while remaining cost-effective for the County; and

WHEREAS, the County's Health Plan Administrator is aware of alternatives to the County's current Blue Cross/Blue Shield 65+ Plan which may provide equivalent or better benefits for retirees, while resulting in cost savings for the County; and

WHEREAS, the County's various bargaining unit agreements contain specific, restrictive language pertinent to medical insurance benefits; and

WHEREAS, the County's adoption of GASB Statement No. 45 in fiscal year 2008 has provided visibility to the County's current and future liability for providing postretirement healthcare benefits; and

WHEREAS, utilizing the experience and expertise of an external consulting firm to assist the County with respect to these and other benefits matters has the potential to result in cost savings to the County, while providing optimal benefits to employees and retirees; and

WHEREAS, Benefit Consulting Group, Inc. has submitted a proposal to provide Madison County with professional guidance and consultative services in relation to the County's medical insurance benefits at a cost not to exceed \$40,000, for the term of May 1, 2009 through December 31, 2010; and

WHEREAS, Benefit Consulting Group has the technical and professional expertise required to provide these services to the County;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an agreement with Benefit Consulting Group, Inc. for professional consulting services, effective May 1, 2009 through December 31, 2010, 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:

Risk Retention Fund

<u>Hospital & Medical Insurance Expense</u>	<u>From</u>	<u>To</u>
CS9060.8609 Health Benefits Consultants	\$ 5,000	\$ 45,000
Control Total		<u>\$ 40,000</u>
<u>Revenue</u>		
CS500.50 Appropriation of Reserves	<u>\$136,000</u>	<u>\$176,000</u>
Control Total		<u>\$ 40,000</u>

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 200-09

AUTHORIZING CHAIRMAN TO AMEND AGREEMENTS WITH NYS DEPARTMENT OF HEALTH - COLA FUNDS AND MODIFYING THE 2009 BUDGET

WHEREAS, Madison County Public Health Department has accepted grant renewals for the following agreements with the New York State Department of Health; and

WHEREAS, the New York State Department of Health has amended each agreement to incorporate a cost of living adjustment (COLA); and

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

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

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

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

Budget Modification #1:

Children with Special Health Care Needs
 Contract Period: October 1, 2008 – September 30, 2009
 COLA Adjustment: \$1,586
 Expended between: April 1, 2008 and March 31, 2009

Public Health Department
A4012 Preventive

Expense	From	To
A4012.4103 CSHCN Grant Expense	<u>\$ 1,781</u>	<u>\$ 3,367</u>
Control Total		<u>\$ 1,586</u>

Revenue	From	To
A4489.2010 Fed Aid CSHCN Grant	<u>\$19,230</u>	<u>\$20,816</u>
Control Total		<u>\$ 1,586</u>

Budget Modification #2:

Immunization Grant
 Contract Period: April 1, 2008 – March 31, 2009
 COLA Adjustment: \$2,354
 Expended Between: April 1, 2008 and March 31, 2009

Public Health Department
A4012 Preventive

Expense	From	To
A4012.41031 Immunization Grant Expense	<u>\$ 4,292</u>	<u>\$ 6,646</u>
Control Total		<u>\$ 2,354</u>

Revenue	From	To
A3401.1050 St. Aid Public Health Immunization Grant	\$18,152	\$19,564
A4401.1050 Federal Grant Immunization Action	<u>\$12,101</u>	<u>\$13,043</u>
Total	\$30,253	\$32,607
Control Total		<u>\$ 2,354</u>

Budget Modification #3:

Childhood Lead Poisoning Prevention
 Contract Period: April 1, 2008 – March 31, 2009
 COLA Adjustment: \$3,208
 Expended Between: April 1, 2008 and March 31, 2009

Public Health Department
A4012 Preventive

Expense	From	To
A4012.41037 Lead Grant Expense	<u>\$ 519</u>	<u>\$ 3,727</u>
Control Total		<u>\$ 3,208</u>

Revenue	From	To

A3401.6540	St. Aid Lead Poisoning Grant	\$21,902	\$23,804
A4401.1090	Federal Aid Lead Poisoning	<u>\$15,032</u>	<u>\$16,338</u>
	Total	\$36,934	\$40,142
	Control Total		<u>\$ 3,208</u>

Budget Modification #4:

Eat Well Play Hard
 Contract Period: October 1, 2008 – September 30, 2009
 COLA Adjustment: \$7,200
 Expended Between: April 1, 2008 and March 31, 2009

