

MADISON COUNTY BOARD OF SUPERVISORS
5th Day of Annual Session – Tuesday, December 29, 2009

The Board reconvened at 10:00 a.m. with all members present except for Supervisor Hammond (21 votes) and Supervisor Jaquay (129 votes).

Pledge of Allegiance.

On motion by Supervisor Reinhardt, seconded by Supervisor Ball, the minutes of the previous meeting were dispensed and adopted as filed.

REPORTS

1. Written communication and Financial Statements for the Madison County Deferred Compensation Plan for the Year Ended December 31, 2008.
2. Madison County Mental Health Department Monthly Report – December 2009.
3. Thank you letter James Adsitt to Public Health Director Eric Faisst and his staff for their willingness to help a group of residents in DeRuyter this past summer.

REPORTS OF COMMITTEES

Supervisors, Highway, Social Services, Employment & Training/WIA and Cazenovia Sewer District:	\$ 1,331,165.50
Miscellaneous Accounts:	\$ 1,277,900.41

RESOLUTIONS

By Supervisor Bargabos:

RESOLUTION NO. 560-09

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

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

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

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Rosemary W. Riggall upon her retirement.

Rosemary W. Riggall Sheriff 1998 - 2009 11 years

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 561-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
(PUBLIC SECTOR HR CONSULTANTS)**

WHEREAS, the Personnel Department is facilitating Corrective Discipline Training for Department Heads and Supervisors in 2010 during January or February; and

WHEREAS, the Personnel Department will retain Public Sector HR Consultants to conduct said training; and

WHEREAS, the cost of said training is \$1,500.00 and is appropriated in the 2010 Personnel Department budget; and

WHEREAS, the Government Operations Committee recommends that the Chairman execute the agreement with Public Sector HR Consultants to provide said training,

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board be and hereby is authorized to execute the agreement with Public Sector HR Consultants effective January 1, 2010, a copy of which is on file with the Clerk to the Board.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 562-09

**CREATING A TEMPORARY, PART-TIME LANDFILL OPERATIONS
MANAGER POSITION IN THE DEPARTMENT OF SOLID WASTE AND
SANITATION**

WHEREAS, a Landfill Operations Manager will retire in January, 2010;
and

WHEREAS, the Director of Solid Waste Management has requested the creation of a temporary, part-time Landfill Operations Manager position to accomplish a successful transition following the retirement; and

WHEREAS, the salary for this position will be funded through appropriations in the Department of Solid Waste and Sanitation budget ; and

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

NOW, THEREFORE BE IT RESOLVED that one (1) temporary part-time Landfill Operations Manager position be and hereby is created effective January 1, 2010 for a period not to exceed one (1) month; and

BE IT FURTHER RESOLVED that the Director of Solid Waste Management be and hereby is authorized to fill said position at the minimum 2010 salary of \$21.47 per hour in accordance with Civil Service Law and Rule.

ADOPTED: AYES – 1065 NAYS – 285 (Becker) ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 563-09

DESIGNATING NEWSPAPERS FOR 2010

WHEREAS, Subdivision 1 of Section 214 of the County Law states that the Board of Supervisors shall annually designate newspapers published within the County to publish concurrent resolutions, election notices, and the official canvass; and

WHEREAS, Subdivision 2 of Section 214 of the County Law states that the Board of Supervisors shall annually designate two newspapers to publish local laws, notices and other matters required by law to be published; and

WHEREAS, both subdivisions state that each political party shall be entitled to five preferences to those newspapers espousing the political view of each respective party and if there are none, the fact that the newspaper published within the County espouse an independent view, shall be no deterrent to selection under either subdivision herein referred to:

Concurrent Resolutions

**Oneida Daily Dispatch
Syracuse Post Standard**

Unredeemed Lands

**Oneida Daily Dispatch
Syracuse Post Standard**

Official Notices

**Oneida Daily Dispatch
Syracuse Post Standard**

Election Notices

**Oneida Daily Dispatch
Syracuse Post Standard**

Local Laws and Notices

**Oneida Daily Dispatch
Syracuse Post Standard**

BE IT FURTHER RESOLVED, that a copy of each County legal advertisement shall be distributed by the official County newspapers to all of the following located in Madison County: Town Clerks, Village Clerks, City Clerks, Public Libraries and Reading Centers, County Clerk, Clerk of the Board of Supervisors, County Veterans and County Board of Elections.

On motion by Supervisor Becker, seconded by Supervisor Reinhardt, this resolution was TABLED.

RESOLUTION NO. 564-09

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

WHEREAS, the 26th National Symposium on Child Abuse will be held March 22-25, 2010 in Huntsville, AL; and

WHEREAS, Michael Fitzgerald, DSS Commissioner has requested that Suzanne White, CPS Caseworker, attend this conference; and

WHEREAS, her 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 Social and Mental Health Services and the Government Operations Committee;

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

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 565-09

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

WHEREAS, the Investigation and Prosecution of Child Fatalities and Physical Abuse Training will be held February 1 to 5, 2010, in Santa Fe, New Mexico; and

WHEREAS, Michael Fitzgerald, DSS Commissioner has requested that Karen Bright, CPS Case Supervisor Grade B, attend this conference; and

WHEREAS, her expenses are fully funded by the Oneida-Madison Child Fatality Review Team; and

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

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

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Cary:

RESOLUTION NO. 566-09

CHANGING THE DATE OF THE FEBRUARY 2010 BOARD OF SUPERVISORS MEETING

WHEREAS, Resolution No. 515-09 sets the time for holding meetings during the year 2010; and

WHEREAS, the meeting scheduled for February 9, 2010 conflicts with the 2010 NYSAC Conference being held in Albany, New York;

NOW, THEREFORE BE IT RESOLVED, that the meeting scheduled for Tuesday, February 9, 2010, be changed to **Wednesday, February 10, 2010**, with the time set at **10:30 a.m.**

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Salka:

RESOLUTION NO. 567-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH PUBLIC HEALTH DEPARTMENT CONTRACTORS

WHEREAS, the Public Health Department operates a duly Certified Home Health Agency, Long Term Home Health Care Program, Medicaid Obstetrical and Maternal Services Program, (MOMS) and the Environmental Health Program; and

WHEREAS, due to the variety of these programs, a number of specialized services are provided to County residents; and

WHEREAS, both the Board of Health and the Public Health Services Committee feel it most expeditious to enter into agreements with independent contractors for these services; and

WHEREAS, both the Board of Health and the Public Health Services Committee have agreed to authorize increases to those contractors indicated, while keeping all other contractors at the same rate as 2009; and

WHEREAS, the cost of said services is reimbursed through patient billing and/or Article 6 funding.

<u>INDIVIDUAL CONTRACTORS</u>	<u>2009</u>	<u>2010</u>
Marcia K. Newsom, Medical Consultant	125.00/hour	125.00/hour
Infectious Disease Associates	125.00/hour	125.00/hour
Mary Cook, Physical Therapist	60.00/visit	60.00/visit
Christine Domes, Physical Therapist	60.00/visit	
60.00/visit		
Timothy Winchell, Physical Therapist	60.00/visit	60.00/visit
Kelly Cohen, Occupational Therapist	60.00/visit	60.00/visit
Alison Renwick, Occupational Therapist	60.00/visit	60.00/visit
Antoinette Vanderlan, Occupational Therapist	60.00/visit	60.00/visit
Jean Gemelli, Occupational Therapist	60.00/visit	60.00/visit
Katherine Graziano, Speech Therapist	60.00/visit	60.00/visit
Abbe Cotter, Medical Social Worker	65.00/visit	65.00/visit
Empire Interpreting Services	50.00/hour	50.00/hour
Lisa Yarah, Nutritionist	65.00/visit + mileage	65.00/visit + mileage
Jim Cary, Hearing Officer	35.00/hour	35.00/hour
 <u>AGENCY AGREEMENTS</u>	 <u>2009</u>	 <u>2010</u>
Mohawk Valley Resource Center-Interpreting	50.00/Hour	50.00/Hour
Multicultural Assoc. of Medical Interpreters	55.00/Hour	55.00/Hour
VNA Utica Physical Therapy	60.00/visit	60.00/visit
<u>Planned Parenthood</u>		
STD Diagnosis and Treatment	126.00/Client	126.00/Client
HIV Testing	20.00/client	20.00/client
Immunizations as applicable	20.00/visit	20.00/visit
Clough Harbour & Associates LLP		
Principal Engineer	160.00/Hour	160.00/Hour
Senior Engineer	100.00/Hour	100.00/Hour
Engineer	85.00/Hour	
85.00/Hour		
A&P Water Testing		

