

MADISON COUNTY BOARD OF SUPERVISORS
Monthly Meeting – Tuesday, February 12, 2008

The Board convened at 10:00 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, New York with all members present.

Pledge of Allegiance.

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

COMMUNICATIONS

1. Copy of a letter from Seneca County which was sent to Governor Spitzer regarding the collection of sales taxes on products sold to non-Indians by Indian enterprises.
2. Acknowledgement received from Assemblyman Bill Magee regarding HAVA Resolution No. 430, adopted by this Board during annual session 2007.
3. Letter of resignation received from Stop-DWI Coordinator Doug Lippert effective May 1, 2008.
4. Thank you letter to Chairman Becker, Board Members, Russ Lura and Jack Miller for continued support from Ferris Industries.
5. Notification received from NYS Office for the Aging approving the 2008/12 Four Year Plan and Annual Implementation Plan for 2008-09 Older Americans Act.
6. Letter of resignation received from John Becker as member on the IDA Board.

REPORTS

1. County Financial Officer – Dog License Report for year 2007.
2. Department of Agriculture and Markets – Bureau of Weights and Measurers Annual Report for 2007.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, JTPA/WIA and Cazenovia Sewer District:	\$ 3,732,247.08
Miscellaneous Accounts:	\$ 172,776.40

Chairman Becker called upon Virginia Zombeck, Health Educator from the Public Health Department to give a presentation on Radon in Madison County.

Chairman Becker then announced and opened the scheduled public hearing on Local Law No. 1 of 2008 entitled: Authorizing the County of Madison to Make an Application for Empire Zone Designation of a Proposed Location Within the County as a Regionally Significant Project. Mr. Becker asked for anyone wishing to speak. There appearing to be no speakers, Chairman Becker asked for a motion to close the hearing. Supervisor Williams made that motion, seconded by Supervisor Bono and carried.

Chairman Becker then introduced Terri Lanterman from Cornell Cooperative Extension, Madison County 4-H Division. Terri had the new group of government interns students from Cazenovia introduce themselves.

RESOLUTIONS

By Supervisor Bargabos:

RESOLUTION NO. 17-08

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

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

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

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

Phillip A. Simzer	Sheriff's	1990 - 2008	17 years
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ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 18-08

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE (Veteran's Service Agency)

WHEREAS, the Annual American Legion Service Officer Training Conference will be held March 25 – March 29, 2008 in Washington, D.C.; and

WHEREAS, Donald Smith, Director of the Veteran's Service Agency has requested that Ellen Andros, Veterans Service Counselor II attend this conference; and

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

NOW, THEREFORE BE IT RESOLVED that Ellen Andros be and hereby is authorized to attend said conference at County expense not to exceed \$1601.52.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 19-08

APPOINTING A COUNTY HIGHWAY SUPERINTENDENT

WHEREAS, by Resolution No. 322-A of 2007 the Board of Supervisors appointed F. Joseph Wisinski as County Highway Superintendent effective October 1, 2007; and

WHEREAS, an oath of office was not taken within the thirty (30) days of appointment as required by law vacating the office as an operation of law; and

WHEREAS, the members of the Government Operations Committee recommend a new appointment for F. Joseph Wisinski, County Highway Superintendent,

NOW, THEREFORE BE IT RESOLVED, that F. Joseph Wisinski of Canastota, New York be and hereby is appointed as County Highway Superintendent at the 2008 annual salary of \$70,172 effective immediately.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 20-08

CHANGING THE STATUS OF A POSITION IN THE DISTRICT ATTORNEY’S OFFICE FROM FULL-TIME TO PART-TIME AND ESTABLISHING THE 2008 SALARY

WHEREAS, the Assistant District Attorney – DWI Program position in the District Attorney’s Office is vacant due to a resignation; and

WHEREAS, by Resolution No. 479 of 2007 the Board authorized changing the status of the position from part-time to full-time; and

WHEREAS, the District Attorney has reported recruitment difficulty in finding an experienced attorney to fill the full-time position; and

WHEREAS, the District Attorney desires to change the status of the position back to part-time (30 hours per week); and

WHEREAS, this request has been reviewed and approved in accordance with the vacancy review procedure by the Criminal Justice, Public Safety and Telecommunications Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that the status of the Assistant District Attorney- DWI Program be and hereby is changed to part-time (30 hours per week) effective immediately; and

BE IT FURTHER RESOLVED that the 2008 salary for said position be and hereby is established at \$39,063.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 21-08

MODIFYING STIPENDS FOR ATTORNEYS IN THE DISTRICT ATTORNEY’S OFFICE

WHEREAS, by Resolution 564 of 2007, the Board of Supervisors accepted a Recruitment and Retention grant from New York State for compensation for attorneys in the District Attorney’s Office; and

WHEREAS, by Resolution No. 6-08 of 2008 the Board of Supervisors established stipends for this year; and

WHEREAS, due to staffing changes the District Attorney recommends modifying said stipends; and

WHEREAS, the Government Operations Committee has reviewed and approved the District Attorney’s request to modify stipends for certain attorneys utilizing a portion of this grant; and

WHEREAS, said stipends will cease if said grant funding is abolished or diminishes,

NOW, THEREFORE, BE IT RESOLVED that the following 2008 stipends are authorized for payment effective immediately and payable in the second payroll period of this month:

First Assistant District Attorney	\$3912
Second Assistant District Attorney	3912
Assistant District Attorney – DWI Program	1637

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 22-08

**ABOLISHING THE MULTIDISCIPLINARY TEAM COORDINATOR POSITION,
CREATING A FULL-TIME CHILD ADVOCACY CENTER DIRECTOR POSITION IN
THE SHERIFF'S DEPARTMENT AND ESTABLISHING THE 2008 SALARY**

WHEREAS, by Resolution No. 4-08 of 2008, the Board of Supervisors created a Multidisciplinary Team Coordinator position; and

WHEREAS, due to the relocation of staff to the new Child Advocacy Center on Buyea Road later this month or in the very near future, the Sheriff has requested the position of Child Advocacy Center Director rather than Multidisciplinary Team Coordinator; and

