

**MADISON COUNTY BOARD OF SUPERVISORS  
Monthly Meeting – Tuesday, August 11, 2009**

*Please note that the numbers on the resolutions listed below are agenda numbers only. Official resolution numbers will be assigned on the final print of the minutes following the Board meeting.*

**RESOLUTIONS**

**By Supervisor Moran:**

**RESOLUTION NO. 1**

**RECOGNIZING THE SUMMER YOUTH PARTICIPANTS IN SERVICE  
TO MADISON COUNTY**

**WHEREAS**, the Madison County Board of Supervisors recognizes individuals for outstanding service and accomplishments; and

**WHEREAS**, several youth, funded through the Madison County Office of Employment and Training, have worked in the County Office Complex this summer; and

**WHEREAS**, their work provides assistance to all the residents of Madison County; and

**WHEREAS**, the Madison County Board of Supervisors believes that dedicated public service is the backbone of our democracy;

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison County Board of Supervisors hereby recognizes these youth for their work and encourages them to continue to be involved in public service in the future; and

**BE IT FURTHER RESOLVED**, that the following youth be honored with certificates for their current work and accomplishments:

**Charlene Bristol – Public Health  
Jennifer Donaldson and Jessica Thomson – Sheriff’s Department  
Alexis Holmes – Mental Health  
Sarah Lake – Information Technology  
Alexandra Williamson – Veterans Agency  
Kari Lollman, Olivia Lopitz, and Kattie Shoen – County Clerk**

**PENDING BOARD APPROVAL**

**By Supervisor Bargabos:**

**RESOLUTION NO. 2**

**RESOLUTION OF APPRECIATION – RETIREE RECOGNITION**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Jacob R. Miller upon his retirement.

Jacob R. Miller      Planning      1987 - 2009      22 years

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 3**

**ABOLISHING A PLANNING ASSISTANT AND CREATING A PLANNER/TRAINEE POSITION IN THE PLANNING DEPARTMENT**

**WHEREAS**, the Planning Director recommends that a full-time Planning Assistant position be abolished and a Planner/Trainee position be created in the Planning Department; and

**WHEREAS**, the Personnel Officer certifies that Planner/Trainee is the appropriate classification based on the description of duties for this position; and

**WHEREAS**, the salary and fringe benefits for the Planner/Trainee will be fully funded through existing personal services appropriations in the 2009 departmental budget; and

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

**NOW, THEREFORE BE IT RESOLVED** that one (1) Planning Assistant position be and hereby is abolished effective August 24, 2009; and

**BE IT FURTHER RESOLVED** that one (1) full-time Planner/Trainee and hereby is created; and

**BE IT FURTHER RESOLVED** that the Planning Director be and hereby is authorized to fill said position at the 2009 hourly rate of \$17.05 in accordance with Civil Service Law and Rule effective immediately.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 4**

**AMENDING THE MADISON COUNTY MANAGEMENT  
PERFORMANCE APPRAISAL POLICY**

**WHEREAS**, the Madison County Board of Supervisors adopted a revised Management Performance Appraisal Policy by Resolution No. 235 of 1997; and

**WHEREAS**, the Board of Supervisors desires to amend the language of the appraisal policy so it can properly evaluate employees work production and include language on performance incentive evaluation; and

**WHEREAS**, the Madison County Management Performance Appraisal Policy was reviewed by the County Administrator, the Pay-for-Performance Task Group, the Performance Incentive Committee and the Government Operations Committee; and

**WHEREAS**, the Government Operations Committee reviewed the modifications to the policy as are attached and recommends same for adoption by the Board of Supervisors.

**NOW, THEREFORE BE IT RESOLVED** that the Madison County Management Performance Appraisal Policy be and hereby is amended.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 5**

**APPOINTING AN INTERIM PLANNING DIRECTOR**

**WHEREAS**, the Planning Director will be retiring effective August 14, 2009; and

**WHEREAS**, the Planning Committee and the Government Operations Committee recommend the appointment of Paul Miller, County Administrator as Interim Planning Director,

**NOW, THEREFORE BE IT RESOLVED** that Paul Miller be and hereby is appointed Interim Planning Director, effective August 17, 2009 until a new Planning Director is hired.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 6**

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

**(Information Technology)**

**WHEREAS**, training was included in the new systems installed in the Data Center upgrade project; and

**WHEREAS**, Michael Bischoff, Information Technology Director has requested that Kevin Sgroi, Computer Services Technician/Programmer II attend said training to be held in Burlington, Massachusetts from August 4 – 7, 2009; and

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

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

**NOW, THEREFORE BE IT RESOLVED** that Kevin Sgroi be and hereby is authorized to attend said conference at County expense not to exceed \$640.00.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 7**

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

**WHEREAS**, the Child Fatality Investigations Training will be held September 14 – 18, 2009 in Portland, Maine; and

**WHEREAS**, Michael Fitzgerald, DSS Commissioner has requested that Suzanne White and Amy Hilliker, Caseworkers, attend this conference; and

**WHEREAS**, their expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff's Department; and

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

**NOW, THEREFORE BE IT RESOLVED** that Suzanne White and Amy Hilliker be and hereby are authorized to attend said conference at no expense to the County.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 8**

**ESTABLISHING THE 2009 PERFORMANCE INCENTIVE PAYMENT FOR THE COUNTY HISTORIAN**

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

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

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

**WHEREAS**, the Madison County Management Salary Plan authorizes the lump sum payment of \$1,500, which will not be added to base salary, to employees that have achieved two or more goals with one major contribution to the County; and

**WHEREAS**, due to administrative error, the County Historian was not included on resolution number 268-09 dated 7/14/09; and

