

**MADISON COUNTY BOARD OF SUPERVISORS  
Meeting – Tuesday, September 14, 2010**

**LISTING OF RESOLUTIONS**

*Please note that the numbers on the resolutions listed below are agenda numbers only. Final resolution numbers will be assigned after resolutions have been officially adopted by the Board of Supervisors.*

**By Supervisor Bargabos:**

**RESOLUTION NO. 1**

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

**WHEREAS**, the Environmental Health Training in Emergency Response (EHTER) Awareness Level training will be held in Anniston, AL on September 26, 2010 through October 1, 2010; and

**WHEREAS**, Eric Faisst, Public Health Director has requested that Andrew Lachut and Ken Cronn, Public Health Sanitarian and Public Health Technician attend said conference; and

**WHEREAS**, all expenses will be paid for by the Center for Disease Control and the US Department of Homeland Security; and

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

**NOW, THEREFORE BE IT RESOLVED** that Andrew Lachut, Public Health Sanitarian and Kenneth Cronn, Public Health Technician be and hereby are authorized to attend said training at no expense to the County.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 2**

**AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE  
(Department of Social Services)**

**WHEREAS**, the Department of Social Services is implementing the Family Assessment Response process; and

**WHEREAS**, American Humane's 5<sup>th</sup> Annual Conference on Differential Response in Child Welfare, The Child Welfare Response Continuum, will be held November 8 – 10, 2010, in Anaheim, California; and

**WHEREAS**, Michael Fitzgerald, Department of Social Services Commissioner, has requested that Melissa Maine, Deputy Commissioner for Family Services, attend said conference; and

**WHEREAS**, all reasonable costs are being fully reimbursed by the New York State Office of Children and Family Services (OCFS); and

**WHEREAS**, the estimated expenses will be \$125.00; and

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

**NOW, THEREFORE, BE IT RESOLVED** that Melissa Maine be and hereby is authorized to attend said conference at County expense not exceed \$125.00.

### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 3**

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

**WHEREAS**, the 99<sup>th</sup> Session of the National Sheriffs' Institute cosponsored by the National Institute of Corrections be held September 19 – 26, 2010 in Longmont, Colorado; and

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

**WHEREAS**, his expenses are fully funded by the National Sheriffs' Institute; and

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

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

### **PENDING BOARD APPROVAL**

**RESOLUTION NO. 4**

**ABOLISHING TWO HIGHWAY DEPARTMENT POSITIONS AND  
CREATING TWO SENIOR HIGHWAY CREW SUPERVISOR POSITIONS**

**WHEREAS**, the Highway Superintendent eliminated a Highway Division Manager in 2009 which resulted in department savings; and

**WHEREAS**, the Highway Superintendent has evaluated the current staffing structure in the Highway Department and determined the need for increased supervision of personnel; and

**WHEREAS**, in order to accomplish this the Highway Superintendent desires to abolish two (2) full-time Highway Crew Supervisor positions and create two (2) full-time Senior Highway Crew Supervisor positions; and

**WHEREAS**, part of this restructuring, the total number of full-time positions in the Highway Department will be maintained; and

**WHEREAS**, the Personnel Officer certifies that Senior Highway Crew Supervisor is the appropriate classification based on the description of duties submitted for these positions; and

**WHEREAS**, the personal services line of the 2010 Highway Department budget is estimated to increase \$4,700.80 (annualized); and

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

**NOW, THEREFORE BE IT RESOLVED** that two (2) full-time Highway Crew Supervisor positions be and hereby are abolished effective September 26, 2010; and

**BE IT FURTHER RESOLVED** that the new Senior Highway Crew Supervisor title be and hereby is created effective immediately; and

**BE IT FURTHER RESOLVED** that two (2) full-time Senior Highway Crew Supervisor positions be and hereby are created effective September 27, 2010; and

**BE IT FURTHER RESOLVED** that the Highway Superintendent be and hereby is authorized to fill said positions at the 2010 hourly rate of \$22.52 in accordance with the Agreement by and between Madison County and the Civil Service Association, Inc. (Blue Collar Unit) effective immediately.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 5**

**CREATING ONE FULL-TIME POSITION IN THE DEPARTMENT OF HEALTH  
TO PROVIDE MANDATED SERVICES**

**WHEREAS**, the Department of Health has requested the creation of a Home Health Aide; and

**WHEREAS**, the creation of this position will allow for better care to the patients of the Department of Health; and

**WHEREAS**, a current Home Health Aide has informed the Department of their intention to retire in November of 2010; and

**WHEREAS**, the committees approved creating the position subject to the requirement that the next Home Health Aide position be abolished upon vacancy; and

**WHEREAS**, the salary and fringe benefits for this position will be partially funded through revenue generated by visits made by the Home Health Aide; and

**WHEREAS**, this request has been reviewed and approved in accordance with the vacancy review procedure by the Public Health Services Committee and the Government Operations Committee,

**NOW, THEREFORE BE IT RESOLVED** that one, full-time Home Health Aide position be and hereby is created; and

**BE IT FURTHER RESOLVED** that the Public Health Director be and hereby is authorized to fill said vacancy at the 2010 hourly rate of \$14.48 in accordance with the Agreement between Madison County and the Civil Service Employees Association, Inc. (Blue Collar Unit) effective immediately.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 6**

**ABOLISHING A FULL-TIME LICENSED PROFESSIONAL NURSE  
POSITION IN THE HEALTH DEPARTMENT AND CREATING A PART-TIME  
HOME CARE CODING SPECIALIST POSITION**

**WHEREAS**, the Public Health Director has requested that a Licensed Professional Nurse position be abolished due to lower than expected utilization; and

**WHEREAS**, the Public Health Director has requested the creation of a Home Care Coding Specialist to achieve greater Medicare reimbursement and improving the quality of patient care; and

**WHEREAS**, the salary and fringe benefits for this position are eighty-five percent (85%) funded through federal and state reimbursements; and

**WHEREAS**, the Personnel Officer certifies that Home Care Coding Specialist is the appropriate classification based on the description of duties submitted for this position; and

**WHEREAS**, this request has been reviewed and approved in accordance with the vacancy review procedure by the Public Health Services Committee and the Government Operations Committee,

**NOW, THEREFORE BE IT RESOLVED** that one (1) full-time Licensed Practical Nurse position be and hereby is abolished effective immediately; and

**BE IT FURTHER RESOLVED** that one (1) part-time Home Care Coding Specialist position be and hereby is created effective immediately; and

**BE IT FURTHER RESOLVED** that the Public Health Director be and hereby is authorized to fill said position at the 2010 hourly rate of \$18.13 in accordance with Civil Service Law and Rule and the Agreement between the County and the Civil Service Employees Association, White Collar Unit effective immediately.