Public Health Department
A4017 Eat Well Play Hard Grant

Expense		From	To
A4017.402	Grant Expense	<u>\$ 9,687</u>	<u>\$16,887</u>
	Control Total		<u>\$ 7,200</u>

Revenue		From	To
A3401.68	State Aid Public Health	<u>\$73,983</u>	<u>\$81,183</u>
	Control Total		<u>\$ 7,200</u>

Budget Modification #5:

Youth Tobacco Enforcement and Prevention Program
 Contract Period: October 1, 2008 – September 30, 2009
 COLA Adjustment: \$2,781
 Expended Between: April 1, 2008 and March 31, 2009

Public Health Department
A4090 Environmental

Expense		From	To
A4090.41067	Tobacco Enforcement Expense	<u>\$ 1,000</u>	<u>\$ 3,781</u>
	Control Total		<u>\$ 2,781</u>

Revenue		From	To
A3401.6920	St Aid Tobacco Enforcement	<u>\$34,518</u>	<u>\$37,299</u>
	Control Total		<u>\$ 2,781</u>

Budget Modification #6:

Rabies Grant
 Contract Period: January 1, 2008 – March 31, 2012
 COLA Adjustment: \$481
 Expended Between: April 1, 2008 and March 31, 2009

Public Health Department
A4090 Environmental

Expense		From	To
A4090.42908	Supplies (Rabies)	<u>\$ 1,200</u>	<u>\$ 1,681</u>
	Control Total		<u>\$ 481</u>

Revenue		From	To
A3489.6930	St. Aid Rabies Clinic		

Reimbursement	\$ 500	\$ 981
Control Total		<u>\$ 481</u>

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 201-09

MODIFYING THE 2009 ADOPTED COUNTY BUDGET

WHEREAS, Madison County renewed an agreement with the New York State Department of Health for the implementation of the ‘Assets Coming Together for Youth’ (ACT for Youth) grant for the period of 7/1/08 – 6/30/09 (Resolution # 162-08 dated May 13, 2008); and

WHEREAS, the New York State Department of Health has amended this agreement to incorporate a cost of living adjustment of \$7,355.00; and

WHEREAS. The Social and Mental Health Services Committee and Finance, Ways and Means Committee have reviewed this amendment and feel it to be appropriate;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to execute certain documents as required by the New York State Department of Health to amend this agreement, as is on file with the Clerk of the Board; and

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

GENERAL FUND

Youth Programs

7147 Youth Programs Federal Grant

Expense

	<u>FROM</u>	<u>TO</u>
A7147.1 Personal Services	\$ 51,482	\$ 55,909
A7147.41048 Program Expenditures	797	3,725
Control Total		<u>\$ 7,355</u>

Revenue

A4490.1010 Federal Grant - ACT for Youth	\$ 81,350	\$ 88,705
Control Total		<u>\$ 7,355</u>

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Salka:

RESOLUTION NO. 202-09

**AUTHORIZING THE CHAIRMAN OF THE BOARD
TO PROCLAIM MAY AS MENTAL HEALTH MONTH**

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, one in five American adults and children are affected by a mental illness; and

WHEREAS, mental health problems do not discriminate, and know no race, creed, age limit or economic status; and

WHEREAS, people with mental illness can recover and lead full, productive lives; and

WHEREAS, an estimated two-thirds of adults and young people with mental health problems are not getting the help they need; and

WHEREAS, untreated or undertreated mental illness costs public and private employers billions of dollars annually through absenteeism, turnover, low productivity and increased medical costs; and

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, the National Mental Health Association, the National Council for Community Behavioral Healthcare, the NYS Office of Mental Health and their national and state partners observe Mental Health Month every May to raise awareness and understanding of mental health and illness;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be and is hereby authorized to proclaim May 2009 - Mental Health Month in Madison County; and

BE IT FURTHER RESOLVED, that the Board of Supervisors calls upon all Madison County citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illnesses.