WHEREAS, the Personnel Officer has classified the new position as Child Advocacy Center Director due to the increased level of oversight for the new center and the increased independence in decision making required of the position; and

WHEREAS, the Personnel Officer recommends that the title be allocated to Grade L in the Management Salary Plan; and

WHEREAS, the salary and fringe benefits for said position are fully funded by a grant from New York State, and the position will be abolished if the grant funding ceases or diminishes; and

WHEREAS, this request has been reviewed and approved in accordance with the vacancy review procedure by the Criminal Justice, Public Safety and Telecommunications Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that the position of Multidisciplinary Coordinator be and hereby is abolished effective immediately; and

BE IT FURTHER RESOLVED that one (1), full-time Child Advocacy Center Director position be and hereby is created effective immediately; and

BE IT FURTHER RESOLVED that the title of Child Advocacy Center Director be and hereby is allocated to Grade L of the Management Salary Plan; and

BE IT FURTHER RESOLVED that the Sheriff be and hereby is authorized to fill said position at the 2008 salary of \$49,621 in accordance with Civil Service Law and Rule effective immediately.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 23-08

MODIFYING THE 2008 COMPENSATION FOR COUNTY HISTORIAN

WHEREAS, by Resolution No. 375 of 2007 the County Historian was authorized to work up to an additional twenty (20) hours per week on records management responsibilities through June 30, 2008; and

WHEREAS, the additional compensation for the County Historian is funded through a Local Government Records Management Improvement Fund (LGRMIF) grant; and

WHEREAS, the increase in compensation will provide for up to 20 hours per week of records management responsibilities computed at the rate of \$17.54 per hour (2008 salary is \$18,237); and

WHEREAS, the County Historian position will return to twenty (20) hours per week upon project completion by June 30, 2008, and the compensation will decrease accordingly at that time; and

WHEREAS, this request to modify the compensation of the County Historian has been reviewed and approved by the Government Operations Committee;

NOW, THEREFORE BE IT FURTHER RESOLVED that the 2008 compensation for the County Historian be and hereby is increased for up to twenty (20) hours per week at the rate of \$17.54 per hour for the period January 1, 2008 through June 30, 2008 subject to grant limitations.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 24-08

CREATING A TEMPORARY, PART-TIME POSITION IN THE COUNTY CLERK'S OFFICE

WHEREAS, the County Clerk has requested that the County Historian perform certain records management responsibilities through a grant from the Local Records Management Improvement Fund (LGRMIF); and

WHEREAS, the County Historian is a part-time employee and may not be available to provide the full number of hours of assistance available under the grant; and

WHEREAS, the County Clerk has requested the creation of one (1) temporary, part-time position to perform certain duties required by the grant; and

WHEREAS, the wages and required benefits for this temporary position are fully funded by the grant; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Finance, Ways and Means and Government Operations Committees,

NOW, THEREFORE BE IT RESOLVED that one (1) temporary, part-time Records Clerk position be and hereby is created in the County Clerk's Office effective immediately and through June 30, 2008; and

BE IT FURTHER RESOLVED that the County Clerk be and hereby is authorized to fill said position at the 2008 hourly rate of \$11.36 in accordance with Civil Service Law and Rule and County policies and procedures effective immediately.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 25-08

ESTABLISHING THE 2008 SALARY FOR PERSONNEL ASSOCIATE

WHEREAS, a Personnel Assistant has duly qualified in a competitive civil service examination for the title of Personnel Associate; and

WHEREAS, the promotion from Assistant to Associate was anticipated in the 2008 budget and will be funded through existing appropriations in the Personnel Department budget; and

WHEREAS, the Government Operations Committee recommends the 2008 salary be established as \$30,815, the minimum hiring salary in the grade for Personnel Associate,

NOW, THEREFORE BE IT RESOLVED that the 2008 salary for Personnel Associate be and hereby is established as \$30,815 effective immediately.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 26-08

**RE-APPOINTING MEMBERS TO THE ETHICS ADVISORY COUNCIL
AND APPOINTING MEMBERS TO THE ETHICS BOARD**

WHEREAS, the term of Barbara Townsend, member of the Ethics Advisory Council will expire 2/9/2008; and

WHEREAS, the term of Carolyn Gerakpoulos, member of the Ethics Advisory Council will expire 2/4/2008; and

WHEREAS, two vacancies exists on the Ethics Board due to the expiration a term of appointment and a resignation; and

WHEREAS, the Government Operations Committee recommends the re-appointment of Barbara Townsend and Carolyn Gerakpoulos to the Ethics Advisory Council and the appointment of John Salka to the Ethics Board;

NOW, THEREFORE BE IT RESOLVED, that Barbara Townsend and Carolyn Gerakpoulos, be and hereby are re-appointed to additional four year terms on the Ethics Advisory Council expiring on February 12, 2012; and

BE IT FURTHER RESOLVED, that John Salka be and hereby is appointed to the Ethics Board for a four year term on the Ethics Board expiring on February 12, 2012.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 27-08

AUTHORIZING THE CHAIRMAN TO EXECUTE A RELEASE

WHEREAS, on or about June 20, 2006, the basement of the Madison County Courthouse was flooded by a hose being left on over the weekend by Charles T. Driscoll Masonry Restoration Co., Inc., who at the time of the incident was performing work on the building; and

WHEREAS, the County of Madison commenced suit against Charles T. Driscoll Masonry Restoration Co., Inc. to recover damages sustained to the building; and

WHEREAS, the parties have resolved to settle this matter by payment by or on behalf of Charles T. Driscoll Masonry Restoration Co., Inc. to the County of Madison the sum of Twenty Five Thousand and no/100 dollars (\$25,000.00) for said damages; and

WHEREAS, Charles T. Driscoll Masonry Restoration Co., Inc. is requiring the County of Madison to execute a General Release in order to settle this matter and same has been reviewed by Madison County's legal counsel; and

