

MADISON COUNTY BOARD OF SUPERVISORS
Meeting Minutes – August 10, 2021

The Board convened at 2:00 p.m. in the Supervisors chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Ostrander (55 votes) and Supervisor Stokes (27 votes) and with Supervisors Jones, Goldstein on zoom video conferencing.

Pledge of Allegiance.

On motion by Supervisor Moses, seconded by Supervisor Cavanagh, the minutes from the previous meeting were dispensed with and adopted as filed.

Communications, Reports and Reports of Committees

1. Copy of a resolution from Tompkins County – Establishing American Rescue Plan Funds to be used for County Operations.
2. Copy of a resolution from Orleans County – Calling on the Governor to Complete Affordable Care Act Enhanced Federal Medicaid Assistance Percentage Reconciliations.
3. Town of Lebanon – Resolution and Petition for Briggs Road for reduction of speed limit.

Audit of vouchers payable for approval today August 10, 2021, submitted by Finance Director, Lou Anne Randall in the amount of **\$1,426,462.79**.

Chairman Becker read the following proclamation into the minutes:

PROCLAMATION

**CELEBRATING THE 125th ANNIVERSARY OF
THE TOWN OF LINCOLN**

WHEREAS, the Town of Lincoln celebrates its Quasquicentennial, 125 years on Saturday, August 14th, 2021; and

WHEREAS, the Town of Lincoln was originally part of township Super Lenox and part of the largest township in New York State. Lincoln's beginning started with settlers in the hamlet of Clockville in the 1790's;

WHEREAS, Lincoln was the center for milling and where the Hayfork was patented by H.H. Hathaway, later the grappling hook for horse pulleys and a machine for picking hops. The Hayfork & Rake factories were established in the center of Clockville and the area was the sites of such diverse industries for cheese, triphammer wagon & furniture factories along with the usual Gristmills, Saw mills, Plaster mills;

WHEREAS, in 1863 the Canastota-Peterboro Highway was built, and capital was funded by the Gerrit Smith family. Smith thought this road important for a freight stop for a railroad and the Erie Canal,

WHEREAS, after the highway was established a branch of the Lehigh Valley Railroad was built and extended to Elmira that served the area until December 1967,

WHEREAS, many early settlers not only were instrumental in the growth and success of Lincoln but also for many other townships throughout Madison County. It was with great success

of the Canastota Plan dividing parts of giant Lenox into the town of Lincoln, the 10th township of Madison County on April 21st, 1896;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors proudly recognizes the Town of Lincoln on their 125th Anniversary for their rich history, successes and continuing contributions to Madison County and beyond.

At this time Eric Faisst, Madison County Health Director reported updates on COVID 19. There are 9 new cases and 34 active cases. Average age under one to 78. No deaths reported since last April and only one hospitalized. The average number of testing done is 195 per day.

Resolution of Appreciation – Retiree Recognition

By Supervisor Cavanagh:

RESOLUTION NO. 21-344

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

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

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

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors hereby recognize the dedicated contributions of Marie Anderson, Darren Ladd and Linda Moore upon their retirement.

Marie E. Anderson	Social Services	1984 - 2021
Darren J. Ladd	Sheriff's Office	2001 - 2021
Linda C. Moore	Sheriff's Office	2007 - 2021

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

DSS Commissioner Mike Fitzgerald stepped forward to accept a gift for retiree Marie Anderson, who could not be present today. Marie was thanked for her 37 years of service to the County, she was a role model and an inspiring person. Marie was wished the best in her retirement.

Sheriff Hood then stepped forward to accept a gift for Darren Ladd who could not be present today. Darren was thanked for his twenty years of service to the County. Next up was retiree Linda Moore in the Sheriff's office with 15 years of service. Linda worked a good share of time with the inmates, she was always professional and well respected. Linda was also presented a plaque by Sheriff Hood and wished the best in her retirement.

Resolutions – Preferred Agenda

By Government Operations Committee:

RESOLUTION NO. 21-345

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN ENTERPRISE AGREEMENT
WITH VAR TECHNOLOGY FINANCE**

WHEREAS, Resolution 19-80 authorized Madison County to enter into a three year lease for patrol car computers and communications devices; and

WHEREAS, the Information Technology department recommends buying the equipment from the leasing company at the end of the lease; and

WHEREAS, funding for this equipment is available in the Homeland Security grant; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman be and hereby is authorized to execute the contract from VAR Technology Finance on behalf of the County, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-346

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH INSIGHT
PUBLIC SECTOR FOR NEOGOV ONBOARDING SOFTWARE**

WHEREAS, Insight Public Sector NEOGOV software is designed exclusively for government agencies to support the unique needs of the public sector and automate the employee lifecycle, while maintaining the highest standard of compliance; and