Total Coliform Analysis	22.00/Sample	22.00/sample
Life Science Laboratories		
Trihalomethanes		\$ 40/sample
HAA5		\$100/sample
Total coliform		\$ 20/sample
Family Home Care, Inc.		
Certified Home Health Aide	17.25/Hour	17.25/Hour
Personal Care Aide	16.25/Hour	16.25/Hour
All Metro Healthcare		
Certified Home Health Aide	17.25/Hour	17.25/Hour
Personal Care Aide	16.25/Hour	16.25/Hour
Home Health Aides of CNY		
Certified Home Health Aide	17.25/Hour	17.75/Hour
Personal Care Aide	16.25/Hour	
16.50/Hour		
Winds of Agape		
Certified Home Health Aide	24.50/hour	24.50/hour
Loretto Lifeline Community Services		
Installation of Unit	75.00	75.00
Lifeline Monthly Charge (voice)	31.00/Month	31.00/Month
Oneida Healthcare		
Lifeline Monthly Charge	31.00/Month	31.00/Month
Office for the Aging		
SNACK(over 60)		
Home Delivered Meal	4.18	4.68
Frozen Meal	4.18	4.68
Breakfast Bags(7/bag)	6.00	6.75
(under 60)		
Home Delivered Meal	4.94	5.44
Frozen Meal	4.94	5.44
Breakfast Bags(7/bag)	6.25	7.00
McGuinness and Associates	550.00.month	550.00/month
	100.00/hour	100.00/hour
Hygeia of New York		
One Apartment	550.00 each	550.00 each
Two Apartments	450.00 each	450.00 each
Samples	15.00 each	15.00
each		
Supply XRF with Operator (per hour)		\$190 per hour
Health Research, Inc.	see below	

Rabies Program

Cazenovia Animal Hospital	Euthanasia – Domestic animal	25.00	25.00
Chittenango Animal Hospital	Euthanasia – Large Animal	55.00	55.00
Hamilton Animal Hospital	Euthanasia – Wild Animal	40.00	40.00
Upstate Animal Hospital	Euthanasia – Bat	25.00	25.00
Village Veterinary Hospital	Specimen Preparation	15-75	15-75
	Disposal of Remains	45-65	45-65

Outpatient Therapy Services for reimbursement through PPS Medicare

Cherry Valley PT	Current Medicare Rate
Community Memorial Hospital	Current Medicare Rate
Cortland Regional Medical Center	Current Medicare Rate
Faxton St. Lukes Healthcare	Current Medicare Rate
Mary Lou Corcoran	Current Medicare Rate
Oneida Healthcare Center	Current Medicare Rate
Physical Therapy Plus	Current Medicare Rate
Proactive Physical Therapy	Current Medicare Rate
Valley Physical Therapy	Current Medicare Rate
Sitrin Medical Rehabilitation Center	Current Medicare Rate

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, 2010 through December 31, 2010, as is on file with the Clerk of the Board;

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into agreements with providers of specialized services, as needed, according to the Public Health Director, with the approval of the Public Health Services Committee, as long as the contract for similar services is unchanged.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

Lead Laboratory Services: charges 2010

The Health Care Reform Act of 1996 requires surcharge payments to be made on health care services, including laboratory tests. Please be aware of your obligations under HCRA. In a May 27, 1997 letter, the Health Department declared that obligations for local governmental subdivisions are limited to inpatient services and local correctional agencies.

Charges for **clinical** laboratory tests associated with childhood lead poisoning prevention are as follows:

Fingerstick blood specimens (for screening purposes):

1.	Blood Lead test	9.50
2.	Blood Lead and EP	16.95

Venous blood specimens (for diagnostic purposes):

1.	Blood Lead	13.00
2.	Blood Lead and EP	20.45
3.	EP only	7.45

STAT Requests for Blood Lead 20.00

STAT Requests for Blood Lead and EP 27.45

Urine specimens (for lead mobilization test purposes):

1.	Urine Lead test	26.00
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Handling charge for clotted or QNS samples (unable to analyze): 3.18

Charges for **environmental** laboratory tests associated with lead poisoning prevention are as follows:

Lead in paint chips 8.15

Lead in soil 28.50

Lead in dust samples 28.50

Lead in ceramics 19.25

LEAD-FREE KITS FOR COLLECTING BLOOD AND URINE SPECIMENS

Note: Collection materials are batch-tested for lead contamination by the state laboratory, and are certified "lead-free". No other materials should be used to collect blood/urine for lead testing.

Micro Blood Lead kit (contains sufficient materials to collect 5 fingerstick blood specimens):

Kit contents:	5	x	test requisition forms
	5	x	patient ID labels
	5	x	B-D Safety Flow Lancets (self-contained)
	5	x	Purple cap (EDTA) B-D Microtainers + scoops
	5	x	black plastic Tulox™ tubes + caps
	1	x	Plastic Zip Loc bags with biohazard labels
	1	x	empty micro mailers (pack no more than 5 tubes per mailer)

Cost **\$9.40**

Macro Blood Lead kit (contains sufficient materials to collect one venous (macro) blood specimen):

Kit contents:	1	x	test requisition form
	1	x	patient ID label
	1	x	purple-cap (EDTA) evacuated blood collection tube
	1	x	Vacutainer™ holder and needle assembly (specify
pediatric or adult use)			
	1	x	aluminum foil square to protect blood sample form
light (for EP only)			
	1	x	empty macro mailer
Cost			\$4.30

Urine Lead kit (contains sufficient materials to collect an 8-hour urine sample, and to transfer and ship a 5 mL aliquot for analysis):

Kit contents:	1	x	3 liter acid-washed plastic bottle to collect 8 hr. urine sample
	1	x	test requisition form
		1	x monovette urine sampling device
	1	x	patient ID label
	1	x	macro mailer
Cost			\$3.41

Miscellaneous materials:

B-D Safety Flow Lancets (Box of 50)	16.25
Purple cap (EDTA) B-D Microtainers + scoops (Box of 50)	37.00
Lead-free purple-capped (EDTA) blood tubes (100)	32.00
Vacutainer™ holder and needle assembly (21 or 23 gauge) (Box of 50)	70.00
DOH 3830 Test Requisition Forms (100)	6.00
Patient ID labels (1080)	21.60
Aluminum foil squares to protect blood from light, EP (pkt of 454)	6.69
Empty micro mailer (cardboard) for micros	2.30
Empty macro mailer for venous blood (1)	2.65

RESOLUTION NO. 568-09

AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT WITH MCCARTHY & CONLON, LLP

WHEREAS, the Public Health Department currently is required to complete annual cost reports; and

WHEREAS, McCarthy & Conlon, LLP have complete said cost reports for several years to the Madison County Health Department and provided the Department with financial advice as needed; and

WHEREAS, McCarthy & Conlon,LLP has the staffing and ability to provide continued services to the Department; and

WHEREAS, this contract 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 and McCarthy & Conlon, LLP effective January 1, 2010 through December 31, 2012, as is on file with the Clerk of the Board.