WHEREAS, the Government Operations Committee has reviewed and approved the settlement of this matter and the execution of the release with regard to same;

NOW, THEREFORE, BE IT RESOLVED, that the County of Madison accept the settlement of \$25,000 in full satisfaction of the claims against Charles T. Driscoll Masonry Restoration Co., Inc., and that the that the Chairman of the Board of Supervisors be and hereby is authorized to execute a general release with regard to the settlement of this matter.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 28-08

**DESIGNATING STATE BANK OF CHITTENANGO,
A WHOLLY OWNED SUBSIDIARY OF ONEIDA SAVINGS BANK,
AS A DEPOSITORY BANK FOR FUNDS OF THE COUNTY OF MADISON**

RESOLVED, that State Bank of Chittenango (the wholly-owned subsidiary of Oneida Savings Bank), a state-chartered bank located and authorized to do business in New York (the "Bank") is hereby designated as a depository of the County of Madison.

RESOLVED, that until the further order of the Board of Supervisors, the maximum amount which may be kept on deposit at the bank at any time is thirty million dollars.

RESOLVED, that the County Treasurer of the County of Madison is authorized to execute and deliver all security and custody agreements relating to the pledge of collateral by the Bank as security for the deposit of public funds by, and the investment of public funds of, the County of Madison and the custody of such collateral and investments, all in such form as may be approved by the County Treasurer, such approval to be evidenced by the execution of any such agreement.

RESOLVED, that the County of Madison is authorized to accept an Eligible Surety Bond as security for the deposit of public funds by the County of Madison, having such terms and conditions as shall be approved by resolution of the Board of Supervisors or as set forth in the investment policy adopted by the Board of Supervisors.

RESOLVED, that the Bank is hereby appointed as an agent of and custodian for the County of Madison to hold collateral pledged by the Bank as security for deposits of public funds by the County of Madison and to hold the investment of the County of Madison.

RESOLVED, that the following officers of the County of Madison be and hereby are, and each of them hereby is, authorized to open accounts or otherwise to conduct business with the Bank and to deposit any of the funds of the County of Madison in the Bank either at its head office or at any of its branches:

COUNTY TREASURER
DEPUTY COUNTY TREASURER
ACCOUNTANT

Such officers are also authorized to give any and all instruction to charge accounts of the County of Madison with the Bank. Any one or more of these officers are also authorized to enter into agreements with the Bank with respect to products or services relating to the accounts or other Bank services, including, but not limited to, wire and

other funds transfer products, night deposits, safe deposit boxes, in whatever form as may be approved by that officer.

RESOLVED, that until the further order of the Board of Supervisors, any funds of the County of Madison deposited in the Bank or placed with the Bank for investment are subject to withdrawal, transfer or charge at any time and from time to time, electronically or otherwise, upon checks, notes, drafts, bills of exchange, acceptances, undertakings, authorizations, letter or other instruments, orders, items or instructions for the payment or transfer of money when made, signed, drawn, accepted, endorsed or given, orally, in writing, or by any other means, on behalf of the County of Madison by any one of the following:

COUNTY TREASURER
DEPUTY COUNTY TREASURER
ACCOUNTANT

RESOLVED, that the Bank is hereby authorized to pay any such check, note, draft, bill of exchange, acceptance, undertaking, authorization, letter, or other instrument, order or item or execute any such instructions or effect any such withdrawal, transfer or charge and also to receive the same from the payee or any other holder without inquiry as to the circumstances of issue, withdrawal, transfer or charge or the disposition of the proceeds even if drawn to the individual order of or paid to any signing person, or payable to the Bank or others for his account, or tendered in payment of his individual obligation, and whether drawn against an account in the name of the County of Madison or in the name of any officer or agent of the County of Madison as such, and, at the option of the Bank, even if the account shall not be in credit to the full amount of such instrument, withdrawal, transfer or charge.

RESOLVED, that the Bank, as designated depository of the County of Madison, be and hereby is requested, authorized and directed to honor all checks, notes, drafts, bills of exchange, acceptances, undertakings, authorizations, letters, or other instruments, orders, items or instructions for the payment or transfer of money when made, signed, drawn, accepted, endorsed or given in the County of Madison's name on its account(s) (including but not limited to those drawn to the individual order of or paid to any person or persons whose name or names thereon as signer or signers thereof or who deliver such instructions) when bearing or purporting to bear the facsimile signature(s) of any one of the following:

COUNTY TREASURER
DEPUTY COUNTY TREASURER
ACCOUNTANT

and the Bank shall be entitled to honor and to charge the County of Madison for all such checks, notes, drafts, bills of exchange, acceptances, undertakings, authorizations, letters, or other instruments, orders, items or instructions regarding the payment or transfer of money, regardless of by whom or by what means the actual or purported

facsimile signature or signatures thereon may have been affixed thereto if such facsimile signature or signatures resemble the facsimile specimens from time to time filed with the Bank by the County Treasurer of the County of Madison.

RESOLVED, that the County Treasurer of the County of Madison is authorized to open one or more accounts with the Bank for the provision of investment advisory, custodial and other investment services on behalf of the County of Madison (these accounts are collectively and individually referred to as the "Account") and to negotiate, execute and amend agreements on behalf of the County of Madison with respect to the Account.

RESOLVED, that the following officers of the County of Madison are authorized to instruct the Bank, in writing, orally, electronically or by means of telex, TWX, facsimile transmission, bank wire or other teleprocess, regarding any notices, instructions or requests made by the County of Madison in accordance with any security agreement with the Bank, and the establishment, modification or replacement of investment objectives for the Account, the purchase, sale, transfer or other disposition of funds or property held in the Account, the transfer of funds or property into the Account, and any other matters concerning the Account:

COUNTY TREASURER
DEPUTY COUNTY TREASURER
ACCOUNTANT

RESOLVED, that the Clerk of the Board of Supervisors of the County of Madison be and hereby is authorized to certify to the Bank the names of the present officers of the County of Madison and other persons authorized to sign for it (including but not limited to persons to whom such officers or authorized persons have delegated their authority) and the offices respectively held by them if any, together with specimens of their signatures, and in case of any change of authorized persons or of any holder of any such office or holders of any such officers, the fact of such change and the names of any new officers and the offices respectively held by them, if any, together with specimens of their signatures; and the Bank be and hereby is authorized to honor any checks, notes, drafts, bills of exchange, acceptances, undertakings, authorizations, letter, or other instruments, order, items, or instructions or agreements or other documents signed by any new officer or officers in respect of whom it has received any such certificate or certificates or by any such person with the same force and effect as if said officer or said officers or person were named in the foregoing resolutions.