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

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

<b>TITLE</b>	<b>PAYMENT</b>
<b>County Historian</b>	<b>\$1,500</b>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 9**

**IN RESPECT TO THE DEATH OF  
LANCE CORPORAL JEREMY S. LASHER**

**WHEREAS**, on July 23, 2009, Lance Corporal Jeremy S. Lasher of the United States Marine Corps was fatally wounded while serving on a mission in the Helmand province of Afghanistan; and

**WHEREAS**, Jeremy S. Lasher will long be remembered having given the ultimate sacrifice in service to his Country and his community,

**NOW, THEREFORE BE IT RESOLVED** that the Madison County Board

of Supervisors hereby expresses our deepest sympathy to his family in their bereavement; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the family of Lance Corporal Jeremy S. Lasher.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 10**

**AUTHORIZING THE CHAIRMAN TO MODIFY AND RENEW AN AGREEMENT WITH PARK STRATEGIES, LLC**

**WHEREAS**, Madison County is frequently impacted by New York State and Federal mandates through legislation, regulations and executive decisions; and

**WHEREAS**, Madison County is highly dependent on and impacted by budget actions at the State and Federal level; and

**WHEREAS**, the County is committed to assessing these impacts in a proactive way; and

**WHEREAS**, the County is not able to continuously monitor proposed legislation and measures affecting the County budget that may be considered by State and Federal officials or agencies; and

**WHEREAS**, Park Strategies, LLC of New York, New York maintains offices and staff resources within Albany, NY and Washington, DC that are engaged, full-time, in monitoring legislative and regulatory matters being contemplated by legislative and executive agencies; and

**WHEREAS**, Park Strategies possesses special consultant expertise in analyzing the full impact of and addressing these legislative, budgetary and regulatory matters and addressing them in their formative stage; and

**WHEREAS**, the County has engaged Park Strategies, LLC for such purposes under a consulting agreement entered into and effective as of August 13, 2008; and

**WHEREAS**, after review, the Government Operations Committee recommends that the County modify and renew such agreement otherwise expiring August 12, 2009; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and hereby is authorized to modify and renew the agreement with Park Strategies, LLC for the provision of legislative consultant services subject to termination upon thirty (30) days written notice by either party, at a fee not to exceed \$29,500 per month, effective August 13, 2009, in the form as is on file with the Clerk to the Board.

Deleted:

**PENDING BOARD APPROVAL**

**By Supervisor Salka:**

**RESOLUTION NO. 11**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH AMERICAN LUNG ASSOCIATION OF NEW YORK/CENTRAL NEW YORK ASTHMA COALITION**

**WHEREAS**, the Madison County Department of Health has been selected to receive the Asthma grant “A systems Approach for Reducing the Burden of Asthma” to market the In Home Learning and Education Program in physicians offices; and

**WHEREAS**, the Madison County Health Department has the expertise to accomplish the necessary tasks of the work plan; and

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

Awarding Agency:	American Lung Association of New York/Central New York Asthma Coalition
Grant Extension:	July 1, 2009 – December 15, 2009
Grant Total:	\$1,500

**WHEREAS**, the Public Health Services Committee has reviewed this grant 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 American Lung Association of New York/Central New York Asthma Coalition, as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 12**

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH MAXIM HEALTH SYSTEMS, LLC**

**WHEREAS**, the Public Health Department currently administers the Immunization program providing vaccinations to the Public; and

**WHEREAS**, MAXIM Health Systems partnered with Madison County Health Department to provide public Influenza clinics jointly during the 2009-2010 influenza season and maintained a higher level of residents receiving the flu inoculation; and

**WHEREAS**, MAXIM Health Systems, LLC has the staffing and ability to provide additional Influenza Clinics throughout the County to provide more clinic sites to the residents; and

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

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter the agreement between Madison County Department of Health MAXIM Health Systems, LLC effective August 1, 2009 through July 31, 2010, as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 13**

**AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH PROCURA, LLC**

**WHEREAS**, the Madison County Health Department uses Progresa Health Systems Home Care Management System for clinical documentation and financial billing; and

**WHEREAS**, Procura, LLC provides the Health Department with support for the Progresa products; and

**WHEREAS**, Procura, LLC offers training opportunities to improve the user's capability of managing the data; and

**WHEREAS**, the Health Department requires knowledge of reconciling data monthly and a full understanding of the tables to write reports; and

**WHEREAS**, Working Smarter - Month End Reconciliation Tool and Working Smarter – Crystal Reports Working with Progresa Tables are both trainings available for \$300 each; and

**WHEREAS**, amendment No. 17 to the Agreement has been prepared for these professional services; and

**WHEREAS**, funds are available in the Health Department budget to cover this expense; and

**WHEREAS**, the Board of Health and Public Health Services Committee recommends approval of this amendment;

**NOW, THEREFORE BE IT RESOLVED**, the Chairman of the Board of Supervisors be and is hereby authorized to execute Amendment 17, as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 14**

**AUTHORIZING CHAIRMAN TO ACCEPT AN AWARD FOR HEALTHY COMMUNITIES CAPACITY BUILDING INITIATIVE**

**WHEREAS**, the Madison County Health Department continues to work on healthy initiatives for Madison County; and

**WHEREAS**, the State Health Department is offering local Health Departments \$34,000 per county to develop a local action plan to implement policy and environmental changes to address physical activity and nutrition objectives for the period of August 1, 2009 to March 31, 2010; and

**WHEREAS**, trainings and technical assistance will be provided to local health departments accepting these awards; and

**WHEREAS**, the Board of Health and Public Health Services Committee recommends acceptance of this award;

**NOW, THEREFORE BE IT RESOLVED**, the Chairman of the Board of Supervisors be and is hereby authorized to accept the Healthy Communities Capacity Building Initiative Award, as is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**By Supervisors Salka and Reinhardt:**