WHEREAS, the Onboard module will allow the County to process hiring documents online for newly hired employees, and then transition the information into the County's current MUNIS system; and

WHEREAS, the Learn module will allow the County to eliminate the administrative burden of managing multiple employee training programs by providing a centralized online platform that will increase the productivity, safety, and retention of our workforce; and

WHEREAS, the eForms module will allow the County to easily create online forms, build workflows, track completion and manage all employee documents electronically; and

WHEREAS, together, these three modules (Onboard, Learn, and eForms) will create a powerful tool for Madison County to minimize paperwork, reduce staff time for processing hiring paperwork, and create an online digital processing platform; and

WHEREAS, the term of the agreement will be from August 1, 2021 through July 31, 2024 with an invoicing schedule of \$10,686.25 due Year 1 for setup/training, \$50,590.54 due Year 2 for subscription, and \$56,914.36 due Year 3 for subscription; and

WHEREAS, both the Information Technology Department and Compliance Officer recommend using the NEOGOV Insight software for onboarding services; and

WHEREAS, this agreement has been reviewed and approved by the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the

County of Madison with Insight Public Sector, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-347

**CREATING A FULL-TIME PUBLIC INFORMATION SPECIALIST POSITION IN
THE OFFICE OF THE COUNTY ADMINISTRATOR**

WHEREAS, the County Administrator has evaluated the organizational structure of the department and has determined the need for a Public Information Specialist position; and

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

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Public Information Specialist position be and hereby is created and allocated to Grade 5 of the Management Salary Plan effective immediately,

BE IT FURTHER RESOLVED that the County Administrator be and hereby is authorized to fill said position in accordance with Civil Service Law and Rule and the Management Compensation Plan.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21- 348

**CREATING A FULL-TIME EMERGENCY MEDICAL SERVICES
COORDINATOR POSITION IN THE OFFICE OF THE EMERGENCY
MANAGEMENT SERVICES**

WHEREAS, an Emergency Medical Services Coordinator will resign; and

WHEREAS, the Director of Emergency Management Services has requested the creation of an Emergency Medical Services Coordinator position to accomplish a successful transition following the resignation; and

WHEREAS, the salary for this position will be funded through appropriations in the Office of Emergency Management budget; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Emergency Medical Services Coordinator position be and hereby is created effective immediately,

BE IT FURTHER RESOLVED, that one (1) full-time Emergency Medical Services Coordinator position be abolished upon vacancy,

BE IT FURTHER RESOLVED that the Director of Emergency Management Services Coordinator be and hereby is authorized to fill said position in accordance with Civil Service Law and Rule and the Management Compensation Plan.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

By Administration and Oversight Committee:

RESOLUTION NO. 21-349

**CHANGING THE DATE OF THE SEPTEMBER 2021 BOARD OF SUPERVISORS
MONTHLY MEETING**

WHEREAS, the monthly Board of Supervisors meeting scheduled for Tuesday, September 14, 2021, needs to be changed due to a conflict with the 2021 NYSAC Legislative Conference in Syracuse, New York;

NOW, THEREFORE BE IT RESOLVED that the September Board meeting be rescheduled for Thursday, September 16, 2021, with the time and place remaining the same.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21- 350

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW
YORK STATE BOARD OF ELECTIONS IN REGARDS TO THE TECHNOLOGY
INNOVATION AND ELECTION RESOURCE GRANT PROGRAM AND MODIFYING
THE 2021 ADOPTED COUNTY BUDGET**

WHEREAS, the Madison County Board of Elections has been allocated State funds; and

WHEREAS, the grant program is described as follows:

Awarding Agency: New York State Board of Elections
Pass Thru. Agency: New York State Board of Elections
Program Name: Technology Innovation and Election Resource (TIER) Grant
Program
Grant Period: April 7, 2021 – January 27, 2023
Contract # BOE01-C004368-1110000
State Funds: \$ 67,359.45
Grant Total: \$ 67,359.45

NOW, THEREFORE BE IT RESOLVED, that the Chairman be hereby authorized to execute grant contracts for the Madison County Board of Elections with the State Board of Elections, a copy of which is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED that the 2021 Adopted County Budget be modified as follows:

General Fund

Board of Elections Grant Programs

Revenue

SA145410 430903 SA Technology Innovation and
Election Resource (TIER) Grant Program
Control Total

From

\$-0-

To

\$67,359

\$67,359

Expense

A145410 541203 Technology Innovation and
Election Resource (TIER) Grant Program

\$-0-

\$67,359

Control Total

\$67,359

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-351

**DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS
COUNTY PERSONAL PROPERTY**

WHEREAS, in accordance with Madison County Purchasing Policy and Procedures, certain County personal property is required to be declared obsolete and/or surplus by the Board of Supervisors before disposal; and

WHEREAS, the current County personal property waiting obsolete and/or surplus designation is listed below; and

WHEREAS, the list of items has been reviewed and approved by the Administration and Oversight Committee;

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors declares the list of said items as obsolete and/or surplus.