## **PENDING BOARD APPROVAL**

### **RESOLUTION NO. 7**

#### **AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT**

**WHEREAS**, Bailey Haskell and LaLonde (BHL) serve as advisors to the county relative to insurance matters; and

**WHEREAS**, BHL has identified a no-cost method of reviewing past Workers Compensation claim data for potential cost recovery and refund from the New York State Insurance Fund for retrospective policy periods during which the County subscribed to the fund; and

**WHEREAS**, BHL proposes to engage a third party consultant with experience in such cost recovery and to receive and share 30 percent of recovered funds with the third party and remit the remaining 70 percent of the recovered amounts to the County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman is authorized to sign an agreement with Bailey Haskell and LaLonde for New York State Insurance Fund cost recovery, a copy of which is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 8**

**AMENDING AN AGREEMENT WITH IKON OFFICE SOLUTIONS, INC.**

**WHEREAS**, Madison County entered into an agreement with IKON Office Solutions Inc. on November 24, 2009 (Resolution 500-09) to supply copiers ; and

**WHEREAS**, after deployment of the copiers the Mental Health Department has request two (2) additional copiers and the Public Health office needs to replace a damaged finisher component; and

**WHEREAS**, an addendum to the previously signed contract is required to initiate the requested changes; and

**WHEREAS**, the increase cost of \$36.00 (thirty six dollars) per month per copier can be covered by the existing appropriation of the Mental Health Department and the increase cost of \$22.00 (twenty two dollars) per month for the finisher can be covered by the existing appropriation of the Public Health Department; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors is hereby authorized to execute an amendment to the agreement with IKON Office Solutions, Inc., a copy of which is on file with the Clerk of the Board of Supervisors.

**PENDING BOARD APPROVAL**

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 9**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BENEFITS CONSULTING GROUP FOR PROFESSIONAL SERVICES AND MODIFYING THE 2010 COUNTY BUDGET**

**WHEREAS**, Benefits Consulting Group, Inc. has for some time served as advisors to the County for health plan, prescription drug and related employee health benefit matters under an agreement set to expire on December 31, 2010; and

**WHEREAS**, the original agreement with BCG was limited in scope and did not envision or include support for implementation of the federal Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010 also referred to as Health Care Reform; and

**WHEREAS**, due to extension of the date at which the County's current health benefits program administration agreement with Excellus will expire it will be necessary and prudent to retain consultant services for the next year; and

**WHEREAS**, BCG has proposed a replacement agreement, a copy of which is on file with the Clerk of the Board, to expand the scope of services provided to the County on an ongoing basis for a flat rate of \$2,375.00 per month; and

**WHEREAS**, the relationship with BCG and services provided have been satisfactory resulting in an improved, cost effective prescription drug benefit plan with the potential for significant savings and cost containment; and

**WHEREAS**, the proposal made by BCG has been reviewed by the County Administrator, the County Treasurer and Government Operations Committee who recommend entering into an agreement to replace the existing agreement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman is authorized to sign an agreement with Benefit Consulting Group, a copy of which is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, that the Madison County 2010 Budget be modified as follows to cover increased costs for expanded services.

**General Fund**

**9060 Hospital and Medical Insurance**

<u>Expense</u>	<u>From</u>	<u>To</u>
<b>CS9060.8609 Health Benefits Consultants</b>	<b>\$ 20,300</b>	<b>\$ 25,500</b>
<b>CS9060.8610 CANARX Prescription Expense</b>	<b>\$ 100,000</b>	<b>\$ 94,800</b>
Control Total	<u>\$ 120,300</u>	<u>\$ 120,300</u>

**PENDING BOARD APPROVAL**

**By Supervisor Salka:**

**RESOLUTION NO. 10**

**AUTHORIZING THE CHAIRMAN TO AMEND AGREEMENTS WITH AGENCIES AND THERAPIST FOR THE EARLY INTERVENTION PROGRAM**

**WHEREAS**, Madison County is responsible for administering the Early Intervention program that is beneficial to eligible children with developmental delays; and

**WHEREAS**, services for these children are provided either through program or itinerant services; and

**WHEREAS**, Resolution 211-10 was approved on July 13, 2010 authorizing agreements for the period of July 1, 2010 through June 30, 2013, with individual contractors receiving a negotiated rate with the County; and

**WHEREAS**, as of September 1, 2010 NYSDOH Early Intervention programs are required to have a Quality Assurance plan for all services, requiring the agency to employ a Quality Assurance Program Professional for each early intervention services/profession; and

**WHEREAS**, if the County pays the independent providers the State rate, the independent provider is responsible for the delivery of services and must follow all NYSDOH Early Intervention Regulations 69-4 for the Quality Assurance Plan; and

**WHEREAS**, the 2010 NYS rates are \$63.00 for a basic home visit and \$88.00 for an extended home visit; and

**WHEREAS**, the Public Health Services Committee feel it is expeditious to modify the following agreements to the NYS rate;

	<u>2010</u> <u>visit rate</u>	<u>2010</u> <u>revised rate</u>
Mary Cook PT	\$58	NYS Rate
Chris Domes PT	\$58	NYS Rate
Ann Bilharz, SEIT	\$45	NYS Rate
Patricia Heffernan, SEIT	\$45	NYS Rate
Alison Renwick, OT	\$45	NYS Rate
Denise Rollins, OT	\$45	NYS Rate
Timothy Winchell, PT	\$58	NYS Rate
Mary Domes, ST	\$45	NYS Rate

**NOW, THEREFORE BE IT RESOLVED** that the Chairman of The Board of Supervisors be and is hereby authorized to modify the above agreements for the period of July 1, 2010 through June 30, 2013, with the listed contractors, 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 is authorized to sign future agreements with programs or individual therapists through June 30, 2013 so long as the terms, conditions and rates are the same as for the contractors listed above and so long as the agreements have been approved by the Public Health Services Committee.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 11**

**REMOVAL OF KEITH HARDEN FROM THE MADISON COUNTY BOARD OF HEALTH**

**WHEREAS**, pursuant to Section 340 of the Public Health Law, the Madison County Board of Supervisors, January 1, 1994 established a Public Health District and appointed a Board of Health for said County Health District; and

**WHEREAS**, the Madison County Board of Health consists of eight members, including members from the Madison County community; and

**WHEREAS**, Keith Harden, MD, Oneida, NY was appointed to serve as on the Board of Health as a community member for a six year term effective November 23, 2009; and

**WHEREAS**, Keith Harden has not been available to fulfill his service, both the Board of Health and the Public Health Services' Committee would like to request the removal of Keith Harden's appointment to the Board;

**NOW, THEREFORE BE IT RESOLVED**, that Keith Harden be removed from the Board of Health effective August 23, 2010.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 12**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TRISHA A. CASTRO-MEEHAN**

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

**WHEREAS**, Respiratory Therapist is one discipline that is required under the Long Term Home Health Care Program; and

**WHEREAS**, Trisha A. Castro-Meehan has the credentials and is willing to work with Madison County residents for \$65/visit; and

**WHEREAS**, both the Board of Health and the Public Health Services Committee feel it most expeditious to enter into an agreement with Trisha A. Castro-Meehan; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with Trisha A. Castro-Meehan effective August 1, 2010, as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 13**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR THE ADMINISTRATION OF EARLY INTERVENTION AND MODIFYING THE 2010 COUNTY BUDGET**