**RESOLUTION NO. 15**

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

**WHEREAS**, the Madison County Health Department has contracts with various therapist for visits made to patients in the Certified Home Health Agency (CHHA); and

**WHEREAS**, the 2009 Adopted budget appropriations for the Health Department are insufficient for contractual staff in the CHHA for therapy visits; and

**WHEREAS**, visits made to patients in the CHHA are billed to the appropriate payers; and

**WHEREAS**, the revenue in the Home Care budget is higher than the budget for the first six months of 2009; and

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

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

**General Fund**

**4013 Public Health Home Care**

<u>Expense</u>	<u>From</u>	<u>To</u>
A4013.4723 CHHA Service Contract	\$ 125,000	\$ <u>225,000</u>
Control Total		<u>\$ 100,000</u>

**4013 Public Health Home Care**

<u>Revenue</u>	<u>From</u>	<u>To</u>
A1610.1320 Nursing Fees Medicare	\$1,517,845	\$1,523,845
A1610.1330 Nursing Fees Medicaid	290,153	343,153
A1610.1390 Nursing Fees Private Insurance	<u>337,633</u>	<u>378,633</u>
Total	\$2,145,631	\$2,245,631
Control Total		<u>\$ 100,000</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 16**

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

**WHEREAS**, Madison County Public Health Department has been notified by New York State Department of Health of their approval for renewal of the Childhood Lead Poisoning Prevention Program budget and work-plan for the period of April 1, 2009 through March 31, 2010; and

**WHEREAS**, State and Federal funding for this grant will extend the existing contract for the period of 4/1/09-03/31/10, this grant is identified by the following:

Awarding Agency:	Health Resources and Services
Pass-through Agency:	New York State Department of Health
Catalog #:	93.994
Programs Name:	Childhood Lead Poisoning Prevention Program
Contract No.:	C-020615
Grant Extension:	4/1/09-03/31/10
Federal Funds:	40.9%

Grant total: \$37,971

**WHEREAS**, the remaining 59.1% of the grant is New York State funded; and

**WHEREAS**, both Board of Health and 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 enter into an agreement 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:

Public Health Department

**A4012 Prevent**

Expense	From	To
A4012.41037 Lead Grant Expenses	\$ 3,727	\$ 5,310
Control Total		<u>\$ 1,583</u>

Revenue	From	To
A3401.6540 State Aid Lead Poisoning Grant	\$23,804	\$24,740
A4401.1090 Fed. Aid Lead Poisoning Grant	<u>16,338</u>	<u>16,985</u>
Total	<u>\$40,142</u>	<u>\$41,725</u>
Control Total		<u>\$ 1,583</u>

**PENDING BOARD APPROVAL**

**By Supervisor Salka:**

**RESOLUTION NO. 17**

**RE-APPOINTING A MEMBER OF THE MENTAL HEALTH AND COMMUNITY SERVICES BOARD**

**WHEREAS**, the Madison County Board of Supervisors must approve the appointment of the members of the Mental Health and Community Services Board which oversees the Madison County Mental Health Department; and

**WHEREAS**, the term of one member of the Mental Health and Community Services Board expires as of 8/31/2009; and

**WHEREAS**, this member has served the community well and desires to continue to serve as a member of this Board, and the membership of the Community Services Board has recommended that he be re-appointed by the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED**, that **Roger Benn, 55 Farnham Street, Cazenovia, New York 13035**, be re-appointed to another four year term on the Community Services Board and his fourth term of membership will run from September 1, 2009 - August 31, 2013.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 18**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT FOR MENTAL HEALTH CONSULTATION SERVICES**

**WHEREAS**, the County Mental Health Department is required to provide mental health consultation for certain of its clients; and

**WHEREAS**, from time to time, these services need to be provided on a part-time contractual basis; and

**WHEREAS**, the 2009 Mental Health budget provides funds for the provision of mental health counseling services in the Chittenango School District for the 2009-2010 academic year;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman be hereby authorized to enter into an agreement, a copy of which is on file with the Clerk of the Board, with Sheila S. Paolini, LCSW-R, for the provision of mental health consultation services to the Mental Health Department at an hourly rate of \$35.00, said rate to be effective September 1, 2009 to June 30, 2010 not to exceed 15 hours a week for the school year.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 19**

**AUTHORIZING THE MENTAL HEALTH DEPARTMENT TO TRANSFER USED FURNISHINGS AND EQUIPMENT TO CONSUMERS SERVICES OF MADISON COUNTY, INC. AND THE CEDAR HOUSE CONTINUING DAY TREATMENT PROGRAM**

**WHEREAS**, Resolution #283-09 dated July 14, 2009 changed the sponsorship of the Continuing Day Treatment Program known as Cedar House to Consumer Services of Madison County, Inc. and

**WHEREAS**, the Mental Health Department has used furnishings and equipment located at its former continuing day treatment program at 201 Cedar Street, Oneida, New York; and

**WHEREAS**, the furnishing and equipment is outdated and not interchangeable with current equipment; and

**WHEREAS**, Consumers Services of Madison County, Inc. is now operating the continuing day treatment program at the same location and has demonstrated an interest in the furnishing and equipment for use by the consumers at the Cedar House program; and

**WHEREAS**, the Social and Mental Health Committee recommends the transfer of used furnishings and equipment to Consumer Services of Madison County, Inc. Cedar House Program;

**NOW, THEREFORE, BE IT RESOLVED** that the furnishings and equipment located at 201 Cedar Street, Oneida, New York be transferred to Consumer Services of Madison County, Inc., effective August 1, 2009.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 20**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
WITH THE MADISON COUNTY SHERIFF'S OFFICE AND  
TO MODIFY THE 2009 ADOPTED COUNTY BUDGET**

**WHEREAS**, the need has been identified for a forum for recognizing at-risk youth for their positive deeds and accomplishments within their schools or communities that might otherwise go unrecognized, thus helping to develop Protective factors which research shows help to reduce the effects of exposure to Risk factors; and

**WHEREAS** the Madison County Sheriff's Office has the expertise and staff to address this need through their Youth Recognition Awards program; and

**WHEREAS**, the Madison County Youth Bureau desires to enter into an agreement with the Madison County Sheriff's Office for the operation of the Youth Recognition Awards Program; and

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

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

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with the Madison County Sheriff's Office in the amount of \$ 2,500 for the operation of the Youth Recognition Awards program during the period of July 1, 2009 – December 31, 2009, in the form as is on file with the Clerk of the Board.