RESOLVED, that the authority given hereunder shall be deemed retroactive and any and all acts hereunder performed prior to the passage of these resolutions are hereby ratified and approved.

RESOLVED, that the Bank be promptly notified in writing by the Clerk of the Board of Supervisors of the County of Madison of any change in these resolutions, such notice to be given to each office of the Bank in which any account of the County of

Madison may be maintained or from which any product or service affected by such change is provided to the County of Madison, and that until it has actually so received such notice in writing it is authorized to act in pursuance of these resolutions, and that until it has actually received such notice and has had a reasonable opportunity to act upon such notice it shall be indemnified and saved harmless from any loss suffered, claim or liability incurred by it in continuing to act in pursuance of these resolutions, even though these resolutions may have been changed.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 29-08

DESIGNATING DEPOSITORY BANKS FOR FUNDS OF THE COUNTY OF MADISON

RESOLVED, that the County of Madison hereby designates the following banking institutions that the County Treasurer is authorized to deposit and invest funds with, and the maximum amount to be on deposit with said banks at any one time shall be as follows:

J.P. Morgan Chase Oneida, New York	\$30,000,000.00
Alliance Bank N.A. Oneida, New York	\$30,000,000.00
State Bank of Chittenango Chittenango, New York	\$30,000,000.00

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 30-08

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH HARBRIDGE CONSULTING GROUP, LLC FOR ACTUARIAL SERVICES

WHEREAS, Governmental Accounting Standards Board (GASB) has issued Statement No. 45, establishing accounting and reporting standards regarding the costs and financial obligations that governments incur for post-employment benefits other than pensions (OPEB) offered by state and local governments; and

WHEREAS, the County of Madison is required to implement GASB Statement No. 45 beginning with fiscal year ending 2007; and

WHEREAS, an actuarial valuation is required in order to be in compliance with GASB Statement No. 45; and

WHEREAS, Harbridge Consulting Group, LLC has the experience and expertise to provide the County with the required actuarial services; and

WHEREAS, Harbridge Consulting Group, LLC has submitted a proposal to provide the County with the required full actuarial valuation for fiscal year ending 2007 at a cost of \$9,900.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into an agreement with Harbridge Consulting Group, LLC, as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 31-08

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TOSKI, SCHAEFFER & CO, P.C. FOR PROFESSIONAL AUDITING SERVICES

WHEREAS, pursuant to the standards and guidelines contained in the Single Audit Act, as amended, and OMB Circular A-133, the County is required to engage an independent auditor for the purpose of annually performing a Federal Single Audit of financial assistance awards; and

WHEREAS, upon the County's adoption of GASB Pronouncement No. 34, beginning with fiscal year 2003, the County is required to engage an independent auditor for the purpose of annually auditing the County's basic financial statements, to include auditing Madison County's Soil and Water Conservation District component unit; and

WHEREAS, the County is required to engage an independent auditor for the purpose of annually performing agreed-upon procedures relative to financial assurance requirements for our municipal solid waste landfill; and

WHEREAS, the County is also required to engage an independent auditor for the purpose of annually performing a New York State Department of Transportation Single Audit; and

WHEREAS, Toski, Schaefer & Co, P.C., has provided a proposal for the aforementioned auditing services for the fiscal years of 2007, 2008, and 2009, for the following estimated annual fees:

2007

2008

2009

\$54,000

\$55,000

\$56,000

WHEREAS, the budgeted appropriations in the Single Audit Expense account A1325.4202 are sufficient to cover the fees for professional auditing services as outlined above.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized to enter into an agreement with Toski, Schaefer & Co, P.C., for professional auditing services, as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 32-08

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,

Frank L. Moglia
Christine J. Moglia
10904 Button Falls Rd.
W. Edmeston, NY 13485

Tax Map #189.-1-30.1/05
Town of Brookfield

WHEREAS, the previous owner of this property was exempt from town and county taxes but liable for the fire district tax for the 2005 town and county tax bill; and

WHEREAS, Mr. and Mrs. Moglia purchased this property on November 19, 2004 and received the 2005 tax bill and paid the fire district tax; and

WHEREAS, Section 520 of the Real Property Tax Law allows for property that is not entitled to an exemption, in whole or part, to be subject to pro rata taxation for the fiscal year subsequent to the date of transfer; and

WHEREAS, in error the assessor calculated the omitted tax for the 2005 fiscal year to include the fire district tax which in fact was paid on January 8, 2005; and

WHEREAS, the 2005 omitted tax is currently delinquent in the amount of \$1,338.39 which includes the fire district tax in the amount of \$121.30; 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 correct the 2005 omitted tax to be \$1,217.09.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 33-08

MODIFYING THE 2008 ADOPTED BUDGET

BE IT RESOLVED THAT, the adopted 2008 County Budget be modified as follows:

Modification #1

GENERAL FUND

6010 Social Services Administration

Expense

	<u>From</u>	<u>To</u>
A6010.1 Personal Services	\$4,217,804	\$4,216,010
A6010.810 Allocation of Fringe Benefits	<u>0</u>	<u>1,794</u>
Control Total	<u>\$4,217,804</u>	<u>\$4,217,804</u>

Modification #2

3110 Sheriff Department

Expense

	<u>From</u>	<u>To</u>
A3110.41017Supplies – Youth Recognition	\$ 0	\$ 2,500

Revenue

A2801.4540 Youth Bureau – Youth Recognition Award Program	<u>\$ 0</u>	<u>\$ 2,500</u>
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Modification #3