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

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

**WHEREAS**, grant funds have once again been made available with funding being provided as follows:

Awarding Agency:	U.S. Dept. of Education/U.S. Dept. of Health & Human Services
Pass-through Agency:	New York State Department of Health
Catalog #:	84.181A
Program Name:	Early Intervention Administration
Grant Extension:	October 1, 2010 – September 30, 2011
Contract #:	C-021802
Federal Funds:	100%
Grant Total:	\$46,665

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

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

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

**Public Health Department**  
**A2961 Early Intervention**

<u>Expense</u>	<u>From</u>	<u>To</u>
A2961.4102    EI Grant Expenses	\$     0	\$ 3,201
Control Total		<u>\$ 3,201</u>
<u>Revenue</u>	<u>From</u>	<u>To</u>
A4489.2025    Federal Aid EI Grant	\$46,666	\$49,867
Control Total		<u>\$ 3,201</u>

**PENDING BOARD APPROVAL**

**By Supervisor Salka:**

**RESOLUTION NO. 14**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH  
COMMUNITY ACTION PROGRAM, INC.**

**WHEREAS**, Madison County Department of Social Services receives federal monies through the Temporary Assistance for Needy Families (TANF) to assist TANF recipients and low-income families eliminate barriers to employment; and

**WHEREAS**, the program would provide the ability to meet the transportation needs of a rural population in Madison County who are TANF eligible or are below the 200 percent of the federal poverty level in order to assist them in obtaining or maintaining employment; and

**WHEREAS**, Community Action Program, Inc., (CAP) has a documented record of assisting low-income residents of Madison County, including such services as CAP-CAR and other transportation linkages; and

**WHEREAS**, Community Action Program, Inc., has agreed to provide these services for the period October 1, 2010, to September 30, 2011, at a total cost not to exceed \$72,224, the same amount as the 2009-2010 contract period; and

**WHEREAS**, this funding is 100 percent reimbursable through the New York State Office of Temporary and Disability Assistance; and

**WHEREAS**, this agreement has been reviewed and approved by the Social and Mental Health Services Committee:

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to renew an agreement on behalf of the County of Madison with Community Action Program, Inc., in the form as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 15**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH  
CORNELL COOPERATIVE EXTENSION**

**WHEREAS**, Madison County Department of Social Services determines eligibility and issues food stamp benefits to Madison County residents; and

**WHEREAS**, the Food Stamp Program is a program operated under the United States Department of Agriculture (USDA) and was implemented to improve the nutrition of low-income families; and

**WHEREAS**, Madison County Department of Social Services does not have the nutrition expertise to operate such a program; and

**WHEREAS**, Cornell Cooperative Extension has operated a Food Stamp Nutrition Education Program (FSNEP) through an agreement with Madison County since November 1, 2003; and

**WHEREAS**, Cornell Cooperative Extension has submitted an application to the Office of Temporary and Disability Assistance to continue operation of FSNEP for the period October 1, 2010, to September 30, 2011; and

**WHEREAS**, Cornell Cooperative Extension has agreed to provide this service for the period of October 1, 2010, to September 30, 2011, at a total cost not to exceed \$145,000, an increase of \$3,000 from the 2009-2010 contract period; and

**WHEREAS**, Madison County Department of Social Services agrees to pay an annual rate not to exceed \$72,500 and Cornell Cooperative Extension agrees to accept responsibility for the \$72,500 as a federal match with local, in-kind revenue; and

**WHEREAS**, the funding for the FSNEP project is 100 percent federally reimbursed as an allowable cost under the Food Stamp Program; and

**WHEREAS**, this agreement is contingent upon approval of the New York State contract by the USDA, and no payment will be made by Madison County until said approval is granted; and

**WHEREAS**, the “Hold Harmless” clause diverges from the standard Madison County contract language to meet the needs of Cornell Cooperative Extension; and

**WHEREAS**, This agreement has been reviewed and approved by the Social and Mental Health Services Committee:

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to renew an agreement on behalf of the County of Madison with Cornell Cooperative Extension, in the form as is on file with the Clerk of the Board.

### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 16**

#### **AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH MID-YORK CHILD CARE COORDINATING COUNCIL, INC.**

**WHEREAS**, Madison County Department of Social Services provides child care assistance to low-income families; and

**WHEREAS**, Madison County Department of Social Services receives monies through the New York State Child Care Development Block Grant to assist TANF recipients and low-income families with child care services; and

**WHEREAS**, the assistance contained in this program is 100 percent funded by these federal monies; and

**WHEREAS**, Madison County Department of Social Services, with the assistance of Mid-York Child Care Coordinating Council, Inc., is responsible for referrals for child care, recruitment of providers, and assisting providers in securing mandated licensing training and safety equipment; and

**WHEREAS**, the Mid-York Child Care Coordinating Council has a demonstrated ability to provide these services onsite at the Department of Social Services, which allows for more TANF-eligible parents to secure employment; and

**WHEREAS**, Madison County Department of Social Services lacks the expertise and personnel to perform the functions of referrals, recruitment, and training; and

**WHEREAS**, Mid-York Child Care Coordinating Council, Inc., as the child care resource and referral agent for Madison, Oneida, and Herkimer Counties,

has the experience and resources to provide referrals, recruitment, and training and has offered to provide these services for the period October 1, 2010, to September 30, 2011, at a cost not to exceed \$33,218, the same amount as the 2009-2010 contract period; and

**WHEREAS**, this agreement has been reviewed and approved by the Social and Mental Health Services Committee:

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to renew an agreement on behalf of the County of Madison with Mid-York Child Care Coordinating Council, in the form as is on file with the Clerk of the Board.

### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 17**

#### **AUTHORIZING THE CHAIRMAN TO PROCLAIM SEPTEMBER AS NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH**

**WHEREAS**, recovery from substance use disorders is possible through a variety of treatment resources and recovery support programs; and

**WHEREAS**, thousands of people across the United States are living happy, healthy, and productive lives in recovery; and

**WHEREAS**, stress can contribute to substance use disorders, and finding a positive outlet for dealing with stress is crucial as people continue to face stressful situations in their lives; and

**WHEREAS**, nearly half of Americans reported that their stress levels had increased over the past year in 2008, with as many as 30 percent rating their stress levels as extreme (American Psychological Association, Executive Report, October 7, 2008); and

**WHEREAS**, in 2008, an estimated 23.1 million people of every age, race, ethnicity, and socio-economic status needed treatment for substance dependence or abuse in the United States (*2008 National Survey on Drug Use and Health*); and

**WHEREAS**, substance use disorders are a treatable, yet serious health care problem, and our community must take steps to address it; and

**WHEREAS**, educating our community about how substance use disorders affect all people in the community, including public safety officials, the workforce, older adults, and families, therefore is essential to combat misconceptions associated with addiction; and