ADOPTED: AYES – 1350 NAYS- 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 569-09

AUTHORIZING AGREEMENT EXTENSION FOR DOG SHELTER SERVICES

WHEREAS, the Public Health Services Committee has made the recommendation for the County to renew its agreement with Wanderer’s Rest Humane Association for dog shelter services; and

WHEREAS, the Board of Supervisors has previously resolved to enter an agreement through 12/31/09; and

WHEREAS, the amended agreement will cover the period of January 1, 2010 through December 31, 2010 in the amount of \$ 93,126.00;

NOW, THEREFORE BE IT RESOLVED, that The Chairman of The Board of Supervisors be and is hereby authorized to sign said agreement with Wanderer’s Rest Humane Association, a copy of which is on file with The Clerk of The Board of Supervisors.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 570-09

AUTHORIZING MODIFICATION OF THE 2009 ADOPTED COUNTY BUDGET

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

WHEREAS, the Board of Supervisors passed Resolution 322-09 on August 11, 2009 to enter an agreement with New York State Department of Health to develop a local action plan to implement policy and environmental changes to address physical activity and nutrition objectives; and

WHEREAS, the Board of Health and Public Health Services Committee has proposed to enter into an agreement with Cornell Cooperative Extension to help accomplish the goals of the workplan; 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

4012 Public Health Preventive

<u>Expense</u>	<u>From</u>	<u>To</u>
A4012.41030 Healthy Communities Grant	\$ 0	\$23,186
Control Total		<u>\$23,186</u>

4012 Public Health Preventive

<u>Revenue</u>	<u>From</u>	<u>To</u>
A3401.2010 St. Aid-Healthy Communities Grant	\$0	\$23,186
Control Total		<u>\$23,186</u>

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

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Salka:

RESOLUTION NO. 571-09

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH
ELMCREST CHILDREN’S CENTER FOR NON-SECURE DETENTION
SERVICES**

WHEREAS, the County, through the Department of Social Services, is charged with the responsibility to obtain non-secure detention services for Madison County youth; and

WHEREAS, Elmcrest Children's Center will provide Madison County with an estimated 15 days of non-secure detention beds per calendar month during the 2010 contract year; and

WHEREAS, Elmcrest Children's Center of Syracuse has offered to provide this service to Madison County at a cost not to exceed \$48,988.80 for 15 days non-secure detention beds per calendar month for the period January 1, 2010, through December 31, 2010, an increase of \$864 from the 2009 contract year; and

WHEREAS, funds for this service are appropriated in the 2010 Department of Social Services budget and are reimbursed at a rate of 48 percent; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chairman be and is hereby authorized to renew an agreement with Elmcrest Children's Center of Syracuse for the provision of non-secure detention services for Madison County youth for the period January 1, 2010, to December 31, 2010, at a total cost not to exceed \$48,988.80.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 572-09

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH PEACEMAKER PROGRAM, INC., FOR YOUNG LEADERS IN TRAINING PROGRAM

WHEREAS, Madison County Department of Social Services has a number of children over the age of 14 years in the custody of the Commissioner of Social Services; and

WHEREAS, Madison County Department of Social Services is required to provide individual and group instruction to those children in a number of areas referred to as Independent Living Skills; and

WHEREAS, the contractor has helped to provide this required instruction for four years through a contract with the Madison County Youth Bureau and, for the past two years, with the Madison County Department of Social Services; and

WHEREAS, Peacemaker Program, Inc., has demonstrated ability to provide these services through their Young Leaders in Training Program and has offered to do so at a total cost not to exceed \$3,114; and

WHEREAS, funds for this program are appropriated in the 2010 departmental budget and are reimbursed through the use of Chafee Funds with an 80 percent federal reimbursement rate and 63.7 percent state reimbursement rate on non-federal share; and

WHEREAS, the department has determined that the amount of funds to be paid to the contractor is fair and reasonable to provide such services; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and is hereby authorized to enter into an agreement with Peacemaker Program, Inc., for the period January 1, 2010, to December 31, 2010, for the performance of these services at a total cost not to exceed \$3,114.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 573-09

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH
STONELEIGH HOUSING, INC., FOR THE HOME ENERGY ASSISTANCE
WEATHERIZATION PROGRAM**

WHEREAS, in accordance with Section 97 of the New York State Social Services Law, local districts are required to administer the Low Income Home Energy Assistance Program; and

WHEREAS, The New York State Office of Temporary and Disability Assistance provides a Home Energy Assistance Program (HEAP) Weatherization Referral and Packaging (WRAP) allocation for the home weatherization and repair/replacement of heating equipment for low-income households;

WHEREAS, the Department lacks the necessary staff and expertise to perform these services; and

WHEREAS, Stoneleigh Housing is an agency with a demonstrated ability to develop and implement a full-service package of services for home weatherization and heating equipment repair/replacement; and

WHEREAS, 87 families were served, which includes 54 furnace replacements and 63 furnace repairs in the 2008 – 2009 contract year; and

WHEREAS, the funding for this service is reimbursable through the New York State Office of Temporary and Disability Assistance Home Energy Assistance Program at a rate of 100 percent; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be and is hereby authorized to renew an agreement with Stoneleigh Housing, for the period October 1, 2009, to September 30, 2010, for the performance of these services at a cost of \$15,000, the same amount as the 2008 – 2009 contract year;

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 574-09

RESOLUTION CALLING FOR MEDICAID RELIEF

WHEREAS, Medicaid is a federal, state, and local health care program whose costs and administration represent the largest component of the state and local fiscal relationship in New York, currently totaling over \$46 billion annually, including Madison County's total Medicaid costs of over \$89 million; and

WHEREAS, since the program's inception, counties across the state have struggled to fund the growth of the Medicaid local share and even with local budget austerity measures, the program's cost has resulted in higher property taxes, higher sales taxes, and a decline in county services; and

WHEREAS, in response to the coordinated efforts of the New York State Association of Counties (NYSAC) and county officials from across the state, the Governor and State Legislature included in the enacted 2005-06 State Budget a local Medicaid "cap" designed to limit annual Medicaid growth to 3.5 percent in 2006, 3.25 percent in 2007, and 3 percent in 2008 and years thereafter; and

WHEREAS, this Medicaid "cap" represents a significant reform in the way New York finances its Medicaid program and provides counties with a new level of stability and predictably that will benefit local taxpayers for years to come; and

WHEREAS, while the Medicaid "cap" will help shield local taxpayers from the impact of excessive Medicaid growth at the federal and state level, counties remain concerned with the future sustainability of the Medicaid program, the

effect on other state and local budget priorities, and the overall outlook for New York's economic competitiveness; and

WHEREAS, as New York's Medicaid program has evolved, it has become overly expensive, inefficient and unable to adapt to today's ever changing health care delivery environment; and

WHEREAS, New York's Medicaid program must be reformed into a modern, patient-driven system that ensures public integrity, improves patient outcomes and reduces overall program costs:

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors calls for the continued implementation of the Local Medicaid Cap enacted in the 2005-06 state budget to stabilize county budgets and the impact the program has on local real property taxes; and

BE IT FURTHER RESOLVED that the Madison County Board of Supervisors calls for an extension of the enhanced FMAP currently set in the American Recovery and Reimbursement Act (ARRA) as passed by the United States House of Representatives in H.R. 3962; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors calls upon the Governor and State Legislature to continue to focus on the Medicaid program and expand statewide reform efforts designed to ensure public integrity, improve patient outcomes, and reduce overall program costs; and

BE IT FURTHER RESOLVED, that the Madison County Board of Supervisors shall forward copies of this Resolution to the Governor, the New York State Legislature, New York State's Congressional Delegation, and all others deemed necessary and proper.

ADOTPED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

At 10:15 a.m. Chairman Becker announced the scheduled public hearing on the review of requests for additions to agricultural districts and review of agricultural district #9 and #10. Supervisor Reinhardt made the motion to open the hearing, seconded by Supervisor Ball and carried.

Chairman Becker asked for speakers and Mr. Scott Ingmire, Director of Planning gave a short explanation of the purpose for the hearing. There is a certain time frame that allows residents to add or delete acreage in the specified agricultural districts.

There being no other speakers, Supervisor Stepanski made a motion to close the hearing, seconded by Supervisor Henderson and carried.