**GENERAL FUND**

**Youth Programs**

**7146 Youth Programs - Agencies**

<u>Expense</u>	<u>From</u>	<u>To</u>
A7146.41007 Anticipated Agency Allocation	\$ 63,229	\$ 60,729
A7146.42722 Sheriff's – Youth Recognition Awards	0	2,500
Control Total	<u>\$ 63,229</u>	<u>\$ 63,229</u>

**Revenues**

	<u>From</u>	<u>To</u>
A3820.2001 St Aid Anticipated Youth Programs	\$ 63,229	\$ 60,729
A3820.2022 State Aid – Sheriff - Youth Recognition Awards	0	2,500
Control Total	<u>\$ 63,229</u>	<u>\$ 63,229</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 21**

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT  
WITH LIBERTY RESOURCES, INC. AND TO  
MODIFY THE 2009 ADOPTED COUNTY BUDGET**

**WHEREAS**, the need has been identified for additional short-term intervention and supportive case management services for at-risk youth to assist them in developing the skills, knowledge and competencies needed to resolve their presenting issues and make positive choices in their lives; and

**WHEREAS** Liberty Resources Inc. has the experience and expertise to provide this service; and

**WHEREAS**, the Madison County Youth Bureau desires to enter into an agreement with Liberty Resources, Inc. to operate the 'Youth Intervention & Support Services' program; and

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

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

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement with Liberty Resources, Inc. in the amount of \$22,083 for the operation of the 'Youth Intervention & Support Services' program during the period of July 1, 2009 – December 31, 2009, in the form 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**

**7146 Youth Programs - Agencies**

Expense	<u>From</u>	<u>To</u>
A7146.41007 Anticipated Agency Allocation	\$ 60,729	\$ 38,646
A7146.42721 Liberty Resources – Youth Intervention & Support Services	0	22,083
Control Total	<u>\$ 60,729</u>	<u>\$ 60,729</u>

**Revenues**

	<u>From</u>	<u>To</u>
A3820.2001 St Aid Anticipated Youth Programs	\$ 60,729	\$ 38,646
A3820.2005 State Aid – Youth Intervention & Support Services (L.R.)	0	22,083
Control Total	<u>\$ 60,729</u>	<u>\$ 60,729</u>

**PENDING BOARD APPROVAL**

**By Supervisor Ball:**

**RESOLUTION NO. 22**

**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, 2009 and expiring August 31, 2010, with the option to re-new for (3)

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

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an agreement with Chem Rx for the provision of pharmacy services and medications to be provided to inmates of the Madison County Jail. A copy of this agreement is on file with the Clerk of the Board of Supervisors.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 23**

**REAPPOINTING A MEMBER TO THE MADISON COUNTY  
TRAFFIC SAFETY BOARD**

**RESOLVED**, that Joe Wisinski of Canastota, New York be and he is hereby reappointed to the Madison County Traffic Safety Board for a term of three (3) years commencing on August 8, 2009 and expiring on August 7, 2012.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 24**

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

**WHEREAS**, the Probation Department has been awarded projected state aid for probation services with an allocation of \$144,275.00 for the calendar year 2009;

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

**WHEREAS**, this contract, a copy of which is on file with the Clerk of the Board indicates such allocation;

**NOW, THEREFORE BE IT RESOLVED**, that the chairman of the board be and hereby is authorized to execute on behalf of the Madison County Probation Department a contract with the Executive Department of the State of New York, Division of Probation and Correctional Alternatives.

**PENDING BOARD APPROVAL**

**By Supervisors Ball and Reinhardt:**

**RESOLUTION NO. 25**

**AUTHORIZING MADISON COUNTY TO PARTICIPATE IN  
THE 2009 VIDEO RECORDING OF STATEMENTS EQUIPMENT GRANT**

**WHEREAS**, Madison County has been awarded a grant from New York State through the NYS Division of Criminal Justice Services; and

**WHEREAS**, the State grant award is identified as follows:

Awarding Agency: NYS Division of Criminal Justice Services  
Program Name: 2009 Video Recording of Statements Equipment Grant  
Award Year: 8/1/09-8/31/2010  
Contract Number: T637002  
Total Grant Amount: \$35,000

**WHEREAS**, the NYS Division of Criminal Justice Services has approved the following budget for this grant during the project year 8/1/09 – 8/31/2010:

**General Fund**

**1168 District Attorney-Video Recording of Statements Equipment Grant**

<u>Expense</u>	<u>From</u>	<u>To</u>
A1168.2851 Video Recording Equip. (Grant) - Sheriff	0	\$ 7,082
A1168.2852 Video Recording Equip. (Grant) – D.A.	0	3,541
A1168.2853 Video Recording Equip. (Grant) – Other Police Depts.	0	17,705
A1168.4716 Video Recording Equip (Statements) Maintenance	<u>0</u>	<u>7,494</u>
Total	\$0	\$35,000
Control Total		<u>\$35,000</u>