**WHEREAS**, to help more people enter a path of recovery, the U.S. Department of Health and Human Services, the Substance Abuse and Mental

Health Services Administration, the White House Office of National Drug Control Policy, and the Alcohol and Substance Abuse Sub-Committee of the Madison County Community Services Board invite all residents of Madison County to participate in ***National Alcohol and Drug Addiction Recovery Month***; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors call upon the people of Madison County to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "***Join the Voices for Recovery: Now More Than Ever!***"

### **PENDING BOARD APPROVAL**

**By Supervisor Suits:**

### **RESOLUTION NO. 18**

#### **AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH NTS DATA SERVICES**

**WHEREAS**, in 2003 the Board of Elections entered into an agreement with NTS Data Services, Inc. of Niagara Falls, New York for the installation of a new TEAM 2000 (Total Election Administration Management) registration software system; and

**WHEREAS**, it is necessary to renew the agreement for continued software support and maintenance services to that system; and

**WHEREAS**, the advent of the Statewide Voter Registration database required the creation of an interface between the County TEAM registration system and the New York State NYS Voter II, and

**WHEREAS**, the State Board of Elections contracted with NTS to develop the interface, license it to the County, and support it through December 31, 2010, and the County requires ongoing support and maintenance for the interface to NYS Voter II, and

**WHEREAS**, NTS has combined these two contracts into a single two year agreement to simplify contract administration since they both expired at the end of 2010, and

**WHEREAS**, the Administration and Oversight Committee recommends that this agreement be renewed with the following dates and payments:

On January 1, 2011 – December 31, 2011 the payment will be \$19,751.50

On January 1, 2012 – December 31, 2012 the payment will be \$19,751.50

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with NTS Data Services in the form as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 19**

**AUTHORIZING THE MADISON COUNTY BOARD OF ELECTIONS TO CONTRACT FOR POLLSITE USAGE**

**WHEREAS**, pursuant to Election Law § 4-104 a resolution was passed by the County Board of Supervisors consolidating the responsibility for polling sites, and other election matters, solely in the Madison County Board of Elections; and

**WHEREAS**, in the past, the local municipalities have entered into agreements with the owners of the respective polling sites for the purpose of allowing elections to be held at said sites; and

**WHEREAS**, the Board of Elections has been undertaking the changes required to transition the control of polling sites and other election functions from the local municipalities to the Madison County Board of Elections; and

**WHEREAS**, Madison County requires an agreement to determine terms, insurance, and liability before said premise can be used for the purpose of holding elections; and

**WHEREAS**, pursuant to the terms of the HAVA Polling Place Access Improvement Grant, whenever any permanent improvements to a polling facility are made, the parties must enter into at least a five (5) year Lease; and

**WHEREAS**, permanent improvements were made to the Poolville Community Center and the Lincoln Fire House using funding from the HAVA Polling Place Access Improvement Grant; and

**WHEREAS**, the Agreements with the polling site owners regarding the Poolville Community Center and the Lincoln Fire House are on file with the Clerk of the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED** that the Madison County Board of Supervisors herein and hereby authorizes and ratifies the Agreements for the Hamilton District 4 polling site and the Lincoln District 1 and 2 polling site currently on file with the Clerk of the Board of Supervisors, and the Chairman of the Board of Supervisors is hereby authorized to execute the same.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 20**

**AUTHORIZING THE MADISON COUNTY BOARD OF ELECTIONS TO  
CONTRACT FOR POLL SITE USAGE**

**WHEREAS**, pursuant to Election Law § 4-104 a resolution was passed by the County Board of Supervisors consolidating the responsibility for polling sites, and other election matters, solely in the Madison County Board of Elections; and

**WHEREAS**, in the past, the local municipalities have entered into agreements with the owners of the respective polling sites for the purpose of allowing elections to be held at said sites; and

**WHEREAS**, the Board of Elections has been undertaking the changes required to transition the control of polling sites and other election functions from the local municipalities to the Madison County Board of Elections; and

**WHEREAS**, Madison County requires an agreement to determine terms, insurance, liability, and rent before said premise can be used for the purpose of holding elections; and

**WHEREAS**, polling places that are not required to allow access may request a rental fee; and

**WHEREAS**, the Lease Agreement, with the rent fee clause, regarding the poll sites; Cazenovia American Legion, Grace Lutheran Church, St. Agatha's Church Center, Canastota VFW, Fyler Community Hall, St. Paul's United Methodist Church, Kallet Civic Center, and Sullivan Free Library are on file with the Clerk of the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED** that the Madison County Board of Supervisors herein and hereby authorizes and ratifies the Agreements for polling sites currently on file with the Clerk of the Board of Supervisors, and the Chairman of the Board of Supervisors is hereby authorized to execute the same.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 21**

**AUTHORIZING THE MADISON COUNTY BOARD OF ELECTIONS TO  
CONTRACT FOR POLL SITE USAGE**

**WHEREAS**, pursuant to Election Law § 4-104 a resolution was passed by the County Board of Supervisors consolidating the responsibility for polling sites, and other election matters, solely in the Madison County Board of Elections; and

**WHEREAS**, in the past, the local municipalities have entered into agreements with the owners of the respective polling sites for the purpose of allowing elections to be held at said sites; and

**WHEREAS**, the Board of Elections has been undertaking the changes required to transition the control of polling sites and other election functions from the local municipalities to the Madison County Board of Elections; and

**WHEREAS**, Madison County requires an agreement to determine terms, insurance and liability before said premise can be used for the purpose of holding elections; and

**WHEREAS**, the Agreements with the polling site owners regarding the following pollsites; Leonardsville Elementary School, Brookfield Town Building, North Brookfield Fire House, Malcolm Taylor Post, Cazenovia High School, DeRuyter Fire House, Eaton Town Office Building, Fenner Town Hall, Georgetown Town Hall, Hamilton Public Library, Earlville Village Office, Lebanon Town Office Building, New Life Church Cafe, Heritage Baptist Church, Madison Fire House, Erieville Fire House, Nelson Town Building, Smithfield Community Center, Stockbridge Town Building, Sullivan Veteran's Memorial Parks & Recreational Building, Bridgeport Elementary School, and Sullivan Town Office Building are on file with the Clerk of the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED** that the Madison County Board of Supervisors herein and hereby authorizes and ratifies the Agreements for polling sites currently on file with the Clerk of the Board of Supervisors, and the Chairman of the Board of Supervisors is hereby authorized to execute the same.