RESOLUTION NO. 575-09_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
LIBERTY RESOURCES BEHAVIORAL HEALTHCARE, INC.
TO PROVIDE AN ALCOHOL COMMUNITY RESIDENCE PROGRAM
AND PERMANENT SUPPORTIVE HOUSING SERVICES
2010**

WHEREAS, Madison County desires to contract with the Liberty Resources Behavioral Healthcare, Inc. to provide an Alcohol Community Residence Program (Maxwell House) and permanent supportive housing services; and

WHEREAS, the NYS Office of Alcoholism and Substance Abuse Services is making funds available in 100% State Aid for 2010 for the provision of Community Residence Program and Permanent Supportive Housing Services; and

WHEREAS, the appropriation and full revenue items for Liberty Resources Behavioral Healthcare, Inc. are included in the 2010 Madison County budget (There is no Madison County appropriation; and, Full State Revenue is no more than 344,994); and

WHEREAS, it is understood that any reduction in State funding will result in a commensurate reduction in agency funding;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be hereby authorized to execute an agreement for the period January 1, 2010 through December 31, 2010 on behalf of Liberty Resources Behavioral Healthcare, Inc. to provide services in accordance with the Contract for a total appropriation not to exceed \$344,994 and a copy of the agreement is on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 576-09_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
LIBERTY RESOURCES BEHAVIORAL HEALTHCARE, INC. FOR 2010**

WHEREAS, Liberty Resources Behavioral Healthcare, Inc. desires to contract with the County of Madison to provide Case management Services, Integrated Supported Employment and Supported Housing; and

WHEREAS, the NYS Office of Mental Health has agreed to fund this program, not to exceed the state appropriation; and

WHEREAS, the appropriation and full revenue items for Liberty Resources Behavioral Healthcare, Inc. not to exceed \$164,910 are included in the 2010 Madison County budget (There is no Madison County Appropriation and Full State Revenue is not more than \$164,910):

Full State Revenue -Case Management	\$112,702
OMH Reinvestment Funding Year-Five (Respite Bed)	11,438
Supported Housing	23,282
Integrated Supported Employment	17,488
TOTAL	\$ 164,910 ; and

WHEREAS, it is understood that any future reduction in State funding will result in a commensurate reduction in agency funding;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be hereby authorized to execute an agreement for the period January 1, 2010 through December 31, 2010 on behalf of the County with Liberty Resources Behavioral Healthcare, Inc. to provide services in accordance with the Contract, a copy of which is on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT- 150 (Hammond, Jaquay)

RESOLUTION NO. 577-09

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH RUBICON CONSULTING FOR SAGE MAS90 CONSULTATION SERVICES FOR THE MENTAL HEALTH DEPARTMENT

WHEREAS, from time-to-time the Madison County Mental Health Department needs specialized consultation regarding the accounting features of the MAS90 Software program; and

WHEREAS, Rubicon Consulting has the expertise to provide the consultation services at the rate of \$110.00 per hour and the 2010 Madison County Budget for the Mental Health Department has money available to pay for these services;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is authorized to enter into an agreement with Rubicon Consulting for specialized consultation regarding the accounting features of the MAS90 Software program and the term of the agreement will run from January 1, 2010 through December 31, 2010 with a copy of the agreement on file with the Clerk to the Board of Supervisors.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 578-09_____

**AUTHORIZING THE CHAIRMAN TO RENEW AGREEMENTS
FOR PSYCHIATRIC SERVICES IN 2010**

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

WHEREAS, these services have regularly been provided on a part-time contractual basis; and

WHEREAS, in an effort to keep providers active with the Mental Health Department, the 2010 County budget provides for an increase in the funds for the purchase of psychiatric services and both the Community Services Board and the Social and Mental Health Services Committee feel it is necessary to increase the amount; and

WHEREAS, the amount paid to each contractor will be at the following rate:

Contractor	Hourly Rate
Ahmed Raslaan Nizar, MD	\$105
Amintha Selvarajah, PA	\$ 65
Anna Pavia – Social Worker	\$ 40
Barbara Edlund, MD – ADAPT Med Dir	\$ 90
Betsey McNerney, MD – Adult Psych.	\$ 90
Bud Ballinger, Ph.D.	\$120
David Carr, MD – Adult Psychiatrist	\$105
Deanna Raymond , PA	\$ 70
Diana D’Eredita – Social Worker	\$ 40
Isobel Chessar, MD – Child Psych.	\$125
Lewis Gilbert, MD – Child Psych.	\$125
Maelea vonHunke – Social Worker	\$ 40
Mary Horan – Social Worker	\$ 40
Michael Schank, Polygrapher	\$300/polygraph
Norman Lesswing, Ph.D.	\$120

NOW, THEREFORE, BE IT RESOLVED, that the Chairman be hereby authorized to renew agreements for the period January 1, 2010 through December 31, 2010 with the above listed contractors and copies of these agreements are on file with the Clerk of the Board.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 579-09_____

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT

WITH HERITAGE FARM, INC. FOR 2010

WHEREAS, Madison County desires to contract with the Heritage Farm, Inc. to provide specified services to the developmentally disabled; and

WHEREAS, the Office of Mental Retardation and Developmental Disabilities has agreed to fund the Heritage Farm program, not to exceed the 2010 appropriation; and

WHEREAS, the appropriation and full revenue items for Heritage Farm, Inc. are included in the 2010 Madison County budget (Madison County appropriation not more than \$5,433; and, Full State Revenue not more than \$17,828); and

WHEREAS, it is understood that any reduction in State funding will result in a commensurate reduction in funding for the Agency;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be hereby authorized to execute an agreement for the period January 1, 2010 through December 31, 2010 on behalf of the County with Heritage Farm to provide services in accordance with the Contract, for a total allocation not to exceed \$33,261 and a copy of the Agreement is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisors Salka and Reinhardt:

RESOLUTION NO. 580-09

AUTHORIZING THE CHAIRMAN TO MODIFY AGREEMENT WITH LIBERTY RESOURCES, INC. AND MODIFYING THE 2009 ADOPTED COUNTY BUDGET

WHEREAS, the Office of Alcoholism and Substance Abuse has approved one-time funding for Liberty Resources Alcohol Community Residence Program (Maxwell House); and

WHEREAS, these additional funds result in 100% State Aid for 2009 to Liberty Resources, Inc.;

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

Department 4316 – Mental Health - Liberty Resources
Revenue

FROM

TO

A3490.3083 St. Aid – Liberty Resources	\$282,394	316,278
Expense		
A4316.4276 Liberty Resources - Halfway	<u>\$282,394</u>	<u>\$316,278</u>
Control Total		<u>\$ 33,884</u>

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute a modification agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2009 through December 31, 2009 with Liberty Resources, Inc.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION 581-09_____

**RESOLUTION OF THE BOARD REGARDING THE
MEDICAID CORPORATE COMPLIANCE PLAN**

WHEREAS, the policy of Madison County has always been to conduct its business in compliance with all applicable and constitutional laws and regulations and adherence to the highest ethical standards; and

WHEREAS, the Board of Supervisors recognizes that the federal agencies responsible for enforcement of Medicare and Medicaid laws and regulations applicable to healthcare providers recently have mandated the development and implementation of formal Corporate Compliance Programs by healthcare providers; and

WHEREAS, the Social and Mental Health Services Committee and Public Health Services Committee have considered and evaluated the County’s Medicaid Corporate Compliance Plan;

NOW, THEREFORE, IT IS HEREBY RESOLVED, in light of the foregoing and the importance of limiting the potential exposure of the County and its board members, employees, agents, consultants and volunteers that the Board of Supervisors approve the adoption of the Medicaid Corporate Compliance Plan which is consistent with the County’s policy of compliance with federal and state laws and its own ethical standards.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Salka:

RESOLUTION NO. 582-09

RE-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 re-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 re-appoint **Bud Ballinger**, Hamilton; **Ronald Cary**, Smithfield; and **James Yonai, Ph.D.**, Madison County Mental Health Department, to the Madison County Youth Board for 2 year terms commencing on January 1, 2010 and expiring on December 31, 2011.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Ball:

RESOLUTION NO. 583-09

AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT

RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into an agreement with Joseph Esper of Elmhurst Road, Utica, New York for services of providing hair cuts to the Madison County Jail inmates as requested by the Sheriff. Such agreement is in the amount of \$11.50 per haircut, which is not an increase from last year, for a term of one (1) year, commencing on January 1, 2010 and expiring on December 31, 2010. A copy of this agreement is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 584-09

AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT FOR A FEDERAL “STEP” GRANT AND MODIFYING THE 2009 COUNTY BUDGET

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

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

Awarding Agency:	National Highway Safety Administration
Pass-through Agency:	NYS Governor’s Traffic Safety Committee

Catalog #: 20.600
 Program Name: "STEP" to Reduce Unsafe Driving Behaviors
 Award Year: October 1, 2009 through September 30, 2010
 Federal Funds Percentage: 100%
 Grant No.: PT-2700222
 Total Grant Amount: \$13,300; and

WHEREAS, the funding agencies have approved the following budget for this project during the project year 10/1/2009 – 9/30/2010