4013 Public Health – Home Care

Expense

	<u>From</u>	<u>To</u>
A4013.1 Personal Services	<u>\$1,530,774</u>	<u>\$1,637,624</u>
Control Total		<u>\$ 106,850</u>

Revenue

A1610.1320 Nursing Fees Medicare	<u>\$1,250,000</u>	<u>\$1,356,850</u>
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Control Total		<u>\$ 106,850</u>
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ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Salka:

RESOLUTION NO. 34-08

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH VETERINARIANS FOR RABIES SPECIMEN PREPARATION

WHEREAS, the Rabies Program is a Public Health Department program, and there is an obligation to be sure that every suspect animal submitted is properly tested for rabies; and

WHEREAS, specific services from qualified veterinarian clinics are necessary to safely and properly prepare such suspect animals for rabies testing; and

WHEREAS, the Department has received services from a number of veterinary clinics, and has proposed renewing agreements for such services for the year 2008; and

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

WHEREAS, the Public Health Services Committee has approved this proposal, with the same rates as 2007:

Euthanasia of dog or cat	\$25.00
Euthanasia of large farm animal	\$55.00
Euthanasia of wild animal (raccoon, etc)	\$40.00
Specimen Prep Dog/Cat	\$35.00
Specimen Prep Farm Animal	\$75.00
Specimen Prep Wild Animal	\$35.00
Packaging and Forms	\$15.00
Disposal of remains <49 lbs	\$45.00*
Disposal of remains >49 lbs	\$65.00*

* Contracts require disposal at the landfill unless otherwise authorized by the Health Department

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements with all contractors effective January 1, 2008 through December 31, 2008, as is on file with the Clerk of The Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 35-08

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

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

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

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

WHEREAS, a number of veterinarian professionals have provided such services to the Department, and the Department desires to enter into contracts with said veterinarian professionals to renew agreements to provide veterinarian services for the year 2008; and

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

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

WHEREAS, the Public Health Services Committee has approved this proposal to provide these services at the same rate(s) as 2007 and as further stated to be:

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements with all rabies clinic program contractors effective January 1, 2008 through December 31, 2008, as is on file with the Clerk of The Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 36-08

APPOINTMENT TO BOARD OF HEALTH

WHEREAS, the Madison County Board of Supervisors previously established, by resolution, a County Health District pursuant to section 340 of the Public Health Law; and

WHEREAS, that pursuant to said Public Health Law a County Health District was established on January 1, 1994 which included appointing a Board of Health consisting of eight members; and

WHEREAS, Robert Delorme, a physician residing in Madison County, is interested in serving on the Madison County Board of Health; and

WHEREAS, both The Board of Health and The Public Health Services Committee are in favor of appointing Dr. Robert Delorme; and

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors approve the appointment of Dr. Robert Delorme effective February 12, 2008 through December 31, 2014.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Stepanski (Vice Chairman):

RESOLUTION NO. 37-08

APPOINTMENT TO 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 consist of eight members, one of whom is the liason between the County Board of Supervisors and the Board of Health; and

WHEREAS, upon review, both the Board of Health and the Public Health Services Committee would like to appoint John Salka, Chairman of the Public Health Services Committee to the Madison County Board of Health; and

NOW, THEREFORE BE IT RESOLVED that John Salka is appointed to the Board of Health effective immediately.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Salka and Bargabos:

RESOLUTION NO. 38-08

**AUTHORIZING AMENDMENT TO AGREEMENT
FOR EAT WELL PLAY HARD GRANT AND
MODIFYING THE 2008 ADOPTED COUNTY BUDGET**

WHEREAS, the New York State Department of Health has approved an amendment which transfers unspent funds from the Eat Well Plan Hard grant (10/1/06-9/30/07) to the new grant period (10/1/07-9/30/08); and

WHEREAS, Resolution #285 was approved on August 14, 2007; and

WHEREAS, the Board of Health and Public Health Services Committee approves of the modification; and

NOW, THEREFORE BE IT RESOLVED that the 2008 Adopted County Budget to be modified as follows:

4017 Public Health Eat Well Play Hard Grant

<u>Expense</u>		<u>From</u>	<u>To</u>
A4017.402	Grant Expense	<u>\$11,446</u>	<u>\$16,224</u>
	Control Total		<u>\$ 4,778</u>
<u>Revenue</u>			
A3401.68	State Aid PH-Eat Well Play Hard	<u>\$83,131</u>	<u>\$87,909</u>
	Control Total		<u>\$ 4,778</u>

ADOPTED: AYES – 1500 NAYS – 0

By Supevisor Stepanski:

RESOLUTION NO. 39-08

**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 2008 County budget provides funds for the provision of mental health counseling services;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be hereby authorized to enter into an agreement with Katrina Colistra, Psy.D., 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 February 1, 2008 to December 31, 2008, and place a copy of the agreement on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 40-08 _____

APPOINTING MEMBER OF THE COMMUNITY SERVICES BOARD

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

WHEREAS, there are currently six vacancies on the Board; and

WHEREAS, the Membership Committee has favorably reviewed an application for membership from: **Dennis B. Rahn, 220 Rosewood Circle, Canastota, New York 13032** and the Community Services Board has voted in favor of his appointment; and

WHEREAS, the Social and Mental Health Services Committee has reviewed this application and has recommended that he be appointed by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that Dennis B. Rahn be appointed to a four year term on the Madison County Mental Health and Community Services Board, with his term of membership running from February 1, 2008 through January 31, 2012.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisors Stepanski and Bargabos:

RESOLUTION NO. 41-08

**AMENDING AGREEMENT WITH LIBERTY RESOURCES, INC. AND
MODIFYING THE 2008 ADOPTED COUNTY BUDGET**

WHEREAS, the NYS Office of Mental Health has awarded \$22,554 to Madison County for three (3) additional supported housing beds in the Supported Housing Program; and