**Revenue**

A3033 St. Aid – Video Rec. Statement Grant	\$ 0	\$35,000
Control Total		<u>\$35,000</u>

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

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

**PENDING BOARD APPROVAL**

**By Supervisor Moran:**

**RESOLUTION NO. 26**

**URGING THE FEDERAL  
GOVERNMENT TO IMPLEMENT IMMEDIATE ACTIONS TO HELP  
RELIEVE THE CURRENT DAIRY FISCAL CRISIS**

**WHEREAS**, Madison County is very concerned about the current dairy fiscal crisis; and

**WHEREAS**, Madison County recognizes that the following measures are needed to help to provide some relief from the economic challenges facing New York State's dairy farmers and to preserve local dairy production—ensuring the availability of fresh, safe, high-quality, nutritious, and affordable milk and dairy products; and

**WHEREAS**, Madison County knows that dairy producers are struggling to meet their financial commitments because of historically low milk prices coupled with erratically high energy, feed and fertilizer costs; and

**WHEREAS**, Madison County knows that the bleak economic climate has softened demand for dairy products in both domestic and foreign markets, creating a surplus of dairy products in the marketplace, thereby driving down dairy commodity prices even further; and

**WHEREAS**, Madison County realizes that many well-run dairy farms will not be able to continue in business in this fiscal climate unless immediate, decisive, meaningful government action is taken; and

**WHEREAS**, Madison County recognizes that the following measures are needed to help maintain the economic backbone of New York's rural communities and agricultural infrastructure;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors hereby resolves that the following measures be implemented as soon as possible:

- Provide immediate, additional funding for increased payments to dairy farmers from the Milk Income Loss Contract ("MILC") program;
- Urge the USDA to move dairy commodities off the domestic market as quickly as possible by fully utilizing the Dairy Export Incentive Program ("DEIP") and the Food for Peace Program;
- Urge the USDA to take immediate administrative action to

increase temporarily the product price levels in the Dairy Product Price Support Program ("DPPSP");

- Urge the USDA to make immediate dairy product purchases for WIC and other nutrition programs which received large increases in funding from the Federal stimulus package; and

**BE IT FURTHER RESOLVED**, that the Clerk of this Board, be hereby directed to forward certified copies of this resolution to President Barack Obama, United States Senators Charles Schumer and Kirsten Gillibrand, United States Congressman John McHugh, and the New York State Association of Counties.

## **PENDING BOARD APPROVAL**

### **RESOLUTION NO. 27**

#### **AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT #1 IN THE TOWN OF BROOKFIELD**

**WHEREAS**, pursuant to the provisions contained in Article 25AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #1 located in the Town of Brookfield is under review for modification and recertification; and

**WHEREAS**, Madison County has undertaken a review process pursuant to the Article 25AA of the New York State Agriculture and Markets Law; and

**WHEREAS**, the Madison County Agricultural and Farmland Protection Board and the Madison County Planning Agency have met and recommend to the Board of Supervisors the recertification of Agricultural District #1 as modified; and

**WHEREAS**, the recertification of the District is an unlisted action under the State Environmental Quality Review Act; and

**WHEREAS**, the Madison County Board of Supervisors have declared themselves Lead Agency for the environmental review; and

**WHEREAS**, the Madison County Board of Supervisors, after review and recommendation by the Madison County Planning Department, have determined that the recertification as modified will not have a significant adverse impact on the environment and therefore an Environmental Impact Statement will not be required;

**NOW, THEREFORE BE IT RESOLVED**, that Agricultural District #1 be approved for recertification as modified, a copy of such modification being on file with the Clerk of this Board; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Commissioner of the NYS Department of Agriculture and Markets for his action.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 28**

**AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT #3 IN THE TOWNS OF STOCKBRIDGE AND EATON, THE CITY OF ONEIDA, AND THE VILLAGE OF MUNNSVILLE**

**WHEREAS**, pursuant to the provisions contained in Article 25AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #3 located in the Towns of Stockbridge and Eaton, the City of Oneida, and the Village of Munnsville is under review for modification and recertification; and

**WHEREAS**, Madison County has undertaken a review process pursuant to the Article 25AA of the New York State Agriculture and Markets Law; and

**WHEREAS**, the Madison County Agricultural and Farmland Protection Board and the Madison County Planning Agency have met and recommend to the Board of Supervisors the recertification of Agricultural District #3 as modified; and

**WHEREAS**, the recertification of the District is an unlisted action under the State Environmental Quality Review Act; and

**WHEREAS**, the Madison County Board of Supervisors have declared themselves Lead Agency for the environmental review; and

**WHEREAS**, the Madison County Board of Supervisors, after review and recommendation by the Madison County Planning Department, have determined that the recertification as modified will not have a significant adverse impact on the environment and therefore an Environmental Impact Statement will not be required;

**NOW, THEREFORE BE IT RESOLVED**, that Agricultural District #3 be approved for recertification as modified, a copy of such modification being on file with the Clerk of this Board; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Commissioner of the NYS Department of Agriculture and Markets for his action.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 29**

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**AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT #12 IN THE TOWNS OF FENNER, SMITHFIELD, NELSON, AND EATON**

**WHEREAS**, pursuant to the provisions contained in Article 25AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #12 located in the Towns of Fenner, Smithfield, Nelson, and Eaton is under review for modification and recertification; and

**WHEREAS**, Madison County has undertaken a review process pursuant to the Article 25AA of the New York State Agriculture and Markets Law; and

**WHEREAS**, the Madison County Agricultural and Farmland Protection Board and the Madison County Planning Agency have met and recommend to the Board of Supervisors the recertification of Agricultural District #12 as modified; and