General Fund

3113 Sheriff - "STEP" Federal Grant	<u>FROM</u>	<u>TO</u>
 <u>Revenue</u>		
A4389.1510 Federal Aid "STEP" Grant 2009-10	\$ 0	\$13,300
Control Total		<u>\$13,300</u>
 <u>Expense</u>		
A3113.1 Personal Services	<u>\$14,744</u>	<u>\$28,044</u>
Control Total		<u>\$13,300</u>

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

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

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Ball ad Reinhardt:

RESOLUTION NO. 585-09

**RESOLUTION TO PURCHASE PROPERTY FOR TOWER SITES TO BE USED
 IN THE UPGARDE OF THE MADISON COUNTY PUBLIC SAFETY
 COMMUNICATION SYSTEM**

WHEREAS, Madison County has the opportunity to make a purchase offer to buy property as summarized, and

**Completed Purchase
 Agreements**

Site ID	Site Type	Municipality	County	Tax Parcel No.	Purchase price
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Site #3	Raw Land/New Build - 1 Acre	Town of Lebanon	Madison	213-2-8	\$15,300
Site #5	Raw Land/New Build - 1 Acre	Town of Fenner	Madison	77-2-49.1	\$15,300
					\$125,00
Site #8	Existing Tower Purchase w/2.24 Acres	Town of Georgetown	Madison	210-1-12	0
Site #11	Raw Land/New Build - 1 Acre	Town of Madison	Madison	137-2-35.112	\$15,300
Site #12	Raw Land/New Build - 1 Acre	Town of Nelson	Madison	133-1-22	\$15,300
Site #15	Raw Land/New Build - 1 Acre	Town of Eaton	Madison	112-1-14.3	\$10,000
Total					\$196,200
					0

WHEREAS, these Purchase Agreements have been reviewed by legal counsel and approved by the Criminal Justice, Public Safety and Telecommunications Committee, and

WHEREAS, these identified sites will greatly enhance communications for the first responders of the county in the upgrade to Public Safety Communication System, and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board be and he hereby is authorized on behalf of the County to execute the Purchase Offers contained within this resolution for the total sum of \$196,200, pursuant to all the terms and conditions incorporated in the Offers to Purchase; and

BE IT FURTHER RESOLVED, that the County Treasurer be and hereby is authorized to issue payments to secure the properties in accordance with the terms and conditions of the Offers to Purchase.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Moran:

RESOLUTION NO. 586-09

AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT # 9 IN THE TOWNS OF SULLIVAN AND CAZENOVIA

WHEREAS, pursuant to the provisions contained in Article 25AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #9 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 #9 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 #9 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.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 587-09

**AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT # 10
IN THE TOWNS OF HAMILTON, LEBANON, EATON, AND GEORGETOWN**

WHEREAS, pursuant to the provisions contained in Article 25AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #10 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 #10 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 #10 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.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 588-09

ADOPTING THE INCLUSION OF CERTAIN PARCELS OF PREDOMINATELY AGRICULTURAL LAND IN CERTIFIED AGRICULTURAL DISTRICTS

WHEREAS, pursuant to the provisions contained in Section 303B of the New York State Agricultural Districts Law, and during two annual thirty-day periods designated for the purpose, Madison County has received requests from five property owners for the addition of property belonging to them be added to a nearby existing agricultural district; and

WHEREAS, Madison County has undertaken a review process pursuant to Section 303B of the New York State Agricultural Districts Law; and

WHEREAS, the Madison County Agricultural and Farmland Protection Board has reported that the property of these landowners consists of predominately viable agricultural land, as defined in Section 301 (7) of the New York State Agricultural Districts Law; and

WHEREAS, the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within those existing agricultural districts;

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 inclusion of these parcels 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 the following properties be approved for inclusion in Madison County Agricultural District #2:

WDS Holdings, LLC SBL# 76.-2-1 (57.89 ac) Town of Cazenovia East Lake Rd

Tom Anderson & Marc Schappell; and SBL#76.-2-8 (5.80 ac) Town of Cazenovia Ridge Road

BE IT FURTHER RESOLVED, that the following properties be approved for inclusion in Madison County Agricultural District #13:

Keith & Diane Peavey SBL# 126.-1-66 (1.23 ac.) Town of Madison Pickett Rd; and

BE IT FURTHER RESOLVED, that the following properties be approved for inclusion in Madison County Agricultural District #1:

Jonathan & Claudia Haar SBL# 189.-1-28 (197.68 ac.) Town of Brookfield Paddock Rd; and

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

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 589-09

**ACCEPTING OFFER RECEIVED BY NEW YORK STATE OFFICE OF PARKS
RECREATION HISTORIC PRESERVATION AND DIRECTING THE CONVEYANCE
OF COUNTY OWNED PREMISES**

WHEREAS, the County of Madison has heretofore acquired Tax Sale title to the hereinafter described parcels of land; and

WHEREAS, Section 215 of the County Law authorized the County to sell all its rights, title, and interest in land it owns; and

WHEREAS, the County Treasurer and Planning, Economic Development and Environmental Affairs Committee have heretofore been authorized to offer for sale county owned premises acquired for nonpayment of taxes, subject to the necessary ratification and acceptance of all sales made by the County Board of Supervisors; and

BE IT RESOLVED, that Madison County Board of Supervisors hereby authorizes John M. Becker, Chairman of the Board, to enter into an agreement with NYS Office of Parks Recreation Historic Preservation for three separate parcels of land, and

BE IT FUTHER RESOLVED, that upon remittance of the purchase price listed below the County Treasurer be and is hereby directed to convey to the respective party listed below, the parcels described therein for the enumerated consideration representing the amount offered for county owned premises:

PURCHASER/ADDRESS SALE PRICE	FORMERLY OWNED DESCRIPTION/TOWN
New York State Office of Parks Recreation Historic Preservation Empire State Plaza Agency Building #1 Albany, NY 12238	Former owner Michael West Former owner Madison County Town of Sullivan Tax Map #'s 36.63-1-5.2 36-2-1.2 35-1-9.3
Consideration: \$8551.73	Combined Acreage: 37.4

DEFEATED: NAYS – 1179 (Moran, Bargabos) AYES – 171 ABSENT – 150 (Hammond Jaquay)

RESOLUTION NO. 590-09

**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 – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Williams:

RESOLUTION NO. 591-09

**AUTHORIZING A SERVICE AGREEMENT WITH MOTOROLA INC.
FOR THE YEAR 2010**

WHEREAS, the Service Agreement with Motorola expires on December 31, 2010; and

WHEREAS, Motorola Inc. has submitted a Service Agreement for the year January 1, 2010 through December 31, 2010 at a yearly renewal of \$11,682.36; and

WHEREAS, the Service Agreement reflects a decrease of \$294.36 from the current Agreement due to the number of radio's in service; and

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

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 – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor DiVeronica:

RESOLUTION NO. 592-09

**ADOPT AS THE SOLID WASTE PLANNING UNIT, THE MADISON COUNTY
LOCAL SOLID WASTE MANAGEMENT PLAN MODIFICATION**

WHEREAS, Madison County continues its established commitment to the proper and comprehensive management of all solid waste generated in the County, and also considers the continuing implementation and updating of the County's Solid Waste Management Plan an important aspect of its solid waste management program; and

WHEREAS, the Final Comprehensive Solid Waste Management Plan for the County of Madison ("SWMP"), dated 1991, requires modifications that are set forth in the SWMP Modification that include but are not limited to an extension of the solid waste planning period from the year 2010 to 2020, along with several potential enhancements to existing solid waste management and recycling programs that will be evaluated for possible implementation if they are determined to be technically and economically feasible; and

WHEREAS, the information contained in the SWMP Modification, a copy of which is annexed hereto and made a part hereof, has been reviewed by the County of Madison as the solid waste planning unit; and

WHEREAS, the SWMP Modification has been reviewed by the New York State Department of Environmental Conservation which, by e-mail correspondence dated December 2, 2009 to the Madison County Director of Solid Waste and Sanitation, has stated that the SWMP Modification is approvable; and

WHEREAS, the County has previously determined, by Resolution No. 215-09 dated May 12, 2009 as the State Environmental Quality Review Act ("SEQRA") Lead Agency for the SWMP Modification and the actions contemplated therein, that adoption of the SWMP Modification will not have a significant adverse effect on the environment and the preparation of a Draft Environmental Impact Statement will not be required for adoption of the SWMP Modification; and