Mr. Bill Cesare, Executive Director of Consumer Services of Madison County addressed and informed the Board on this issue and invited everyone to an Open House on May 21, 2009 from 12:00 - 3:00 at Cedar House in Oneida.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 203-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH IVANS, INC., FOR THE PURCHASE OF COMMUNICATIONS SERVICES**

WHEREAS, National Government Services (NGS) was selected by the Centers for Medicare & Medicaid Service to administer the Medicaid administrative contract for jurisdiction 13 which includes Connecticut and New York; and

WHEREAS, NGS is requiring all submitters of Medicare electronic claims to migrate to a new electronic gateway by May 4th, 2009 utilizing an NGS-approved network service vendor; and

WHEREAS, IVANS INC. is an NGS-approved network service vendor who sells IVANS LIME MEDICARE ACCESS network connectivity services; and

WHEREAS, the 2009 Mental Health Department budget contains sufficient funds in A4310.40102 Computer Software Expense account;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and hereby is authorized to execute an agreement, a copy of which is on file with the Clerk to the Board of Supervisors, on behalf of the County with IVANS INC., for the purchase of IVANS secure dial access solution with NetClient services from May 1, 2009 to April 30, 2010.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 204-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH BLISS ENVIRONMENTAL SERVICES, INC.**

WHEREAS, the Board of Supervisors approved renewing a maintenance agreement with Fallon's Trash Service at its December 29, 2008 meeting via resolution #572-08; and

WHEREAS, Fallon's Trash Service has transferred its business to Bliss Environmental Services, Inc., 2503 Hillsboro Road, Camden, New York; and

WHEREAS, it is necessary to enter into an agreement for weekly pick-up of trash at the Cedar House Continuing Day Treatment Program, located at 201 Cedar Street, Oneida, NY.; and

WHEREAS, the Social and Mental Health Services Committee has reviewed and approved of this agreement; and

WHEREAS, the agreement is for trash removal and dumpster rental for the year 2009 in the amount not to exceed \$603.00;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to execute an agreement on behalf of the County with Bliss Environmental Services, Inc. to provide services in accordance with the agreement on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 205-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH STONELEIGH HOUSING, INC., TO ADMINISTER A LOCAL ENERGY FUND

WHEREAS, the cost to heat homes in the county has risen to the point that many low-income families are unable to afford those costs; and

WHEREAS, the Madison County Department of Social Services (DSS) administers the HEAP program, a federally subsidized energy program that targets benefits to low-income, at-risk populations and the regular and emergency HEAP program will close on May 15, 2009; and

WHEREAS, Madison County DSS budgeted \$25,000 in 2009 to use as a Local Energy Fund; and

WHEREAS, eligibility for the Local Energy Fund will be the same as eligibility for the HEAP program and will afford low-income families from having to choose between food, medicine and utilities; and

WHEREAS, DSS desires to enter into a contract with Stoneleigh Housing, Inc., to administer the Local Energy Fund; and

WHEREAS, Stoneleigh Housing, Inc., has agreed to administer the Local Energy Fund with no administrative costs and will coordinate the services of the various community agencies; and

WHEREAS, a copy of this agreement is on file with the Clerk to the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and is hereby authorized to enter into an agreement with Stoneleigh Housing, Inc. for the period

May 15, 2009, to December 31, 2009, for the performance of these services at a cost not to exceed \$25,000.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Ball:

RESOLUTION NO. 206-09

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

WHEREAS, the Information Technology Department is undertaking a major upgrade of the Data Center; and

WHEREAS, the IT Department received three (3) separate proposals for this upgrade in 2008; and

WHEREAS, the IT Department has completed a thorough review of these proposals and has chosen Advistor, Inc. as the best vendor to meet the present and future needs of Madison County; and

WHEREAS, a contract was signed with Advistor Inc. for Phase 1 of the project on December 29, 2008; and

WHEREAS, this contract extension is for the second and final phase of this project with a cost of Forty Eight Thousand, Three Hundred Fifty Five dollars and Fifty Five cents; (\$48,355.55) and

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors authorize the Chairman of the Board to sign the contract extension with Advistor Inc., a copy of which is on file with the Clerk of the Board, and

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

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**

WHEREAS, the County's current emergency communication system does not provide reliability or coverage sufficient to meet the needs of police, fire, ambulance and other emergency service providers in the County, and

WHEREAS, in response to a request for proposals, the County received a

proposal from Motorola to design and build an ASTRO 25 UHF simulcast radio system that will meet the needs of emergency service providers and significantly improve coverage throughout the County, and

WHEREAS, the designed system will also meet the communication needs of county departments, and

WHEREAS, the County selected a negotiating team to negotiate a contract with Motorola,

NOW, THEREFORE BE IT RESOLVED, on recommendation of the Criminal Justice, Public Safety, and Telecommunications Committee that the Chairman of the Board is authorized to enter into a contract with Motorola for the construction of an ASTRO 25 UHF simulcast emergency communications system at a contract price of \$14,398,000.