**PENDING BOARD APPROVAL**

**By Supervisor Ball:**

**RESOLUTION NO. 22**

**AUTHORIZING AN AGREEMENT  
WITH THE NYS DIVISION OF PROBATION AND CORRECTIONAL  
ALTERNATIVES**

**WHEREAS**, Madison County has been awarded state aid of \$3,046 for its Pretrial Services Program for the period from January 01, 2010 to December 31, 2010; and

**WHEREAS**, this funding represents a 10% reduction due to the enacted State Budget for Fiscal Year 2010/2011; and

**WHEREAS**, the Criminal Justice, Public Safety and Telecommunications Committee has reviewed and approved such contract;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized to execute a contract for receipt of the State aid with the State of New York, Division of Probation and Correctional Alternatives, a copy of which is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 23**

**AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENT**

**WHEREAS**, the Rochester Psychiatric Center Forensic Unit provides forensic services at the Rochester Psychiatric Center located in the County of Monroe; and;

**WHEREAS**, the forensic unit has the capability of providing forensic services for the Sheriff's Department of surrounding counties which have inadequate facilities for treating mentally ill inmates; and

**WHEREAS**, the Madison County Sheriff's Office is in need of these services at a cost of \$140.00 per day, per inmate if needed, which is a \$15.00 increase from the previous year; and

**WHEREAS**, this agreement shall become effective January 1, 2011 through December 31, 2015; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreement on behalf of the County of Madison with Monroe County, in the form as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 24**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT**

**WITH CHEM RX**

**WHEREAS**, it is necessary and required to provide prescription and non-prescription medications to inmates at the Madison County Jail in the regular course of their incarceration; and

**WHEREAS**, the quantity and type of medications needed on a day to day basis cannot be predicted due to daily variations of the inmate population, thereby making it necessary to have access to prompt service and timely delivery of pharmacy services and medications twenty-four hours a day, seven days a week; and

**WHEREAS**, the Sheriff of Madison County seeks to continue to cut costs and maintain the efficiency in the provision of medication to the inmates under his care through the continued use of a single contracted provider of pharmacy services that meets the special needs of the Madison County Jail and to get the best price Madison County bid this service out in conjunction with Oneida County; and

**WHEREAS**, Chem Rx does possess the special skills and training required to perform the necessary services and provide the required medications pursuant to the terms of the contract; and

**WHEREAS**, the term of this agreement is for twelve months, commencing September 1, 2010 and expiring August 31, 2011, with the option to re-new for (2) additional years with the same terms and conditions in one year increments through August 2013; and

**WHEREAS**, the cost of this pharmacy service is based on the Monthly Red Book billing structure for current and future drugs; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Chem Rx, in the form as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 25**

**AUTHORIZING THE CHAIRMAN TO APPLY FOR AN EXPLOSIVE  
DETECTION CANINE TEAM GRANT FROM THE NEW YORK STATE OFFICE  
OF HOMELAND SECURITY**

**WHEREAS**, the County of Madison is eligible to apply for a New York State Office of Homeland Security (OHS) Explosive Detection Canine Team grant in an amount not to exceed \$50,000; and

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

**WHEREAS**, This is a project to create an explosive detection canine team capability in and around Madison County where none has previously existed. This will strengthen counter-terrorism and law enforcement capabilities via objective 4.1 of the New York State Homeland Security Strategy of "Equip, train, exercise and otherwise support special operations and tactical response units, including Explosive Detection Canine Teams", and

**WHEREAS**, the total cost of the necessary training and equipment is \$50,000; and

**WHEREAS**, the grant does not require matching funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors authorizes the Chairman of the Board to sign any and all necessary contract documents for a New York State Office of Homeland Security (OHS) Explosive Detection Canine Team grant application, in an amount not to exceed \$50,000.

### **PENDING BOARD APPROVAL**

**By Supervisors Ball and Reinhardt:**

#### **RESOLUTION NO. 26**

#### **AUTHORIZING PARTICIPATION IN A FEDERAL GRANT AND MODIFYING THE 2010 COUNTY BUDGET**

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

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

Awarding Agency:	National Highway Safety Administration
Pass-through Agency:	NYS Governor's Traffic Safety Committee
Catalog of Federal Domestic Assistance:	#20.600
Program Name:	COPACS - Child Occupant Protection and Cyclist Safety
Award Year:	October 1, 2010 through September 30, 2011
Federal Funds Percentage:	100%
Grant No.:	HS1-2011-Madison Co SO -00008-(027)

Total Grant Amount: \$27,571.00, and

**WHEREAS**, the funding agencies have approved the following budget for this project during the term 10/1/10 – 9/30/11

General Fund

3111 Sheriff Department-Traffic Safety Coord Grant

<u>Expense</u>		<u>From</u>	<u>To</u>
A3111.112	Personal Services COPACS 2010-11	\$ 0	\$22,020
A3111.4101	Commodities 2010-11	0	2,800
A3111.411	Travel-Conference & Seminar Expense 2010-11	0	1,000
A3111.810	Allocation of Fringe Benefits	0	<u>1,751</u>
	Control Total		<u>\$27,571</u>
<u>Revenue</u>		<u>\$0</u>	<u>\$27,571</u>
A4389.3520	Federal Aid COPACS-2010-11		
	Control Total		<u>\$27,571</u>
	Net Cost to the County		<u>\$ 0</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 2010 County Budget be modified in accordance with this project budget.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 27**

**AUTHORIZING PARTICIPATION IN A FEDERAL GRANT AND MODIFYING THE 2010 COUNTY BUDGET**

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

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

Awarding Agency:	National Highway Safety Administration
Pass-through Agency:	NYS Governor's Traffic Safety Committee
Catalog #:	20.600
Program Name:	Buckle Up New York – Click It or Ticket
Award Year:	October 1, 2010 through September 30, 2011
Federal Funds Percentage:	100%
Grant No.:	BUNY-2011-Madison Co SO -00013-(027)
Total Grant Amount:	\$2,112; and

**WHEREAS**, the funding agencies have approved the following budget for this project during the term 10/1/2010 – 9/30/2011

<b><u>3112 Sheriff - "BUNY" Federal Grant</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
<b><u>Expense</u></b>			
A3112.111	Personal Services	\$ 0	<u>\$2,112</u>
<b><u>Revenue</u></b>			
A4389.1035	Federal Aid "BUNY" Grant 2010 - 2011	\$ 0	<u>\$2,112</u>

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

**BE IT FURTHER RESOLVED**, that the adopted 2010 County Budget be modified in accordance with this grant.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 28**

**AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT FOR FEDERAL GRANT AND MODIFYING THE 2010 COUNTY BUDGET**

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

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

Awarding Agency:	US Department of Homeland Security Office
Pass-through Agency:	New York State Division of Homeland Security and Emergency Services
Catalog #:	#97.067
Program Name:	State Law Enforcement Terrorism Prevention Program (SLETPP)
Award Year:	August 1, 2009 – July 31, 2012
Federal Funds Percentage:	100%
Grant No.:	WM09837092
Contract No.:	T837092
Total Grant Amount:	\$46,500

**WHEREAS**, the funding agencies have approved the following budget for this project during the term 08/01/09 – 07/31/12:

<b><u>3645 Homeland Security</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
<b><u>Expense</u></b>			
A3645.111	Personal Services Sheriff (SLETPP)	\$ 0	\$ 12,500
A3645.2822	Surveillance System Equipment	7,400	10,900
A3645.44236	Tactical Vests and Plates	0	25,500
A3645.2844	Handheld Thermal Imaging Device	<u>0</u>	<u>5,000</u>

Total	\$ 7,400	\$ 53,900
Control Total		\$ 46,500

**Revenue**

A4389.5050	Fed Aid-Terrorism Prevent Grant 2009 (LETPP)	\$ 0	\$46,500
	Control Total		\$46,500

**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 2010 County Budget be modified in accordance with this project budget.