WHEREAS, Madison County contracts with Liberty Resources, Inc. to provide this service for the seriously and persistently mentally ill adults; and

WHEREAS, the Social and Mental Health Committee has approved modifying the contract with Liberty Resources, Inc. to provide this service at no cost to the County; and

WHEREAS, it is necessary to modify the 2008 budget to account for the funds which have already been received by the County;

NOW, THEREFORE, BE IT RESOLVED that the 2008 Adopted County Budget be modified as follows:

GENERAL FUND

Department 4316 Mental Health -Liberty Resources

<u>Revenue</u>	FROM	TO
A3490.3086 St. Aid – Liberty Resources - Support Housing	\$0	<u>\$ 22,554</u>
Control Total		<u>\$ 22,554</u>

Expense

A43316.4279 Liberty Resources – Supported Housing	\$0	<u>\$ 22,554</u>
Control Total		<u>\$ 22,554</u>

and

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute an agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2008 through December 31, 2008 with Liberty Resources, Inc. to provide this service; and

BE IT FURTHER RESOLVED, that any reduction in State funding for this program will result in a commensurate reduction in funding for Liberty Resources, Inc. for these services.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Stepanski:

RESOLUTION NO. 42-08

APPOINTING MEMBERS TO THE MADISON COUNTY YOUTH BOARD

WHEREAS, the Madison County Board of Supervisors must approve the appointment of members to the Madison County Youth Board, which acts as a community advisory board to the Madison County Youth Bureau; and

WHEREAS, the following individuals have been recommended by the membership of the Madison County Youth Board for appointment to the Youth Board and have been approved by the Social & Mental Health Services Committee;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors do hereby appoint the following individuals to the Madison County Youth Board for a term commencing on February 1, 2008 and expiring on December 31, 2009.

Sharry Woodcock
P.O. Box 497
Morrisville, NY 13408

Christopher Massey
2754 Perryville Road, Apt.#1
Canastota, NY 13032

Anell Ford
3017 Colleen's Way
Canastota, NY 13032

Kathy Roher
P.O. Box 496
Morrisville, NY 13408

Brittany Massey
2754 Perryville Road, Apt.#1
Canastota, NY 13032

James Yonai, Ph.D.
Madison County Mental Health Dept
P.O. Box 608
Wampsville, NY 13163

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Ball:

RESOLUTION NO. 43-08

AUTHORIZING THE CHAIRMAN TO RENEW SERVICE CONTRACTS FOR MAINTENANCE OF THE E-911 CENTER PHONE SYTEM / RADIO CONSOLES / RADIO SYSTEM / COUNTY FIRE DEPTS. ALERT SYSTEMS WITH MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC.

WHEREAS, Madison County and Motorola Communications and Electronics, Inc. are parties to service agreements, which cover the E-911 Phone System, Radio Consoles, Radio System and County Fire Departments Alert Systems for Public Safety; and

WHEREAS, these agreements are general service agreements for the upkeep and maintenance of these vital Public Safety Networks for the period of 01/01/08 to 12/31/08; and

WHEREAS, these agreements are broken down as follows:

E-911 hone System	\$39,928.00
Radio Consoles	\$4,180.32
Radio System	\$15,606.29
County Fire Depts.	\$9,669.12

WHEREAS, these agreements are for a total amount of \$69,383.73 has been reviewed and approved by the Criminal justice, Public Safety & Telecommunications Committee Members and Chairman; and

NOW, THEREFORE BE IT RESOLVED, that the County accepts these Service Agreements submitted by:

**MOTOROLA COMMUNICATIONS & ELECTRONICS, INC.
1307 East Algonquin Road
SCHAUMBURG, IL 60196**

**Total Amount: \$69,383.73/TWELVE (12) months
01/01/08 to 12/31/08**

BE IT FURTHER RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute the renewal of the Maintenance Agreements with the Contractor named herein, on the terms as are on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Moran:

RESOLUTION NO. 44-08

ADOPTING LOCAL LAW NO. 1 FOR THE YEAR 2008

WHEREAS, there has been duly introduced Local Law No. 1 for the year 2008 entitled “**AUTHORIZING THE COUNTY OF MADISON TO MAKE AN APPLICATION FOR EMPIRE ZONE DESIGNATION OF A PROPOSED LOCATION WITHIN THE COUNTY AS A REGIONALLY SIGNIFICANT PROJECT**”, and

WHEREAS, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on February 12, 2008;

NOW, THEREFORE, BE IT RESOLVED, that Local law No. 1 for the year 2008 be and the same is hereby adopted.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 45-08

**AUTHORIZING AGREEMENT FOR PROFESSIONAL SERVICES IN SUPPORT OF
AGRICULTURAL ECONOMIC DEVELOPMENT**

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

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

WHEREAS, the Agricultural Development Committee of the Madison County Agricultural and Farmland Protection Board has created a job description and budget for the such a position, and, after conducting together with the Madison County Cornell Cooperative Extension Office a rigorous search, has identified and hired a highly qualified applicant for the position; and

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

WHEREAS, Cooperative Extension has agreed to provide these services for an annual reimbursement rate of \$63,200, the entire County funding to come from funds appropriated for the purpose in the 2008 budget;

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

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 46-08

APPOINTING A MEMBER TO THE MADISON COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

BE IT RESOLVED, that Matthew Critz, of 32132 State Route 13 (Town of Cazenovia), be appointed to the Madison County Agricultural and Farmland Protection Board, as representative of the agribusiness sector, for the remainder the four-year term vacated by the resignation of Terry Mosher, commencing on February 12, 2008 and expiring on February 10, 2011.