Supervisor Bargabos stated that the Board needs to find different revenue sources for the Emergency Communication System so property taxes are not increased. He then made a motion to TABLE this resolution for further discussion and consideration. The motion was seconded by Supervisor Rafte and will be brought up under “unfinished business” at the June 9th Board meeting.

RESOLUTION NO. 208-09

APPOINTING MADISON COUNTY FIRE ADVISORY BOARD MEMBERS AND DEPUTY COORDINATORS FOR 2009

WHEREAS, the duly appointed officers and members of the Madison County Fire Advisory Board met at annual session on Thursday, January 29, 2009 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 2009:

Fire Advisory Board 2009

James McFadden.....Brookfield
Terry Austin..... Cazenovia
John Durfee.....Cazenovia
Floyd Woods..... DeRuyter

Deputy Coordinators

Anthony Stagnitti Co. Car 2
Lyle Mason Co. Car 3
James McFadden Co. Car 4
Robert Freunschdt Co. Car 5

Richard Stoddard Sr.....Eaton
 Steven Brody.....Eaton
 Ralph Tallett..... Fenner
 Dale Burgess..... Georgetown
 Jason Murray.....Hamilton
 Robert Tracy.....Lebanon
 John Albanese.....Lenox
 Richard Stagnitti.....Lenox
 Robert Sturdevant Jr.....Lincoln
 Steven Johnson.....Madison
 Patrick Massett..... Nelson
 Don Hudson..... Oneida
 Chester Reeves.....Smithfield
 Roland Shea.....Stockbridge
 Joseph Watkins.....Sullivan
 Paul Haynes... ..Sullivan
 Robert Freunsch... ..Sullivan

Robert Sturdevant Co. Car 6
 David Vredenburg Co. Car 8

ADOPTED: AYES – 1456 AYES – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 209-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR A STATE HOMELAND SECURITY GRANT AND AUTHORIZING THE MODIFICATION OF THE 2009 BUDGET

WHEREAS, Madison County has been awarded a grant for \$95,250 by the Office of Homeland Security from appropriations authorized by Congress under the FFY 2008 State Homeland Security Program (SHSP), and

WHEREAS, these funds will provide 100% federal reimbursement of eligible costs incurred in the effort to support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction, and this grant program is described as follows:

Awarding Agency: Federal Department of Homeland Security
 Pass Thru. Agency: NYS Office of Homeland Security
 Catalogue # CFDA# 97.067
 Program Name State Homeland Security Grant Program (SHSGP)
 Grant Period: 9/01/2008 to 08/31/2011
 Contract # C837080
 Federal Funds: 100%
 Grant Total: \$92,250

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with the New York State Office of Homeland security, a copy of which is on file with the Clerk of the Board, and

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

Homeland Security- Department 3645

Revenue	<u>From</u>	<u>To</u>
A4306.1050 Federal Aid; FFY08 State Homeland Security Grant Program	-0-	\$95,250
Expense		
A3645.4065 FFY 2008 SHSGP	-0-	\$95,250
Total Expenses		\$95,250

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Moran:

RESOLUTION NO. 210-09

APPOINTING A MEMBER TO THE AGRICULTURAL ECONOMIC DEVELOPMENT COMMITTEE OF THE MADISON COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

BE IT RESOLVED, that Russell Cary of the Town of Fenner be and hereby is appointed to the Agricultural Economic Development Committee of the Madison County Agricultural and Farmland Protection Board to fill the seat vacated by Timothy Winters on the conclusion of his term for a three-year term commencing on May 12, 2009 and expiring on May 8, 2012.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 211-09

SUPPORTING ADOPTION OF FEDERAL SENATE BILL S-899, THE FEDERAL MILK MARKETING IMPROVEMENT ACT

WHEREAS, our Nation’s vast farming industry contributes to our Nation’s health and prosperity every day of the year and the dairy farming industry is the backbone of Madison County; and

WHEREAS, it is estimated that dairy farmers are currently being paid about 95 cents per gallon of milk, while it costs them \$1.50 to produce that same gallon, and the rising costs of production, along with the extreme drop in price per hundredweight of

milk has many dairy farmers in Madison County concerned about providing for their families now and in the future; and