WHEREAS, Section 360-15.10 of the New York State Department of Environmental Conservation's regulations contains several provisions that must be included in a planning unit's resolution to adopt a SWMP modification, and such clauses are included herein as required;

NOW, THEREFORE, BE IT RESOLVED, that the SWMP Modification dated December 2009 is hereby adopted by the County of Madison as the solid waste planning unit for Madison County; and

BE IT FURTHER RESOLVED, that, as required by Sections 360-15.10, 360-15.11 and 360-15.12 of the New York State Department of Environmental Conservation's regulations, the County of Madison as the solid waste planning unit for Madison County will (i) evaluate and implement as it deems appropriate the solid waste management programs, projects and plans as identified in the

SWMP Modification, (ii) submit compliance reports to the New York State Department of Environmental Conservation every two years as required by Section 360-15.12, (iii) submit a plan modification to the New York State Department of Environmental Conservation when required by Section 360-15.11, and (iv) submit updates to the department-approved solid waste management plan when required by the New York State Department of Environmental Conservation pursuant to Section 360-15.11; and

BE IT FURTHER RESOLVED, that the Director of the Madison County Department of Solid Waste and Sanitation is hereby directed to send notices of the availability of the SWMP Modification to adjacent solid waste planning units and otherwise in accordance with section VI of the SWMP Modification; and

BE IT FURTHER RESOLVED, that the Director of the Madison County Department of Solid Waste and Sanitation is hereby directed to send three copies of the SWMP Modification and three copies of this enacting resolution to the Region 7 Office of the New York State Department of Environmental Conservation.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 593-09

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

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

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

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

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

NOW, THEREFORE BE IT RESOLVED, that Madison County be permitted to enter into a 5-year Solid Waste Disposal Agreement with Commercial Permit Holders that are willing to deliver both solid waste and recyclables to the Madison County Landfill and Recycling Facility in accordance

with provisions of the Solid Waste Disposal Agreement, a copy of such Agreement is on file with the Clerk of the Board; and

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

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

1. **R.F. Smith & Sons**
2. **Holden Hauler's LLC**

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 594-09

**EXTENDING A MUNICIPAL COOPERATION AGREEMENT
WITH THE LINCOLN FIRE DISTRICT**

WHEREAS, the County owned real property located at 6720 Buyea Road, in the Town of Lincoln abuts the Madison County Landfill; and

WHEREAS, there is a house on said Property, which the Town of Lincoln Fire District wanted to use for fire training and the County of Madison had no use for the structure; and

WHEREAS, the County deeded said Property to the District pursuant to a Municipal Cooperation Agreement signed on April 29, 2005 for the District to utilize the property for fire training for a period of two years; and

WHEREAS, the parties agreed that the District would continue to utilize said property after the two year period was up and now wish to extend the terms of the Municipal Cooperation Agreement; and

WHEREAS, pursuant to Section 72-h of the General Municipal Law the County is permitted to transfer property to a municipal corporation, including a fire district, either with or without consideration;

NOW, THEREFORE BE IT RESOLVED, the parties hereto do mutually agree as follows:

1. **TERM:** The term of the Agreement shall continue retroactively from April 1, 2007 through December 31, 2011. The District shall deed the property

back to the County upon thirty (30) day written notice to the Fire District. The County reserves the right to terminate this agreement at anytime. Upon termination of this agreement or upon thirty (30) days notice, the District will transfer ownership and title of the Property back to the County.

2. **SCOPE OF SERVICES:** The County has agreed and has transferred the ownership and title of the Property to the District by deed. The District has agreed to utilize the Property **only** for the training of fire personnel in rescue techniques.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized and directed to enter into an extension of Agreement with the Town of Lincoln Fire District, a copy of which is on file with the Clerk of the Board.

ADOTPED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Reinhardt:

RESOLUTION NO. 595-09

AUTHORIZING THE ASSISTANCE IN DEFENSE OF ASSESSMENT REVIEW PROCEEDINGS

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

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

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

WHEREAS, the Town of Cazenovia has requested the County assist them in a defense of assessment review proceedings brought by Carriage House Village Apartments, LP seeking a reduction in assessment of \$415,000.00;

NOW, THEREFORE, BE IT RESOLVED, by at least the two thirds majority vote of the Madison County Board of Supervisors that the County will in accordance with Local Law #5 of the year 1984 assist the Town of Cazenovia in the defense of the assessment proceeding brought by Carriage House Village

Apartments, LP in the amount not to exceed 25% of the total cost and expense actually incurred in the defense of the Town of Cazenovia; and

BE IT FURTHER RESOLVED, that the County Treasurer is authorized to reimburse Costello, Cooney and Fearon, PLLC 25% of the legal fees incurred for the certiorari proceedings between Carriage House Village Apartments, LP and the Town of Cazenovia in the amount of \$489.78.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 596-09

AUTHORIZING THE MODIFICATION OF THE 2009 ADOPTED COUNTY BUDGET

WHEREAS, The Madison County Historical Society has provided a living history of Madison County since 1900, and

WHEREAS, the said Madison County Historical Society has provided numerous events attracting not only residents of Madison County, but of surrounding counties and from other states, and

WHEREAS, the said Madison County Historical Society specifically has provided the annual Craft Days, long recognized and regarded by visitors to be a premier event of it's type in the Northeast, for 45 years, and

WHEREAS, the said Madison County Historical Society has provided the annual Hop Fest, recognizing the history and heritage of the hops industry in Madison County, for 18 years, and

WHEREAS, these two events alone result in the injection of nearly \$750,000 in annual retail sales, motel and bed & breakfast rates, food, and gasoline sales, all of which generate sales tax revenue for Madison County, and

WHEREAS, continued maintenance and upkeep of their historic site, built in 1849, has resulted in a capital campaign to replace two furnaces and a gazebo roof as well as repair of porch pillars,

NOW, BE IT THEREFORE RESOLVED that Madison County supports the efforts of the Madison County Historical Society to promote the history of Madison County and to maintain it's physical plant , and

BE IT FURTHER RESOLVED that Madison County will contribute \$1,500 to successfully conclude the capital campaign, thus concluding the renovation of its physical plant, and

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

7510 Historian

<u>Expense</u>		<u>From</u>	<u>To</u>
A7510.1	Personal Services	\$30,313	\$28,813
A7510.42743	Madison County Historical Society	<u>25,750</u>	<u>27,250</u>
	Control Totals	<u>\$56,063</u>	<u>\$56,063</u>

ADOTPED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 597-09

AUTHORIZING THE MODIFICATION OF THE 2009 COUNTY BUDGET

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

General Fund

<u>Expense</u>		<u>From</u>	<u>To</u>
<u>Personal Services</u>			
A1165.1	District Attorney	\$ 470,520	\$ 470,710
A1325.1	County Treasurer	546,230	548,921
A1355.1	Assessment	181,869	183,063
A1410.1	County Clerk	547,288	550,790
A1670.1	Central Printing, Supplies & Mail	82,045	82,392
A1680.1	Information Technology	479,668	484,486
A2960.1	Preschool Special Education	140,485	140,805
A3020.1	Communications Center	734,489	775,775
A3110.1	Sheriff Department	2,199,481	2,202,831
A3140.1	Probation	749,985	755,973
A4010.1	Public Health Administration	425,842	427,718
A4012.1	Public Health Preventive	596,163	600,509
A4013.1	Public Health Home Care	1,844,463	1,858,024
A4090.1	Public Health Environmental	405,787	408,285
A4306.1	Mental Health Clinic Children Programs	542,490	545,783
A4308.1	Mental Health Clinic Adult Programs	675,033	683,990
A4309.1	Mental Health Adapt Programs	414,753	419,206
A4310.1	Mental Health Administration	360,220	361,390
A6010.1	Social Services Administration	4,490,651	4,529,545
A6510.1	Veterans Agency	107,066	107,828
A7145.1	Youth Programs Administration	38,568	39,895
A8020.1	Planning	343,671	344,438