ADOPTED: AYES – 1500 NAY – 0

RESOLUTION NO. 47-08

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

BE IT RESOLVED, that Timothy Winters, of 731 Division Street, DeRuyter, NY 13052 be and hereby is appointed to the Agricultural Economic Development Committee of the Madison County Agricultural and Farmland Protection Board for a one-year term commencing on February 12, 2008 and expiring on February 11, 2009.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 48-08

APPOINTING MEMBERS TO THE CENTRAL NEW YORK REGIONAL PLANNING AND DEVELOPMENT BOARD

WHEREAS, the Central New York Regional Planning and Development Board (CNYRPDB) is a five-county organization established to provide local and regional development assistance to its member counties;

NOW, THEREFORE BE IT RESOLVED, James Raffte, of 457 E. Walnut Street, Oneida, NY 13421 be and hereby is appointed, effective January 1, 2008, to fill the remainder of the three (3)-year Madison County seat on the CNYRPDB left vacant by the resignation of Frederick Talbot and expiring on December 31, 2009; and

BE IT FURTHER RESOLVED, that the following Madison County Officers be and hereby are appointed to a two (2)-year term commencing on January 1, 2008 and expiring on December 31, 2009: John Becker (Chairman of the Board of Supervisors) of 7142 Harsh Road, Canastota, NY 13032 (Town of Sullivan) ; Elizabeth Moran (Chairwoman of the Planning Committee) 1812 State Route 20 West, NY 13035; Jacob Miller (Planning Director) 105 Edgemont Drive, Syracuse, NY 131214; and Joseph Wisinski (Highway Superintendent) 3659 Pine Ridge Road, Canastota, NY 13032 (Town of Lenox).

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 49-08

APPOINTING A MEMBER TO THE MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BE IT RESOLVED, that Samuel Lanzafame of 425 Elizabeth Street, Oneida NY 13421, be hereby appointed to the Madison County Industrial Agency, filling the position left vacant by the resignation of John Becker, commencing on February 12, 2007, and to serve at the pleasure of the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 50-08

APPOINTING BOARD OF SUPERVISORS REPRESENTATIVE TO MADISON COUNTY COOPERATIVE EXTENSION BOARD

BE IT RESOLVED, that Priscilla Suits of 14 Cambridge Avenue, Morrisville, NY 13408 (Town of Eaton) be and is hereby appointed to the Madison County Cooperative Extension Board, as the Board of Supervisors representative, for a term of two years, commencing on January 1, 2008 and expiring on December 31, 2009.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 51-08

**APPOINTING A MEMBER TO THE MADISON COUNTY EMPIRE ZONE
ADMINISTRATIVE BOARD**

BE IT RESOLVED, that Raymond L. Rashford Jr., of 4242 Blue Creek Road, Munnsville, NY 13409 (Town of Eaton) be and hereby is appointed, effective February 12, 2008, to the Madison County Empire Zone Administrative Board, as representative of organized labor, for the remainder of the three-year term vacated by Donna Greany and expiring August 31, 2010.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 52-08

**AUTHORIZING THE CHAIRMAN TO REQUEST FEDERAL SECTION 5311
OPERATING ASSISTANCE FOR PUBLIC TRANSIT**

WHEREAS, the County of Madison is submitting to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, a request for a grant of funds for a project to provide public mass transportation service for Madison County for the 2007 and 2008 fiscal years; and

WHEREAS, the County of Madison and the State of New York have previously entered into a continuing Agreement for a ten-year period which authorizes the undertaking of the Project and payment of the Federal Share, identified as State Contract No. C002354; and

WHEREAS, the County of Madison makes application semi-annually to the New York State Commissioner of Transportation for such Federal aid for operating assistance for Madison County 's rural transportation project; and

WHEREAS, the County of Madison is subcontracting with a third party subcontractor for the project described above;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors is authorized to act on behalf of the County of Madison to sign the grant application and progress report and complete the above-named project; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to act on behalf of the County of Madison to sign any and all agreements, including but not limited to the provisions of the applicable certifications and assurances as set forth in Exhibit 2 of the Operating Assistance Application, between the County of Madison and the State of New York for the above-named project; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to sign the contracts between Madison County and third party subcontractor First Transit, Inc., or any third party subcontractor which may succeed First Transit, Inc. during the project period, necessary to complete the above-named public transportation project, a copy of which is on file with the Clerk of the Board, subject to the approval of the County Attorney.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 53-08

AUTHORIZATION TO EXTEND CONTRACT WITH BIRNIE BUS, INC.

WHEREAS, Birnie Bus, Inc. of Rome, New York is authorized by the New York State Department of Transportation to provide public transportation service within Madison County; and

WHEREAS, Birnie Bus, Inc. has requested sponsorship by the County for State Transit Operating Assistance; and

WHEREAS, Section 119-r of the General Municipal Law authorizes a county to enter into agreements with private bus companies for the performance of certain transportation operations; and

WHEREAS, Section 18-b of the Transportation Law and Section 182-a of the Laws of 1981 authorize a State Transit Operating Assistance Program for transportation services open to the public, including services offered by Birnie Bus, Inc. and provides that the County may make application to the New York State Department of Transportation for State Transit Operating Assistance which requires a local matching of funds; and

WHEREAS, it is proper for carriers to contribute to the County the said matching funds; and

WHEREAS, Madison County currently contracts with Birnie Bus, Inc. to provide public transportation services in Madison County; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman, on behalf of the Madison County Board of Supervisors is authorized to extend until December 31, 2008 the agreement with Birnie Bus, Inc. for the provision of transportation services open to the public and requiring that Birnie Bus, Inc. shall provide the aforesaid matching funds to the County; and

BE IT FURTHER RESOLVED, that the agreement with said carrier shall continue to specify that there shall be no cost to the county other than administration of the agreement and that the carrier shall save the county harmless; and

BE IT FURTHER RESOLVED, that in the event of a reduction in the state funding, an evaluation be made as to the continuation of the county sponsorship; and

BE IT FURTHER RESOLVED, that the Chairman of the Board is authorized to apply for State Transit Operating Assistance funds under Section 18-b of the Transportation Law and Section 182-a of the Laws of 1981.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Williams:

RESOLUTION NO. 54-08

**AUTHORIZING A SERVICE AGREEMENT WITH MOTOROLA INC. FOR THE YEAR
2008**

WHEREAS, the Service Agreement with Motorola expired on December 31, 2007; and

WHEREAS, Motorola Inc. has submitted a Service Agreement for the year January 1, 2008 through December 31, 2008 at a yearly renewal of \$11,112.96; and

WHEREAS, the Service Agreement is increased \$375.75 which reflects an increase of 3 ½% ; and

WHEREAS, this expenditure is appropriated in the Road Machinery Fund DM5130.4848; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into a Service Agreement with Motorola Inc. to provide radio repair as outlined in the Agreement on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 55-08

AGREEMENT FOR ENGINEERING SERVICES WITH FOIT-ALBERT ASSOCIATES

WHEREAS, the Public Works Committee met on January 22, 2008 and authorized the Madison County Highway Department to proceed with the replacement of North Lake Road Culvert (CAZ-252) over Cazenovia Inlet in the Town of Cazenovia, Madison County; and

WHEREAS, the firm Foit-Albert Associates, has provided an estimated cost for Engineering Services at Thirty thousand five hundred dollars and no cents (\$30,500.00); and

WHEREAS, the cost for Engineering Services has been appropriated in the County Road Fund 2008 Budget line item D5113.45003; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an agreement to provide said services as outlined in the attached Engineering Agreement to be on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

RESOLUTION NO. 56-08

**AUTHORIZING THE CHAIRMAN TO ENTER INTO
AN AGREEMENT WITH THE MADISON COUNTY SNOWMOBILE ASSOCIATION,
INC FOR THE USE OF THE SWALLOWS BRIDGE ROAD BRIDGE**

WHEREAS, the County of Madison co-owns the Swallows Bridge Road Bridge situated in the City of Oneida, over Oneida Creek with the County of Oneida; and

WHEREAS, the Bridge has been closed to regular vehicle traffic since 5/11/05; and

WHEREAS, Madison County allowed the Madison County Snowmobile Association to use and maintain the Bridge for recreational snowmobile traffic last season without incident; and

WHEREAS, the Swallows Bridge Road Bridge is still the most suitable crossing of Oneida Creek between Madison and Oneida Counties for snowmobiles; and

WHEREAS, the Madison County Snowmobile Association, Inc. has again agreed to certain terms and conditions for the use and maintenance of the Bridge for recreational snowmobile traffic;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is authorized to enter into an Agreement with the Madison County Snowmobile Association in the form as is on file with the Clerk of the Madison County Board of Supervisors.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Williams:

RESOLUTION NO. 57-08

**EXTENDING LEASE FOR YARD WASTE COMPOSTING
IN THE TOWN OF SULLIVAN**

WHEREAS, the Town of Sullivan and the County originally entered into a written lease for a term of one (1) year, commencing October 01, 1988 and terminating September 30, 1989 for purposes of maintaining a site for the composting of organic materials; and

WHEREAS, the lease has been previously extended and it is recommended that such site be again continued and pursuant to same an Extension of Lease Agreement has been prepared, which provided that the lease be extended through December 31, 2008, under all the terms, conditions and provisions of the original lease; and

WHEREAS, the parties entered into a written Extension of Lease, extending the term for an additional period; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized and directed to enter into an extension of Lease Agreement with the Town of Sullivan, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Bargabos:

RESOLUTION NO. 58-08

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

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

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

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

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

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Rafte:

RESOLUTION NO. 59-08

ESTABLISHING A RELATIONSHIP WITH THE ONEIDA INDIAN NATION OF NEW YORK

WHEREAS, the Madison County Board of Supervisors recognizes the need to improve our relationship with the Oneida Indian Nation and its people; and

WHEREAS, the Madison County Board of Supervisors wishes to begin a process of reconciliation between Madison County and the Oneida Indian Nation; and

WHEREAS, it is the Board's goal to promote the creation of wealth and opportunity for the Oneida Indian Nation and all the residents of Madison County; and

WHEREAS, the Madison County Board of Supervisors believes it has a shared responsibility with the Oneida Indian Nation to ensure public safety, public health, and environmental protection; and

WHEREAS, the Madison County Board of Supervisors believe that the conflict and issues that divide us have been due in part to the State of New York and the federal governments' continuing failure to resolve these issues; and

WHEREAS, the Madison County Board of Supervisors cannot wait for the State of New York and the federal government to bring about a just end to the litigation currently pending;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors invites the Oneida Indian Nation to join with us in establishing a relationship whereby we can develop a policy and process for a productive dialogue and resolution of the issues between us; and be it further

RESOLVED, the Board proposes a long-term shared initiative with the Oneida Indian Nation to preserve and enhance the culture and quality of life for all the inhabitants of our region and within our respective jurisdictions; and be it further

RESOLVED, that the Madison County Board of Supervisors further invites the Oneida Indian Nation to join us in developing and implementing a comprehensive development plan for the benefit of all the people residing in or doing business in Central New York; and be it further

RESOLVED, that the Madison County Board of Supervisors directs the Chairman of this Board to send this resolution to the Oneida Indian Nation; and be it further

RESOLVED, that the Madison County Board of Supervisors authorizes the Chairman of this Board to take the necessary steps to put this Resolution into effect.

ADOPTED: AYES – 1500 NAYS – 0

By Supervisor Bargabos:

RESOLUTION NO. 60-08

APPROVING THE PAYMENT OF CLAIMS

RESOLVED, that the claims presented to this Board by the Clerk, having been duly audited, be and the same hereby are authorized to be paid by the Treasurer upon receipt of a copy of the abstract of audited claims attested by the Clerk.

ADOPTED: AYES – 1500 NAYS – 0

PUBLIC COMMENT PERIOD

Speakers:

1. Stacy Alvord – Executive Director for the Madison Community Action Program announced her resignation and thanked everyone for their continued support over the years. She gave a special thanks to DSS Commissioner Mike Fitzgerald for his professionalism and leadership over many programs and outlined some of the services that CAP provides.

There being no further business, Supervisor Williams made a motion to adjourn, seconded by Supervisor Suits and carried.