WHEREAS, United States Senators Arlen Specter and Robert Casey have introduced “the Federal Milk Marketing Improvement Act of 2009” (S.899) which is “an act to amend the Agricultural Adjustment Act to require the Secretary of Agriculture to determine the price of milk used for manufactured purposes, which shall be classified as Class II milk, by using the national average cost of production, and for other purposes”; and

WHEREAS, this bill is designed to correct the disparity in payment versus cost and the reintroduction of this bill would mean a raise in the price per hundredweight from a current approximate price of just under \$12 to an approximate price of \$22.46; and

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors supports the adoption of S.899, the “Federal Milk Marketing Improvement Act of 2009” and requests our representatives in the United States Congress and Senate to pass this bill to correct the many inequities the dairy farming industry is facing in Madison County and nationwide; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors expresses its displeasure at the unrepresentative bloc voting procedure employed by the influential Dairy Farmers of America milk marketing cooperative; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Senator Arlen Specter, Senator Robert Casey, Congressman John McHugh, Senator Charles Schumer, Senator Kirstin Gillibrand, New York State Commissioner of Agriculture and Markets Patrick Hooker and the New York State Association of Counties.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Williams:

RESOLUTION NO. 212-09

AUTHORIZING CONTINUED ENGINEERING SERVICES WITH BARTON & LOGUIDICE, P.C. ASSOCIATED FOR THE MS4 STORMWATER PROGRAM

WHEREAS, the Public Works Committee met on April 21, 2009 authorizing the Madison County Highway Superintendent to continue with the Phase II MS4 Stormwater Program Requirements; and

WHEREAS, Barton & Loguidice, P.C. is continuing to carry out the engineering services associated with the MS4 Stormwater Program; and

WHEREAS, Barton & Loguidice, P.C. has requested \$4,000.00 to cover continued assistance for individual tasks required to be completed prior to June 1, 2009 to maintain compliance with the New York State Department of Environmental Conservation regulations;

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

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisors Williams & Reinhardt:

RESOLUTION NO. 213-09

AUTHORIZING THE MODIFICATION OF 2009 COUNTY BUDGET

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

Road Machinery Fund		From	To
5130 Road Machinery Fund			
Expense			
DM5130.4820	Repair Parts	325,000	323,800
DM5130.4848	Radio Repairs	14,000	15,200
	Control Total	<u>\$339,000</u>	<u>\$339,000</u>

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Hammond:

RESOLUTION NO. 214-09

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;

NOW, THEREFORE BE IT RESOLVED, that Madison County be permitted to enter into an 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, that 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. ADK Disposal Inc.
2. Abscope Environmental Inc.
3. Terry Blowers General Contracting

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 215-09

SEQR NEGATIVE DECLARATION RESOLUTION

WHEREAS, the Madison County Board of Supervisors (the "County") is the lead agency pursuant to the State Environmental Quality Review Act ("SEQR") for the environmental review of an action to modify the current Comprehensive Solid Waste Management Plan ("CSWMP") for Madison County, hereinafter referred to as the "Project"; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, and the SEQR regulations adopted by the New York State Department of Environmental Conservation, being 6 NYCRR Part 617, as amended (the "Regulations"), the County desires to determine whether the adoption of the Modified CSWMP may have a "significant effect on the environment" and therefore require the preparation of an environmental impact statement; and

WHEREAS, to aid the County in determining whether the Project may have a significant effect upon the environment, the County has reviewed an environmental assessment form (the "EAF"), a copy of which is on file at the County Department of Solid Waste and Sanitation; and

WHEREAS, pursuant to the Regulations, the County has examined the EAF in order to make a determination as to the potential environmental significance of the Project; and

WHEREAS, the Project constitutes an "Unlisted Action" (as the quoted term is defined in the Regulations);

NOW, THEREFORE, BE IT RESOLVED:

1. Based upon an examination of the EAF, and based upon the County's knowledge and such further review as it has deemed appropriate, the County finds with respect to the Project, no potentially significant impacts on the environment are noted in the EAF, and none are known to the County.

2. Based upon the foregoing investigation of the potential environmental impacts, the County makes the following findings and determinations with respect to the execution of the Project Agreement.

a. The Project constitutes an "Unlisted Action" (as the quoted term is defined in the Regulations);

b. The Project will result in a positive impact on the environment and that no significant adverse impacts are evident. Therefore, the County hereby determines that the Project will not have a significant effect on the environment, and the County will not require the preparation of an environmental impact statement; and

c. As a consequence of the foregoing, the County directs that a negative declaration be prepared with respect to the Project (the negative declaration to be substantially to the effect of the attached draft negative declaration).