**PENDING BOARD APPROVAL**

**By Supervisor Cary:**

**RESOLUTION NO. 29**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO A SUBLEASE AGREEMENT WITH STAFFWORKS, INC.**

**WHEREAS**, the County currently leases space in the Oneida Shopping Center Retail Center, 1006 Oneida Plaza Drive, Oneida NY, from Oneida Company, Ltd. for the occupancy of the Employment & Training Department and its partner service providers; and

**WHEREAS**, the lease provides that the County as the tenant, may sublet all or a portion of the leased premises to a third party contingent upon the written consent of the Landlord, Oneida Company, Ltd.; and

**WHEREAS**, the Employment & Training Department and its partner service providers do not use the entire premises; and

**WHEREAS**, the County would sublease a portion of the property consisting of approximately Sixty-Three (63) square feet to Staffworks, Inc.; and

**WHEREAS**, the sublease would be for a term of one year commencing on October 1, 2010 and terminating on September 30, 2011. During this term the subleased premises may be used for up to three (3) days per week; and

**WHEREAS**, During the period of October 1, 2010 through and including September 30, 2011, the total rental for the Subleased Premises, will be Three-Thousand, Five-Hundred, Nineteen and 00/100 Dollars (\$3,519.00), payable in

monthly installments of Two-Hundred, Ninety-Three and 25/100 Dollars (\$293.25) on the First day of the month, commencing October 1, 2010.

**WHEREAS**, this agreement has been reviewed and approved by the Planning, Economic Development, Environmental and Intergovernmental Affairs Committee;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into a sublease agreement on behalf of the County of Madison with Staffworks, Inc., in the form as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 30**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE NEW YORK STATE REQUIRED "LANDLORD DISCLOSURE SHEET"**

**WHEREAS**, the County of Madison has a sublease agreement with the State of New York for office space at the Madison County "Career Center" located at 1006 Oneida Plaza Drive, Oneida, NY 13421; and

**WHEREAS**, the State of New York requires all Landlords of property leased to New York State, or any of its Agencies or Departments, complete and sign the "Landlord Disclosure Sheet", and

**WHEREAS**, the "Landlord Disclosure Sheet" is a tool for gathering information about the landlord and the building proposed for lease; and

**WHEREAS**, a completed "Landlord Disclosure Sheet" is now on file with the Clerk of the Board;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors for the County of Madison be and hereby is authorized to sign the document entitled "Landlord Disclosure Sheet" on behalf of the County of Madison.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 31**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE CENTRAL NEW YORK REGIONAL PLANNING AND DEVELOPMENT BOARD**

**WHEREAS**, the Central New York Regional Planning and Development Board is applying for Sustainable Communities Planning Grant through the Office of Housing and Urban Development (HUD) grant that will develop a Central New York Regional Plan; and

**WHEREAS**, preparation of such a plan will address a range of public policy issues on a regional basis including housing, land use, economic and workforce development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: (1) economic competitiveness and revitalization; (2) social equity, inclusion, and access to opportunity; (3) energy use and climate change; and (4) public health and environmental impact; and

**WHEREAS**, CNY RPDB will form the Central New York Regional Plan Advisory Council that will act as a Consortium for the purpose of submission of an application to HUD; and

**WHEREAS**, Madison County has been asked to serve on the Regional Plan Advisory Council; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors for the County of Madison be and hereby is authorized to sign the document entitled "CENTRAL NEW YORK REGIONAL PLAN FOR SUSTAINABLE DEVELOPMENT PARTNERSHIP AGREEMENT" on behalf of the County of Madison.

## **PENDING BOARD APPROVAL**

### **RESOLUTION NO. 32**

#### **AUTHORIZING THE CHAIRMAN TO ACCEPT A \$750,000 1% INTEREST LOAN FROM THE USDA IRP**

**WHEREAS**, the Madison County Industrial Development Agency received a \$750,000, 1% loan from the USDA Rural Development; and

**WHEREAS**, the IDA's Board of Directors are looking for an eligible agency, with a history of revolving loan fund management, to accept the loan from the USDA; and

**WHEREAS**, the purpose of the IRP program is to alleviate poverty and increase economic activity and employment in rural communities; and

**WHEREAS**, Madison County, New York, is an eligible recipient of the IRP loan; and

**WHEREAS**, Madison County currently operates and manages two revolving loan funds; and

**WHEREAS**, according to the USDA, the NYS Department of Agriculture and Markets, and Farm Bureau there is a severe shortage of small-to-medium scale meat processing facilities in the United States; and

**WHEREAS**, Madison County recognizes the need for a meat processing facility to assist local farmers and increase opportunities for agricultural economic development and employment creation; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors for the County of Madison is hereby authorized to sign the agreement to accept and administer the loan funds from the USDA.

**PENDING BOARD APPROVAL**

**By Supervisor Degear:**

**RESOLUTION NO. 33**

**AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE GRANT-IN-AID FOR A MUNICIPAL WASTE REDUCTION AND/OR RECYCLING PROJECT AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE**

**WHEREAS**, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

**WHEREAS**, Madison County Sewer District herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

**WHEREAS**, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such State Aid;

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

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.

2. That the Chairman of the Madison County Board of Supervisors is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.
4. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint Municipal Waste Reduction and/or Recycling Project.
5. That this resolution shall take effect immediately.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 34**

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE  
DEPARTMENT OF TRANSPORTATION TO EXTEND AND MODIFY THE  
MUNICIPAL SNOW AND ICE AGREEMENT FOR JULY 1, 2010 THROUGH  
JUNE 30, 2011**

**WHEREAS**, the Commissioner of the New York State Department of Transportation and the County of Madison have entered into an Agreement No. D089857 entitled "Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of "County of Madison" dated February 13, 1975; and

**WHEREAS**, the term of said Agreement is for a period of three (3) years commencing on July 1, 1975 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

**WHEREAS**, the present term of the Agreement, as extended expires June 30, 2010; and

**WHEREAS**, the parties are willing to renew and extend the same for a one (1) year period commencing July 1, 2010 to June 30, 2011; and

**WHEREAS**, Section 7 of said Agreement provides that the Commissioner shall furnish the Municipality with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by the Agreement; and

**WHEREAS**, Section 10 of said Agreement provides for an annual update of the estimated expenditure to be determined by the Commissioner subject to the provisions of Section 10, at the time of extension of the Agreement;

**NOW, THEREFORE BE IT RESOLVED**, the Chairman of the Board be and is hereby authorized and directed to enter into the Agreement to extend the Municipal Snow and Ice Agreement, a copy of which is on file with the Clerk of the Board; and

**BE IT FURTHER RESOLVED**, upon execution of the Agreement to extend and modify the Municipal Snow and Ice Agreement by the Commissioner of Transportation or his designee, that the “Snow and Ice Agreement Between New York State Department of Transportation and the Municipality of Madison County” shall be extended for a period of one (1) year, now to expire on June 30, 2010, unless further extended; that the State Highways or parts thereof effected are as delineated on the map attached to such extension and modification agreement; and that the estimated expenditure as specified in Section 10 of the “Snow and Ice Agreement Between New York State Department of Transportation and the Municipality of Madison County” shall be **\$910,588.49** for the remainder of the term of such Agreement commencing July 1, 2010 unless changed by future update.

#### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 35**

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

**WHEREAS**, areas of carpeting on the first and second floor of the County Office Building has separated from the carpet pad causing moderate to extreme rippling, and;

**WHEREAS**, said rippling has posed a safety hazard due to the potential for employees or members of the public to trip and fall, and;

**WHEREAS**, the construction of the rippled carpet is such that salvage is not possible, necessitating replacement of the carpet that is defective; and

**WHEREAS**, the Building Maintenance Department has received three quotes to repair and replace said carpet with the low bid coming in at \$9850;

**NOW THEREFORE BE IT RESOLVED**, that the 2010 County Budget be modified to allow for the replacement and repair of said carpet as follows:

#### **Department 1990 – Contingent**

From

To

A1990.4444	Contingent Fund	\$662,841	\$652,991
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**General Fund**

**Department 1620 – County Buildings**

**Expense**

A1620.2910	Carpet Replacement – COB	-0-	\$ 9,850
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Control Total:		<u>\$662,841</u>	<u>\$662,841</u>
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**PENDING BOARD APPROVAL**

**By Supervisor DiVeronica:**

**RESOLUTION NO. 36**

**ESTABLISHING A FEE AND EXPIRATION DATE FOR  
2011 SOLID WASTE PUNCH CARDS  
RELATING TO RESIDENTIAL SOLID WASTE DISPOSAL IN MADISON  
COUNTY**

**WHEREAS**, the Madison County solid waste transfer stations are currently providing a service to the citizens at a per bag disposal rate; and

**WHEREAS**, upon review of the costs associated with transfer station operations, the Solid Waste and Recycling Committee has determined that the **2011 Solid Waste Punch Card fee be increased by five cents per punch to \$13.25 per Solid Waste Punch Card** ; and

**NOW, THEREFORE, BE IT RESOLVED**, that the following residential fee schedule be adopted by the Board for the year 2011;

Solid Waste Punch Cards may be purchased from the Solid Waste Department, authorized County Agents and Clerks of the town, city or village in which such residents reside at the following rate: **Punch Card of 5 = \$13.25** with the Clerk, on behalf of the selling municipality or the agent, retaining \$.35 per card sold; and

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

**BE IT FURTHER RESOLVED**, The 2011 fee schedule shall become **effective January 01, 2011** and the Solid Waste Punch Cards shall indicate on their face an **expiration date of December 31, 2012.**

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 37**

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

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

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

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

<b>Type of Fee</b>	<b>Amount</b>	<b>Local Law Provision</b>
<b>Commercial Waste Permit</b>	\$50 plus \$20 per vehicle	III.1.c.
Renewal of CWP	same as original permit fee	III.1.g.
Lost permit fee	\$5	III.1.h.
<b><u>Commercial tipping fees/ton</u></b>	<b><u>\$62.50/ton</u></b> Contract rate / All Towns, Villages and the City of Oneida <b><u>\$73.50/ton</u></b> without Contract <b><u>\$83.50/ton</u></b> Day Use Permits <ul style="list-style-type: none"> <li>• Minimum scale charge \$15.00</li> <li>• Vehicle weighing charge \$6.00</li> </ul>	III.5.a., III.6.a.
Tire Disposal Fee - car , truck tires, Off Road Tires (for all Commercial and Day Use Permittees)	\$90 per ton	III.5.a., III.6.a.
<b>Refrigeration Units</b> <b>Propane Cylinders</b> <b>Televisions</b> <b>Computer Monitors</b>	<b>\$13.25 each</b> <b>\$2.65 each</b> <b>\$2.65 each</b> <b>\$2.65 each</b>	III.5.a., III.6.a.
Insufficient Funds (Bounced Check) Charge (Residential and Commercial)	\$20	III.5.e
Penalty for Late Tipping Fee Payments	Municipalities shall pay 1.5 % per month on unpaid balance after 60 days All others shall pay 1.5 % per month on unpaid balance after 30 days	III.5.d.
Day Use Permit Fee (Special Use)	No Charge	III.2.a.

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

**FURTHER RESOLVED**, that this Resolution takes effect January 1, 2011.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 38**

**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. HUMPF SANITATION SERVICES LLC

**PENDING BOARD APPROVAL**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 39**

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH SYSTEMS EAST, INC.**

**WHEREAS**, Systems East, Inc. has designed and developed several customized software applications utilized by the County Treasurer's Office and has provided annual maintenance and supportive services for the various programs since their inception; and

**WHEREAS**, Systems East Inc. has proposed renewal of the maintenance agreement for January 1, 2011 through December 31, 2011, at a cost of \$38,220.00, an increase of 2.8% from the fiscal year 2010 agreement; and

**WHEREAS**, this contract covers maintenance and support for the following software applications:

- Integrated accounting system
- Delinquent tax collection system
- Integrated payroll system
- Employee health insurance tracking system
- Corporate tax levy program
- Certificate of residency program

**WHEREAS**, this contract also covers consultation, training, general system support, and New York State Real Property System interface support.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be, and hereby is, authorized to renew an agreement with Systems East, Inc., as is on file with the Clerk of the Board of Supervisors.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 40**

**AUTHORIZING THE ASSISTANCE IN DEFENSE OF ASSESSMENT REVIEW PROCEEDINGS**

**WHEREAS**, by Local Law #5 of the year 1984 the County Board of Supervisors provided a mechanism to assist towns and cities financially in the defense of assessment review proceedings and appeals; and

**WHEREAS**, the Local Law provides for the annual appropriation of \$15,000.00 for such legal expenses involved in the defense of assessment review proceedings and appeals; and

**WHEREAS**, the Local Law further provides that by two thirds majority of the Board of Supervisors that the County will assist any town and city up to 25% of the total cost of any expense in the defense of any such proceedings whereby the assessment review proceedings is seeking a reduction of more than one hundred thousand dollars in assessed value; and

**WHEREAS**, the City of Oneida has requested the County assist them in a defense of assessment review proceeding brought by Oneida Shopping Center seeking a reduction in assessment of \$975,000.00;

**NOW, THEREFORE BE IT RESOLVED**, by at least the two thirds majority vote of the Madison County Board of Supervisors that the County will in accordance with Local Law #5 of the year 1984 assist the City of Oneida in the defense of the assessment proceeding brought by Oneida Shopping Center in the amount not to exceed 25% of the total cost and expense actually incurred in the defense of the City of Oneida, and

**BE IT FURTHER RESOLVED**, that the County Treasurer is authorized to reimburse the City of Oneida Assessment Department 25% of the legal fees incurred for the certiorari proceedings between Oneida Shopping Center and the City of Oneida in the amount of \$127.50.

### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 41**

#### **AUTHORIZING THE ASSISTANCE IN DEFENSE OF ASSESSMENT REVIEW PROCEEDINGS**

**WHEREAS**, by Local Law #5 of the year 1984 the County Board of Supervisors provided a mechanism to assist towns and cities financially in the defense of assessment review proceedings and appeals; and

**WHEREAS**, the Local Law provides for the annual appropriation of \$15,000.00 for such legal expenses involved in the defense of assessment review proceedings and appeals; and

**WHEREAS**, the Local Law further provides that by two thirds majority of the Board of Supervisors that the County will assist any town and city up to 25% of the total cost of any expense in the defense of any such proceedings whereby the assessment review proceedings is seeking a reduction of more than one hundred thousands dollars in assessed value; and

**WHEREAS**, the City of Oneida has requested the County assist them in a defense of assessment review proceedings brought by Lowells-Jeda seeking a reduction in assessment of \$3,840,300.00;

**NOW, THEREFORE, BE IT RESOLVED**, by at least two thirds majority vote of the Madison County Board of Supervisors that the County will in accordance with Local law #5 of the year 1984 assist the City of Oneida in the defense of the assessment proceedings brought by Lowells-Jeda in the amount not to exceed 25% of the total cost and expense actually incurred in the defense of the City of Oneida; and

**BE IT FURTHER RESOLVED**, that the County Treasurer is authorized to reimburse the City of Oneida Assessment Department 25% of the legal fees incurred for the certiorari proceeding between Lowells-Jeda and the City of Oneida in the amount of \$160.00 which represents the final attorney fees for this certiorari.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 42**

**APPROVAL OF APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES UNDER SECTION 556 OF THE REAL PROPERTY TAX LAW**

**WHEREAS**, the following application for refund and credit of real property taxes was made in accordance with Section 556 of the Real Property Tax Law;

David Jackowski  
Janet Cormier  
9071 Kyser Beach Rd.  
Canastota, NY 13032

Tax Map #7.79-1-56  
Vacant w/Improvement  
Town of Lenox

**WHEREAS**, the 2010 Town and County tax bill reflected a Lenox Water 9 Benefit charge in the amount of \$130.01 for 1.0 unit; and

**WHEREAS**, due to a clerical error as defined under Section 550; 2(e) of the New York State Real Property Tax Law, this charge is incorrect by reason of a mistake in the determination of the special assessment based on units of service provided by the special district; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be and hereby is directed to refund the 2010 Town and County Taxes in the amount of \$130.01 due to this error.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 43**

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

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

**Modification #1**

**General Fund**

**1010 – Legislative Board**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A1010.41 Travel Expense	\$ 14,000	\$ 13,000
A1010.4911 Office Supply & Expense (Outside)	<u>2,000</u>	<u>3,000</u>
Control Totals	<b><u>\$ 16,000</u></b>	<b><u>\$ 16,000</u></b>

**Modification #2**

**General Fund**

**1362 - Tax Advertising & Expense**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A1362.4131 Tax Advertising Expense	\$ 13,000	\$ 12,000
A1362.402 Miscellaneous Expense	4,684	3,781
A1362.41 Travel Expense (Mileage)	600	500
A1362.4132 Legal Expense–General	<u>-0-</u>	<u>2,003</u>
Control Totals	<b><u>\$ 18,284</u></b>	<b><u>\$ 18,284</u></b>

**Modification #3**

**General Fund**

**1450 - Board of Elections**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A1450.4101 Voter Centralization Expense	\$ 42,638	\$ 42,520
A1450.40101 Computer Equipment	1,616	1,734
A1450.4026 Outside Printing Expense	95,000	94,000
A1450.4911 Office Supply & Expense (Outside)	<u>4,990</u>	<u>5,990</u>
Control Totals	<b><u>\$144,244</u></b>	<b><u>\$144,244</u></b>

**Modification #4**

**General Fund**

**4016 - Public Health Federal & State Grants**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A4016.4911 Emergency Preparedness Expense	\$ 31,429	\$ 59,819
Control Totals		<b><u>\$ 28,390</u></b>

<b><u>Revenue</u></b>			
A4489.4010	Fed Aid PH Emergency Preparedness	\$ 56,939	\$ 85,329
Control Totals			<b><u>\$ 28,390</u></b>

**Modification #5**

**General Fund**

**4310 - Mental Health – Administration**

<b><u>Revenue</u></b>			
A4488.4010	Fed Aid - Admin Salary Sharing LGU - Admin	<b><u>From</u></b> \$192,212	<b><u>To</u></b> \$216,057
Control Totals			<b><u>\$ 23,845</u></b>

**Expense**

A4310.40101	Computer Equipment	\$ 5,207	\$ 29,052
Control Totals			<b><u>\$ 23,845</u></b>

**Modification #6**

**Department 1990 - Contingent**

A1990.4444	Contingent Fund	<b><u>From</u></b> \$652,991	<b><u>To</u></b> \$637,991
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**General Fund**

**6510 - Veterans Agency**

<b><u>Expense</u></b>			
A6510.41097	Veterans Burials	<b><u>\$ 23,000</u></b>	<b><u>\$ 38,000</u></b>
Control Totals			<b><u>\$ 15,000</u></b>

**Modification #7**

**General Fund**

**6610 - Consumer Affairs**

<b><u>Expense</u></b>			
A6610.1	Personal Services	<b><u>\$ 95,343</u></b>	<b><u>\$ 94,568</u></b>
A6610.4911	Office Supply & Expense (Outside)	<b><u>1,500</u></b>	<b><u>2,275</u></b>
Control Totals		<b><u>\$ 96,843</u></b>	<b><u>\$ 96,843</u></b>

**Modification #8**

**General Fund**

**7550 – Madison County Fair**

<b><u>Expense</u></b>			
A7550.42746	General Fair Expenses	<b><u>\$ 15,000</u></b>	<b><u>\$ 10,700</u></b>
A7550.4101	Attractions & Promotions	<b><u>10,000</u></b>	<b><u>14,300</u></b>
Control Totals		<b><u>\$ 25,000</u></b>	<b><u>\$ 25,000</u></b>

**Modification #9**

**Road Machinery Fund**

**5130 Road Machinery Fund**

**Expense**

		<b><u>From</u></b>	<b><u>To</u></b>
DM5130.2903	Upper Windows Wampsville Garage	\$104,800	\$ 94,800
DM5130.2937	Stockroom Renovations	<u>31,416</u>	<u>41,416</u>
	Control Totals	<b><u>\$136,216</u></b>	<b><u>\$136,216</u></b>

**END**