**WHEREAS**, the recertification of the District is an unlisted action under the State Environmental Quality Review Act; and

**WHEREAS**, the Madison County Board of Supervisors have declared themselves Lead Agency for the environmental review; and

**WHEREAS**, the Madison County Board of Supervisors, after review and recommendation by the Madison County Planning Department, have determined that the recertification as modified will not have a significant adverse impact on the environment and therefore an Environmental Impact Statement will not be required;

**NOW, THEREFORE BE IT RESOLVED**, that Agricultural District #12 be approved for recertification as modified, a copy of such modification being on file with the Clerk of this Board; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Commissioner of the NYS Department of Agriculture and Markets for his action.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 30**

**AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT #13 IN THE TOWNS OF MADISON AND EATON**

**WHEREAS**, pursuant to the provisions contained in Article 25AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #13 located in the Towns of Madison and Eaton is under review for modification and recertification; and

**WHEREAS**, Madison County has undertaken a review process pursuant to the

Article 25AA of the New York State Agriculture and Markets Law; and

**WHEREAS**, the Madison County Agricultural and Farmland Protection Board and the Madison County Planning Agency have met and recommend to the Board of Supervisors the recertification of Agricultural District #13 as modified; and

**WHEREAS**, the recertification of the District is an unlisted action under the State Environmental Quality Review Act; and

**WHEREAS**, the Madison County Board of Supervisors have declared themselves Lead Agency for the environmental review; and

**WHEREAS**, the Madison County Board of Supervisors, after review and recommendation by the Madison County Planning Department, have determined that the recertification as modified will not have a significant adverse impact on the environment and therefore an Environmental Impact Statement will not be required;

**NOW, THEREFORE BE IT RESOLVED**, that Agricultural District #13 be approved for recertification as modified, a copy of such modification being on file with the Clerk of this Board; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Commissioner of the NYS Department of Agriculture and Markets for his action.

**PENDING BOARD APPROVAL**

**By Supervisor DiVeronica:**

**RESOLUTION NO. 31**

**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 our Solid Waste Disposal Agreement on August 11, 2009 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. AECOM**

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 32**

**AUTHORIZING THE CHAIRMAN TO EXECUTE AN ORDER ON CONSENT WITH FEHER RUBBISH REMOVAL, INC.**

**WHEREAS**, Feher Rubbish Removal Inc. ("Feher") having its principal address at P.O. Box 1109 Syracuse, New York holds a commercial solid waste collection permit issued by the Madison County Department of Solid Waste ("Department"); and

**WHEREAS**, by letter dated February 2, 2009 the Department's attorneys informed Feher that it was in violation of its permit and Madison County Local Law # 3 for 2004 for failing on 70 separate occasions to deliver solid waste collected within Madison County to the County solid waste management facilities; and

**WHEREAS**, without admitting or denying the alleged conduct, Feher has voluntarily paid the Department \$36,146.00 as liquidated damages and has agreed to the issuance and entry of an Order on Consent in substantially the same form as attached hereto; and

**WHEREAS**, the Order on Consent imposes a civil surcharge in the amount of \$70,000.00 payable in monthly installments of \$2,000 for a period of three years; and

**WHEREAS**, the Order on Consent provides that Feher will not be

eligible for a Solid Waste Disposal Agreement for a period of three years and as a result will pay a non-contracted rate which is currently \$10/ton higher than the contract rate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an Order on Consent, in substantially the same form as attached hereto, between the County of Madison and Feher Rubbish Removal Inc.; and

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 33**

**DECLARATION OF LEAD AGENCY AND COMMENCEMENT OF SEQR REVIEW**

**WHEREAS**, the County desires to transfer a 150 acre parcel of land associated with the solid waste management and recycling facilities located in the Town of Lincoln to make possible the creation of an Agriculture and Renewable Energy Park ("ARE Park") by the Madison County Industrial Development Agency ("IDA"); and

**WHEREAS**, under the State Environmental Quality Review ("SEQR") Act, the acquisition by a local agency of in excess of 100 contiguous acres is deemed to be a Type I Action;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors hereby determines that the transfer of 150 acres of contiguous land to the IDA is subject to review under SEQR; and it is

**FURTHER RESOLVED**, such action is hereby classified as a Type I Action pursuant to 6 NYCRR § 617.4(b)(4); and it is

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

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

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

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 34**

**AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT TO TRANSFER A 150  
ACRE PARCEL TO THE IDA FOR THE ARE PARK**

**WHEREAS**, the County desires to transfer a 150 acre parcel of land associated with the solid waste management and recycling facilities located in the Town of Lincoln to make possible the creation of an Agriculture and Renewable Energy Park ("ARE Park") by the Madison County Industrial Development Agency ("IDA"); and

**WHEREAS**, the IDA intends to create a capital resource corporation ("CRC") pursuant to section 1411 of the New York Not-for-Profit Corporation Law to facilitate development of the ARE Park; and

**WHEREAS**, the 150 acre parcel will be transferred to the CRC; and

**WHEREAS**, the land to be transferred was originally purchased by the County because it contains certain valuable soils that are necessary for the future construction and operation of the County solid waste facilities and the County desires to retain its ownership of such materials and other valuable mineral rights as well as provide for the land to be returned to the solid waste facilities in the event the ARE Park is not developed within a reasonable period of time; and

**WHEREAS**, the original purchase price of the land was \$1,697.00 per acre, which price the CRC intends to pay to the County when each parcel of land is sold by the CRC to a tenant of the ARE Park; and

**WHEREAS**, it is the intent of the CRC to sell land to prospective ARE Park tenants for no more than its site acquisition and development costs; and

**WHEREAS**, payments to the County will not become due until the CRC closes the sale of land to an ARE Park tenant; and

**WHEREAS**, the funds received by the County for the sale of the land shall be dedicated to the solid waste budget because the land was originally purchased with solid waste funds.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors hereby authorizes and directs the Chairman to execute the Contract to Purchase in substantially the same form as is on file with the Clerk.