Copies of the negative declaration shall be maintained in the County Department of Solid Waste in a file that will be readily accessible to the public.

The foregoing resolution was seconded by Supervisor Henderson and duly put to a vote on roll call.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Reinhardt:

RESOLUTION NO. 216-09

**AUTHORIZING THE ESTABLISHMENT OF A
CAPITAL PROJECTS COST CENTER FOR AN AGRICULTURE
AND RENEWABLE ENERGY (ARE) PARK**

WHEREAS, by Resolution No. 187-09, dated April 14, 2009, the Madison County Board of Supervisors appropriated \$800,000 to further support economic development, including associated professional services, for the ARE Park; and

WHEREAS, due to the unique financial accounting and reporting required for this project, it has become necessary to establish the project within the Capital Projects Fund.

NOW THEREFORE BE IT RESOLVED, that a cost center entitled “Agriculture & Renewable Energy Park” be and hereby is established within the Capital Projects Fund.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 217-09

APPROVAL – MORTGAGE TAX REPORT

WHEREAS, this Board is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each tax district of the County of the money collected during the preceding six months ending March 31, 2009;

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

Town of Brookfield	\$9,106.88
Town of Cazenovia	\$88,071.34
Village of Cazenovia	\$16,048.82
Town of DeRuyter	\$7,249.26
Village of DeRuyter	\$658.09
Town of Eaton	\$20,582.09
Village of Hamilton	\$2.94
Village of Morrisville	\$6,504.61
Town of Fenner	\$9,138.15
Town of Georgetown	\$1,467.19
Town of Hamilton	\$18,000.39
Village of Earlville	\$481.14
Village of Hamilton	\$10,841.13
Town of Lebanon	\$9,029.95
Town of Lenox	\$46,706.01
Village of	\$13,610.45

Canastota	
Village of	\$2,806.80
Wampsville	
Town of Lincoln	\$9,172.51
Town of Madison	\$63,130.23
Village of Hamilton	\$561.94
Village of Madison	\$2,390.58
Town of Nelson	\$25,284.62
Town of Smithfield	\$8,056.73
Town of Stockbridge	\$12,009.14
Village of	\$1,345.92
Munnsville	
Town of Sullivan	\$98,016.55
Village of	\$16,354.57
Chittenango	
City of Oneida	\$57,164.50
 TOTAL	 \$553,792.53

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

RESOLUTION NO. 218-09

AUTHORIZING THE CLERK OF THE BOARD TO SIGN THE HOME RULE REQUESTING THE STATE ENACT LEGISLATION EXTENDING THE ADDITIONAL ONE PERCENT (1%) SALES AND COMPENSATING USE TAX

WHEREAS, the State Legislature requires a home rule request prior to passing any local legislation; and

WHEREAS, in 2004 the Board reviewed and studied the issues and found that it was in the best interest of the residents of Madison County to increase the County Local Sales and Compensating Use Tax from three percent (3%) to four percent (4%); and

WHEREAS, the Board has revisited the issues and finds that the residents of Madison County would benefit from extending the additional one percent (1%) Sales and Compensating Use Tax; and

WHEREAS, a copy of the State legislation extending the additional one percent (1%) Local Sales and Compensating Use Tax through November 30, 2011 is on file with the Clerk of the Board of Supervisors; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors authorizes and requests the State Legislature enact Senate bill S05120 and Assembly bill A8035 as is on file with the Clerk of this Board; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to sign and submit Home Rule Requests required to pass Senate bill S05120 and Assembly bill A8035.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Salka:

RESOLUTION NO. 219-09

AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE RECEIPT OF MEDICAL EMERGENCY RESPONSE CACHE (MERC) AND/OR STRATEGIC NATIONAL STOCKPILE (SNS) MEDICAL MATERIALS AND ASSETS

WHEREAS, the recent outbreak of H1N1 Influenza (a.k.a. swine flu) has activated response actions to this public health crisis, including the distribution of medical supplies and assets from state and federal agencies to local health departments; and

WHEREAS, the receipt of these assets will facilitate and aid the Madison County Health Department in implementing its public health response activities in order to reduce transmission and illness severity in response to this public health crisis; and