Social Security & Medicare Expense

A1165.8130	District Attorney	\$ 35,936	\$ 35,951
A1325.8130	County Treasurer	41,787	41,993
A1355.8130	Assessment	13,913	14,005
A1410.8130	County Clerk	41,867	42,135
A1670.8130	Central Printing, Supplies & Mail	6,276	6,303
A1680.8130	Information Technology	36,694	37,063
A2960.8130	Preschool Special Education	10,747	10,772
A3020.8130	Communications Center	56,189	59,348
A3110.8130	Sheriff Department	168,261	168,518
A3140.8130	Probation	57,374	57,833
A4010.8130	Public Health Administration	30,759	30,903
A4012.8130	Public Health Preventive	45,607	45,940
A4013.8130	Public Health Home Care	139,187	140,225
A4016.8930	Public Health Federal & State Grants	1,441	1,539
A4017.8130	Public Health Eat Well Play Hard	1,575	1,680
A4090.8130	Public Health Environmental	31,043	31,235
A4306.8130	Mental Health Clinic Children Programs	41,500	41,752
A4308.8130	Mental Health Clinic Adult Programs	51,640	52,326
A4309.8130	Mental Health Adapt Programs	28,548	28,889
A4310.8130	Mental Health Administration	27,557	27,647
A6010.8130	Social Services Administration	341,854	344,830
A6510.8130	Veterans Agency	8,190	8,249
A7145.8130	Youth Programs Administration	2,950	3,052
A8020.8130	Planning	26,291	26,350
A9030.8200	Social Security Expense	1,560,322	1,571,674
A9030.8210	Allocation of FICA Expense	(1,560,322)	(1,571,674)

1990 Contingent Fund

A1990.4444	Contingent Fund	332,286	175,344
	Control Totals	<u>\$ 17,956,239</u>	<u>\$ 17,956,239</u>

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 598-09

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

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

Modification No. 1

General Fund

1165-District Attorney

		<u>From</u>	<u>To</u>
<u>Expense</u>			
A1165.1	Personal Services	\$470,520	\$450,520
A1165.41	Travel Expense	1,500	2,900
A1165.411	Travel – Conference	3,000	2,000
A1165.4221	Special Prosecutor	5,000	23,255
A1165.4290	Fax Machine Supplies	400	0
A1165.489	Photo Copy Lease	1,900	2,345
A1165.4061	Confidential Investigation	<u>3,000</u>	<u>4,300</u>
Control Total		<u>\$485,320</u>	<u>\$485,320</u>

Modification No. 2

General Fund

1167-District Attorney-Aid to Prosecution Grant

		<u>From</u>	<u>To</u>
<u>Expense</u>			
A1167.472	Stenographers and Transcripts	\$ 5003	\$ 3,444
A1167.4004	Equipment	<u>7,629</u>	<u>9,188</u>
Control Total		<u>\$ 12,632</u>	<u>\$ 12,632</u>

Modification No. 3

General Fund

1170 Public Defender Service

		<u>From</u>	<u>To</u>
<u>Expense</u>			
A1170.4218	Assigned Counsel Criminal Court Fees	\$117,000	\$123,000
A1170.42181	Assigned Counsel Criminal Court-Disbursements	13,000	7,000
A1170.4219	Assigned Counsel Family Court Fees	257,500	263,500
A1170.42191	Assigned Counsel Family Court Disbursements	<u>17,500</u>	<u>11,500</u>
Control Total		<u>\$405,000</u>	<u>\$405,000</u>

Modification No. 4

General Fund

1362 Tax Advertising & Expense

		<u>From</u>	<u>To</u>
<u>Expense</u>			
A1362.402	Miscellaneous Expense	\$ 5,000	\$ 2,225
A1362.4131	Tax Advertising Expense	13,200	10,750
A1362.4132	Legal Expense – General	-0-	4,750
A1362.4135	Contractors-County Owned Property	1,200	8,000
A1362.4136	Legal Expense-Utica Street	3,400	3,908

1325 County Treasurer

Expense

A1325.4071 Consultation/Actuarial Svcs-GASB #45	<u>6,833</u>	<u>-0-</u>
Control Total	<u>\$29,633</u>	<u>\$29,633</u>

Modification No. 5

General Fund

1410-County Clerk

Expense

	<u>From</u>	<u>To</u>
A1410.4741 Repairs to Dockets, Books, Etc.	\$ 3,300	\$ 0
A1410.4712 Computerized Indexing	<u>66,952</u>	<u>70,252</u>
Control Total	<u>\$ 70,252</u>	<u>\$ 70,252</u>

Modification No. 6

General Fund

1410-County Clerk

Expense

	<u>From</u>	<u>To</u>
A1410.4911 Office Supply & Expense	\$ 6,360	\$ 6,093
A1410.4293 Books, Journals, Jackets	1,878	1,478
A1410.4111 Tuition/Ed Reimbursement	<u>4,850</u>	<u>5,517</u>
Control Total	<u>\$ 13,088</u>	<u>\$ 13,088</u>

Modification No. 7

General Fund

1619-County Buildings-Veterans Memorial

Expense

	<u>From</u>	<u>To</u>
A1619.440 Water Usage	\$ 1,200	\$ 1,230

General Fund

1620-County Buildings

Expense

	<u>From</u>	<u>To</u>
A1620.489 Photo Copy Usage/Lease Exp	\$ 200	\$ 377
A1620.478 Misc Maintenance Contracts	28,158	29,658
A1620.479 Landscape Maintenance	<u>3,000</u>	<u>1,293</u>
	\$ 31,358	\$ 31,328
Control Total	<u>\$ 32,558</u>	<u>\$ 32,558</u>

Modification No. 8

General Fund

1640 Central Garage Expense

Expense

	<u>From</u>	<u>To</u>
A1640.4713 Mechanic Contract (Road Mach Fund)	\$ 66,854	\$ 74,354
A1640.4820 Repair Parts	51,500	57,000
A1640.4821 Gasoline	<u>150,500</u>	<u>137,500</u>
Control Total	<u>\$268,854</u>	<u>\$268,854</u>

Modification No. 9

General Fund

1680 Information Technology

Expense

	<u>From</u>	<u>To</u>
A1680.4045 County Software License Renewals	\$16,631	\$ 17,473
A1680.4920 Telephone Expense (Other)	1,000	1,250
A1680.4055 Backup Tapes	<u>2,400</u>	<u>1,308</u>
Control Total	<u>\$20,031</u>	<u>\$ 20,031</u>

Modification No. 10

General Fund

3110 Sheriff Department

Expense

	<u>From</u>	<u>To</u>
A3110.2103 Lap Top	\$ 5,000	\$ 10,500
A3110.2106 Video Equipment-Vehicle	12,000	10,500
A3110.2111 File Server	8,939	5,639
A3110.2812 Winter Tactical Gear	9,000	0
A3110.40102 TRACS Supplies	1,500	800
A3110.41027 Emergency Response Team	<u>2,880</u>	<u>11,880</u>
Total	<u>\$ 39,319</u>	<u>\$ 39,319</u>

Modification No. 11

General Fund

3315 – Special Traffic Programs STOP-DWI

Expense

	<u>From</u>	<u>To</u>
A3315.41018 Stop-DWI Patrol Payroll	\$ 30,000	\$ 15,998
A3315.41019 Stop-DWI Information & Education	7,650	9,650
A3315.41022 District Attorney – Prosecution	40,296	46,560
A3315.41023 Probation – Stop-DWI	22,637	26,180
A3315.41024 Substance Abuse Counseling MH	<u>14,023</u>	<u>16,218</u>
Control Total	<u>\$114,606</u>	<u>\$114,606</u>

Modification No. 12

General Fund

Department: 4308 – Mental Health – Adult Clinic

Expense

	<u>From</u>	<u>To</u>
A4308.4501 Medicaid Reimbursed Prescriptions	\$ 13,000	\$ 15,290
A4308.4227 Medical & Psychiatric Services	<u>237,463</u>	<u>235,173</u>
Total	<u>\$250,463</u>	<u>\$250,463</u>

Modification No. 13

General Fund

Department: 4309 – Mental Health – ADAPT

Expense

	<u>From</u>	<u>To</u>
A4309.2315 Presentation System	\$ 1,196	\$ 2,638
A4309.4039 Furniture	<u>1,807</u>	<u>365</u>
Total	<u>\$ 3,003</u>	<u>\$ 3,003</u>

Modification No.14

General Fund

6010 Social Services Administration

Expense

	<u>From</u>	<u>To</u>
A6010.440 Water Usage	\$ 1,200	\$ 1,400
A6010.404 Chairs	<u>\$ 3,780</u>	<u>\$ 3,580</u>
Control Total	<u>\$ 4,980</u>	<u>\$ 4,980</u>