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

**PENDING BOARD APPROVAL**

**By Supervisor Reinhardt:**

**RESOLUTION NO. 35**

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

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

**General Fund**

<b><u>9952 Public Safety Communication Upgrade Reserve</u></b>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A9952.99 Contribution to PSCU Reserve	-0-	\$ 2,500,000
Control Total		\$ <u>2,500,000</u>

**Appropriated Fund Balance**

A599 Appropriated Fund Balance	\$7,528,007	\$10,028,007
Control Total		\$ <u>2,500,000</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 36**

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

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

**Modification #1:**

**General Fund**

**1170 Public Defender Service**

<u>Expense</u>	<u>From</u>	<u>To</u>
A1170.4219 Assigned Counsel Family Court	\$ <u>157,500</u>	\$ <u>207,500</u>

**1990 Contingent Fund**

<u>Expense</u>		
A1990.4444 Contingent Account	\$ <u>807,192</u>	\$ <u>757,192</u>
Control Total	\$ <u>964,692</u>	\$ <u>964,692</u>

**Modification #2:**

**General Fund**

**3111-Sheriff Department-Traffic Safety Coord Grant**

<u>Expense</u>	<u>From</u>	<u>To</u>
A3111.411 Travel-Conference & Seminar Expense 2008-09	\$ 1,000	\$ 500
A3111.4101 Commodities 2008-09	2,780	4,390
A3111.4103 Resident COPACS Training	<u>1,110</u>	<u>0</u>
	\$ 4,890	\$ 4,890

Control Total \$ 0

**Modification #3:**

**General Fund**

**Department: 4310 – Mental Health – Administration**

<u>Expense</u>	<u>From</u>	<u>To</u>
A4310.4039 Furniture	\$ 0	\$ 4,626
A4310.4200 Misc. Consultant	\$ 14,000	\$ 9,374
Total	\$ 14,000	\$ 14,000
Control Total		\$ 0

**Modification #4:**

**General Fund**

**6010 Social Services Administration**

<u>Expense</u>	<u>From</u>	<u>To</u>
A6010.41090 Preventative Services Agencies – COLA	\$ 0	\$ 3,189
Total	\$ 0	\$ 3,189
Control Total		\$ 3,189

**Revenue**

A3610.1010 St. Aid Social Services Admin.	\$1,744,546	\$1,747,735
Total	\$1,744,546	\$1,747,735
Control Total		\$ 3,189

**6141 Home Energy Assistance**

**Expense**

A6141.41094 Energy Crisis Assistance Expense	\$ 25,000	\$ 294,500
Total	\$ 25,000	\$ 294,500
Control Total		\$ 269,500

**Revenue**

A4641 Federal Aid Home Energy Assist.	\$ 0	\$ 269,500
Total	\$ 0	\$ 269,500
Control Total		\$ 269,500

**Modification #5:**

**County Road Fund**

**5110 Maintenance of Roads & Bridges**

<u>Expense</u>	<u>From</u>	<u>To</u>
D5110.46003 Asphalt, Tar & Stone	\$ 652,484	\$ 652,370
D5110.4731 Contract Crack Sealing	40,000	40,114

**5112 Construction Projects**

**Expense**

D5112.45009 Reconstruct County Roads in Villages	150,000	50,000
D5112.46007 Misc. Materials	<u>\$ 133,513</u>	<u>\$ 233,513</u>
Control Total	<u>\$ 975,997</u>	<u>\$ 975,997</u>

**Modification #6:**

**Enterprise Fund**

**8164 Environmental Control (Landfill)**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
EE8164.1 Personal Services	\$ 890,505	\$ 886,305
EE8164.471 Clerical & Office Assistance	<u>0</u>	<u>4,200</u>
Control Total	<u>\$ 890,505</u>	<u>\$ 890,505</u>

**Modification #7:**

**General Fund**

**9902 Contribution to Risk Retention**

**Expense**

	<b><u>From</u></b>	<b><u>To</u></b>
A9902.97 Transfer to Liability/Fleet Insurance	\$ 454,400	\$ 654,400
Control Total		<u>\$ 200,000</u>

**Appropriated Fund Balance**

A599 Appropriated Fund Balance	\$10,028,007	\$10,228,007
Control Total		<u>\$ 200,000</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 37**

**AUTHORIZING THE RECONSTRUCTION OF A  
REST ROOM AT NICHOLS POND COUNTY PARK  
AND MODIFYING THE 2009 COUNTY BUDGET**

**WHEREAS**, the existing rest room situated at Nichols Pond County Park has been deemed unsafe and potentially dangerous; and

**WHEREAS**, in the interest of public safety it has been determined that it is necessary to reconstruct the rest room facility at Nichols Pond.