WHEREAS, the Public Health Services Committee believes that it is in the interest of our public's health and safety that the Department receive these assets;

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

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Cary:

RESOLUTION NO. 220-09

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 – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisors Moran and Reinhardt:

RESOLUTION NO. 221-09

**IN SUPPORT OF CONTINUED DEVELOPMENT OF THE
AGRICULTURE AND RENEWABLE ENERGY PARK**

WHEREAS, the Madison County Industrial Development Agency has completed a preliminary investigation of a specialized industrial park making use of electric and thermal energy from sources located in and around the County owned and operated landfill or at the specialized facility which has come to be known as the Madison County ARE Park; and

WHEREAS, there is ample evidence that existing and new business enterprises would be attracted to sites where low-cost renewable energy, state of the art waste water and water supply infrastructure are available; and

WHEREAS, there are ample land resources associated with the Madison County Landfill upon which to locate new or relocated economic and industrial development that is likely to be associated with the ARE Park; and

WHEREAS, the recent focus on renewable energy and infrastructure development has identified significant financial support through state and federal programs; and

WHEREAS, installation of water supply and waste water conveyance or disposal infrastructure will be necessary to attract businesses to the ARE Park; and

WHEREAS, the Solid Waste and Recycling Committee of the Board of Supervisors has determined that waste water disposal infrastructure in the vicinity of the County Landfill will yield significant benefit including lower leachate transportation and disposal costs and significantly reduced environmental risk; and

WHEREAS, the Central New York Regional Planning and Development Board has identified federal American Recovery and Reinvestment Act of 2009 programs through the U. S. Department of Commerce, Economic Development Administration that would support 50 percent of the ARE Park development costs for water and waste water infrastructure installation; and

WHEREAS, our Congressional Delegation has received applications for Federal Appropriations that could support the development of water and waste water disposal infrastructure installation; and

WHEREAS, the Solid Waste and Recycling Committee has identified other possible yet undesignated future sources of funding, including, but not limited to sewer user fees, waste disposal revenue, cost savings from County landfill expenses, carbon credits and landfill gas to energy revenues that could easily provide the match required by federal programs for additional costs associated with the installation of water and wastewater infrastructure without the need to resort to increased property taxes; and

NOW THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors supports the application of the Central New York Regional Planning and Development Board for funding in support of infrastructure installation; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors will provide matching financial support for the infrastructure investment of \$4,250,000 of the expected total cost of \$8,500,000, subject to review and approval of the final project plan.

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisors Degear and Reinhardt:

RESOLUTION NO. 222-09

MODIFYING THE ADOPTED 2009 BUDGET FOR EMERGENCY RECOVERY FROM WATER DAMAGE TO THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, on April 26, 2009 a broken water pipe in the Department of Social Services Building caused water damage to floors, ceilings, equipment and documents within the building and created significant disruption of Department operations; and

WHEREAS, quick response and hard work from Supervisors, department heads and employees from the Social Services, Maintenance, Information Technology and other departments minimized the damage and immediately put in place the process of recovering from this incident and restoring Department operations and returning the building to full function ; and

WHEREAS, the cost to of recovery and restoration operations is estimated to be in the neighborhood of \$75,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Adopted 2009 County Budget is hereby modified as follows to facilitate recovery from this incident.

Risk Retention Fund

Revenue

900 Liability and Fleet Insurance

	<u>From</u>	<u>To</u>
CS2680.30 Insurance Recovery - DSS	\$ -0-	\$ 25,000
CS500.10 Appropriation of Reserves	<u>\$120,000</u>	<u>\$ 170,000</u>
	\$120,000	\$ 195,000
Control Total		<u>\$ 75,000</u>

Expense

CS1930.44008 DSS Emergency Recovery	<u>\$ - 0-</u>	<u>\$ 75,000</u>
Control Total		<u>\$ 75,000</u>

ADOPTED: AYES – 1456 NAYS – 0 ABSENT – 44 (Williams)

By Supervisor Reinhardt:

RESOLUTION NO. 223-09

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 – 1456 NAYS - 0 ABSENT – 44 (Williams)

PUBLIC COMMENT PERIOD

1. Mr. Doug Holdridge from Clockville New York spoke in favor of upgrading the Emergency Communications System and urged the Board of Supervisors to approve the upgrades. He stated that the current system is 30 years old and parts are no longer available. We need a system that is 100% workable. The Board needs to act now. Prices are not going to get any cheaper.

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