6070 Services for Recipients

Expense

A6070.41076 Purchase of Services Home Health	\$ 73,427	\$ 110,000
A6070.41079 Purchase of Clinical Services	<u>\$ 61,478</u>	<u>\$ 24,905</u>
Control Total	<u>\$ 134,905</u>	<u>\$ 134,905</u>

6109 TANF

Expense

A6109.41083 Family Assistance	\$1,517,800	\$1,657,800
A6109.41086 Emergency Aid to Families	<u>\$ 250,000</u>	<u>\$ 110,000</u>
Control Total	<u>\$1,767,800</u>	<u>\$1,767,800</u>

Modification No. 15

General Fund

6610 – Consumer Affairs

Expense

	<u>From</u>	<u>To</u>
A6610.4110 Training and Staff Development	\$ 750	\$ 638
A6610.4911 Office Supply & Expense (Outside)	5,100	2,212
A6610.46007 Misc. Construction Materials	<u>-0-</u>	<u>3,000</u>
Control Total	<u>\$ 5,850</u>	<u>\$ 5,850</u>

Modification No. 16

General Fund

8020 – Planning

Expense

	<u>From</u>	<u>To</u>
A8020.2100 Computers, Printers Etc.	\$ 2,750	\$ 2,000
A8020.4911 Office Supply and Expense	<u>6,950</u>	<u>7,700</u>
Control Total	<u>\$ 9,700</u>	<u>\$ 9,700</u>

Modification No. 17

Road Machinery Fund

5130 Road Machinery Fund

Expense

	<u>From</u>	<u>To</u>
DM5130.460010 Steel for Sanders	\$ 17,000	\$ 15,700
DM5130.4825 Painting of Equipment	15,100	15,400
DM5130.4845 Outside Maintenance & Repairs	<u>19,500</u>	<u>20,500</u>

Control Total	<u>\$ 51,600</u>	<u>\$ 51,600</u>
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On motion by Supervisor Suites, seconded by Supervisor Degear and carried, the following modification was made:

Modification No. 1

General Fund

1165 – District Attorney Expense

A1165.1 Personal Services	<u>From</u>	<u>To</u>
	\$470,710	\$450,710

Control Total	<u>\$485,510</u>	<u>\$485,510</u>
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A final vote with amendment was then taken:

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisors Degear and Reinhardt:

RESOLUTION NO. 599-09

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NYSERDA, C&S COMPANIES AND AUTHORIZING THE MODIFICATION OF THE 2010 BUDGET

WHEREAS, Madison County has been awarded a Energy Conservation Study Grant, Program Opportunity Notice (PON) 0004 for \$30,000 by the New York State Energy Research and Development Authority (NYSERDA) from appropriations authorized by Congress under the American Recovery and Reinvestment Act (ARRA); and

WHEREAS, these funds will provide 100% federal reimbursement of eligible costs incurred in the effort to evaluate the energy efficiency of the County Government Campus, and this grant program is described as follows:

Awarding Agency:	New York State Energy Research and Development Authority
Pass Thru. Agency:	New York State Energy Research and Development Authority
Program Name:	Program Opportunity Notice (PON) 0004
Grant Period:	August 13, 2009 – May 15, 2010
Contract #	17114
Federal Funds:	100%
Grant Total:	\$30,000

WHEREAS, a Request for Proposal to conduct an Energy Conservation Study was sent out and based on a review of the responses it has been recommended to enter into an agreement with C&S Companies to conduct the study;

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with NYSERDA, a copy of which is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with the C&S Companies to conduct the energy conservation study in the amount not to exceed \$30,000, a copy of which is on file with the Clerk of the Board; and

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

County Buildings- Department 1620

	<u>From</u>	<u>To</u>
Revenue		
A3910.1010 NYSERDA		
Energy Conservation Grant Program	-0-	\$30,000
Expense		
A1620.4045 Energy Conservation Study	-0-	\$30,000
Total Expenses		\$30,000

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisor Reinhardt:

RESOLUTION NO. 600-09

**AUTHORIZING THE CHAIRMAN TO ENTER INTO
AN AGREEMENT WITH JACK VENESKY, CPA & ASSOCIATES
FOR PROFESSIONAL AUDITING SERVICES AND
MODIFYING THE 2009 COUNTY BUDGET**

WHEREAS, in accordance with New York State Corrections Law, the Madison County Sheriff maintains a Jail Commissary account and an Inmate Telephone Commissary account; and

WHEREAS, in accordance with the State Commission of Correction's Standard 9 NYCCR Part 7016.1 (d), these commissary accounts must be made available for periodic audit; and

WHEREAS, the Madison County Sheriff Department additionally maintains other bank accounts that are not specifically audited as part of the County's annual independent audit; and

WHEREAS, the Sheriff-Elect and the County Treasurer recommend that an independent audit be performed relative to these accounts for the fiscal year ended December 31, 2009; and

WHEREAS, Jack Venesky, CPA & Associates has submitted a proposal to perform the requested auditing services at a cost of \$6,900.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be, and hereby is, authorized to enter into an agreement with Jack Venesky, CPA & Associates, for professional auditing services, as is on file with the Clerk of the Board of Supervisors; and

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

General Fund

1325 County Treasurer

<u>Expense</u>	<u>From</u>	<u>To</u>
A1325.4710 Lien Holder/Bankruptcy Searches	\$41,250	\$34,350
A1325.4205 Audit Expense-Sheriff Dept.	<u>-0-</u>	<u>6,900</u>
Control Totals	<u>\$41,250</u>	<u>\$41,250</u>

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

RESOLUTION NO. 601-09

AUTHORIZING THE COUNTY CHAIRMAN AND THE CLERK OF THE BOARD OF SUPERVISORS TO SIGN, SEAL AND DELIVER THE TAX WARRANTS FOR THE 2010 FISCAL YEAR

WHEREAS, the Board of Supervisors adopted the Madison County Budget on December 4, 2009, which includes the assessment of taxes due and owing by each City and Town within Madison County for the 2010 fiscal year; and

WHEREAS, New York State Real Property Tax Law requires a Tax Warrant be issued regarding the assessment of taxes to each City and Town; and

WHEREAS, Tax Warrants, in accordance with New York State Real Property Tax Law, bearing the Seal of the Board and signed by the Chairman and the Clerk of the Board of Supervisors, shall be annexed to each assessment roll, and the completed tax roll shall be delivered to the respective collecting officers prior to December 31, 2009, thereby levying the taxes for the 2010 fiscal year;

NOW, THEREFORE BE IT RESOLVED, that the Chairman and the Clerk of the Board of Supervisors are herein and hereby authorized and directed to sign and seal the Tax Warrants for the fiscal year 2010; and

BE IT FURTHER RESOLVED, that the Tax Warrants shall be annexed to each assessment roll, and the completed tax roll shall be delivered to the respective collecting officers prior to December 31, 2009.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

By Supervisors Reinhardt and Bargabos:

RESOLUTION NO. 602-09

CALLING FOR PENSION REFORM AND COST REDUCTION

WHEREAS, units of local government face a never ending challenge of controlling costs; and

WHEREAS, historically pension costs associated with the mandatory New York State Employee Retirement System have been a major challenge because local governments have no control over the monetary investments and commitments necessary to provide for defined benefit pension costs; and

WHEREAS, a trend in private industry has been to replace defined benefit pension plans with more predictable defined contributions plans which allow those plans to migrate with the individual worker when they change employment; and

WHEREAS, State law and regulations currently require units of local government to participate in the New York State Employee Retirement System and prohibit the establishment of alternative plans for local government employees;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors calls on the New York State Governor and the Legislature to enact pension reform legislation that will allow units of local government to develop and implement alternative defined contribution pension plans for employees;

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor David Paterson, Assemblyman William Magee and Sheldon Silver and Senator David Valesky and Senator Malcolm A. Smith.

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

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RESOLUTION NO. 603-09

APPROVING THE PAYMENT OF CLAIMS

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

ADOPTED: AYES – 1350 NAYS – 0 ABSENT – 150 (Hammond, Jaquay)

PUBLIC COMMENT PERIOD

No Speakers:

There being no other business, Supervisor Moran made a motion to adjourn the meeting, seconded by Supervisor Williams and carried.