**NOW, THEREFORE, BE IT RESOLVED** that the rest room facility at Nichols Pond County Park be reconstructed; and

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

**General Fund**

<u>7110 Madison County Parks</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A7110.2965 Rest Room-Nichols Pond	\$ -0-	\$ 15,000
<u>1990 Contingent Fund</u>		
A1990.4444 Contingent Fund	\$757,192	\$742,192
Control Total	\$757,192	\$757,192

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 38**

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

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

**General Fund**

<u>1010 Legislative Board</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A1010.4237 Legislative Affairs Consultant	294,967	\$ 354,000
Control Total		\$ <u>59,033</u>

**Appropriated Fund Balance**

A599 Appropriated Fund Balance	\$10,228,007	\$10,287,040
Control Total		\$ <u>59,033</u>

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 39**

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT**

**WHEREAS**, it is necessary for the Real Property Tax Department to enter into a maintenance agreement with Xerox Corporation for the routine cleaning and maintenance of the Xerox 6204; and

**WHEREAS**, the Xerox 6204 is used for reproduction of GIS/Tax Maps and other digital products on a daily basis and needs to be in top working condition; and

**WHEREAS**, the Finance, Ways and Means Committee have reviewed and

approve of this maintenance agreement; and

**WHEREAS**, the maintenance agreement is for one (1) year, commencing on October 1, 2009 and expiring on September 30, 2010, with a base charge of \$69.55 per month which includes toner and a 1,000 sq./ft allowance per month and having a service overage rate of \$.034 not to exceed \$950.00; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Madison County Board of Supervisors be and he is hereby authorized to enter into this agreement with Xerox Corporation, a copy of which is on file with the Clerk of the Board.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 40**

**ESTABLISHING A CAPITAL RESERVE FUND  
TO FINANCE CAPITAL BUILDING IMPROVEMENTS**

**RESOLVED**, that pursuant to Section 6-c of the General Municipal Law, as amended, the Madison County Board of Supervisors does hereby establish a capital reserve fund to be known as the Building Improvements Reserve Fund (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of capital improvements. The type of capital improvements to be financed from the Reserve Fund is the reconstruction of County buildings.

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

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No purchase shall be financed by any appropriation and expenditure pursuant to this resolution unless same shall have a cost of at least \$75,000. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c of the General Municipal Law; and

**BE IT FURTHER RESOLVED**, that the Madison County Treasurer is hereby directed to fund the Reserve Fund with \$200,000.00 of existing General Fund

unreserved fund balance.

**PENDING BOARD APPROVAL**

**RESOLUTION NO. 41**

**AUTHORIZING A REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDING  
STIPULATION AND SETTLEMENT  
CARRIAGE HOUSE VILLAGE APARTMENTS**

**WHEREAS**, a Stipulation of Settlement and Order has been prepared in connection with a real property tax assessment review proceeding regarding parcel 95.54-1-2.1 owned by Carriage House Village Apartments situated in the Village of Cazenovia; and

**WHEREAS**, the proposed settlement would reduce the 2008/2009 and 2009/2010 assessments from \$1,040,000 to \$625,000; and

**WHEREAS**, pursuant to the stipulation, on approval by Supreme Court, Madison County, the taxing entity, districts, and municipal corporations having custody of or levying taxes and special ad valorem levies upon the assessment rolls for the above referenced tax years will make or cause to be made on the proper books and records the entries and changes necessary to correct the assessments; and

**WHEREAS**, in accordance with Real Property Tax Law 726, refunds will be paid by the Town of Cazenovia, Village of Cazenovia, Cazenovia Central School District, the County of Madison and any and every other taxing entity on the overpayment of taxes and special ad valorem levies based upon the previous unreduced assessments; and

**WHEREAS**, the amount to be refunded by the County of Madison by reason of same is \$4,729.66;

**NOW, THEREFORE, BE IT RESOLVED**, that representatives of the County of Madison are authorized to execute the Stipulation of Settlement and Order, in the form substantially as is on file with the Clerk of the Board of Supervisors, and once Ordered by the Supreme Court, Madison County, the Madison County Treasurer is hereby authorized and directed to make such refund pursuant to the terms of the executed Stipulation of Settlement and Order.

**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,

Hyland Partners  
P.O. Box 563  
Canastota, NY 13032

Tax Map #189-1-20.13  
Town of Brookfield

**WHEREAS**, the 2009 town and county taxes were paid to the Madison County Treasurer on July 7, 2009; and

**WHEREAS**, the property owner has provided documentation that the improvement on this property was removed prior to taxable status date March 1, 2008 pursuant to Section 550;(3)a of the New York State Real property tax law; and

**WHEREAS**, the original 2009 town and county taxes were \$2,282.68; 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 amount of \$1,974.52 plus interest and penalties to the property owner due to this error.

#### **PENDING BOARD APPROVAL**

#### **RESOLUTION NO. 43**

#### **MAINTAINING THE INCREASE IN THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.**

**WHEREAS**, the Finance, Ways and Means Committee has, at the request of the Board of Supervisors, reviewed, analyzed and deliberated the merits of maintaining the rate of the County Local Sales and Compensating Use Tax at four percent (4%)(raised from 3% in 2004); and

**WHEREAS**, the failure of the Oneida Indian Nation of New York to collect and remit sales taxes on sales to non Indians, and costs of mandated programs have very adversely impacted the County's financial position; and

**WHEREAS**, the Finance, Ways and Means Committee has determined that it is in the best interests of the residents of Madison County to maintain the rate of the

County Local Sales and Compensating Use Tax at four percent (4%) in order to mitigate the aforementioned impacts rather than raising property taxes; and

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Supervisors of the County of Madison as follows:

**SECTION 1.** Section 4-A of Resolution No. 156, enacted by the Board of Supervisors of the County of Madison on December 15, 1967, imposing sales and compensating use taxes, is amended to read as follows:

**SECTION 4-A.** Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2004, and ending November 30, 2011. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

**SECTION 2.** Paragraph (c) of Subdivision (1) of section 11 (Exemptions from use tax) of Resolution No. 156, enacted by the Board of Supervisors of the County of Madison on December 15, 1967, imposing sales and use taxes, is amended to read as follows:

(c) In respect to the additional tax of one percent imposed for the period beginning June 1, 2004, and ending November 30, 2011, in respect to the use of property used by the purchaser in this county prior to June 1, 2004.

**SECTION 3.** This enactment shall take effect December 1, 2009.

**PENDING BOARD APPROVAL**

**END**