ITEM	DEPARTMENT	MILEAGE	CONDITION	COMMENT
WAM076 - 2000 Volvo ACL64B Dump	Highway	24,840	Fair	Surplus
MOR023 - 2012 International 7600	Highway	122,321	Goo	Surplus

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-352

AUTHORIZING THE MODIFICATION OF THE 2021 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2021 Adopted County Budget be modified as follows:

General Fund

4308 Mental Health Clinic

RevenueA430840 444883 Federal Aid Medicaid Admin

From

\$80,000

To

\$ 210,000

Control Total

\$ 130,000

Expense

A430840 540400 Office Equipment/Furniture

\$ -0-

\$ 130,000

Control Total

\$ 130,000

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-353

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH

FAMILY SUPPORT IN CENTRAL NEW YORK, INC.

WHEREAS, Family Support in Central New York was selected as an RFP award recipient via resolution 247-17; and

WHEREAS, Madison County desires to renew this agreement with Family Support in CNY, Inc. to continue to provide Family Peer Support services; and

WHEREAS, the program is fully funded by New York State Office of Mental Health State Aid in an amount up to \$25,210 for 7/1/21 – 12/31/21 and \$50,420 for 1/1/22 – 12/31/22 (\$75,630 in total);

NOW THEREFORE BE IT 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.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-354

**AUTHORIZING THE CHAIRMAN TO ENTER AN AGREEMENT FOR THE
CHILDHOOD LEAD POISONING PREVENTION GRANT AND
MODIFYING THE 2021 BUDGET**

WHEREAS, Madison County Public Health Department has been notified by New York State Department of Health of their continuation of the Childhood Lead Poisoning Prevention Program budget and work plan for the period of October 1, 2020 through September 30, 2021; and

WHEREAS, State and Federal funding for this grant is available for the period of 10/1/20-09/30/21, this grant is identified by the following:

Awarding Agency:	Health Resources and Services
Pass-through Agency:	New York State Department of Health
Catalog #:	93.994
Programs Name:	Childhood Lead Poisoning Prevention Program
Contract No.:	T-36477GG
Grant Period :	10/1/20-09/30/21
Federal Funds:	21.52%
Grant total:	\$36,293

WHEREAS, the remaining 78.48% of the grant is New York State funded; and

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

BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with the NYSDOH as is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the 2021 Adopted County Budget be modified as follows:

General Fund**4012 Public Health Preventive****Expense**

		<u>From</u>	<u>To</u>
A401240.541037	Lead Grant Expense	\$0	\$ 7,488
	Control Total		<u>\$ 7,488</u>

Revenue

A401240.434016	State Aid Lead Pois. Grant	\$23,074	\$28,951
A401240.444015	Federal Aid Lead Pois. Grant	<u>\$ 6,327</u>	<u>\$ 7,938</u>
	Total	<u>\$29,401</u>	<u>\$36,889</u>
	Control Total		<u>\$ 7,488</u>

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

By Planning, Economic Development, Environmental and Intergovernmental Affairs Committee:

RESOLUTION NO. 21-355

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR A NEW YORK STATE
ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FOR
A MADISON COUNTY MICROENTERPRISE PROGRAM**

WHEREAS, Madison County has received a \$200,000 grant from the New York State Economic Development Community Development Block Grant (CDBG) program; and

WHEREAS, the grant award is identified as follows:

Awarding Agency:	NYS Homes and Community Renewal
Program Name:	Community Development Block Grant
Award Year:	2021
NYS CDBG Project #:	686ME979-21
Total Grant Amount:	\$200,000

WHEREAS, The Madison County Planning Department in partnership with the Cazenovia Area Community Development Association will use the grant to make available Microenterprise Program funds to benefit low-moderate income persons; and

WHEREAS, this grant is designed to help new businesses with start-up capital or existing micro-businesses with funds to grow and expand; and

WHEREAS, the Microenterprise Program's accountability rests with job creation requirements; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the contract with New York State on behalf of Madison County for receipt of those funds; and

BE IT FURTHER RESOLVED, that the Treasurer of Madison County is authorized to undertake the necessary activities for receipt and disbursement of the

grant.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-356

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT
WITH THE NEW YORK STATE OFFICE OF PARKS RECREATION AND
HISTORIC PRESERVATION**

WHEREAS, the NYS Office of Parks Recreation and Historic Preservation disburses Snowmobile Trails Grant-in-Aid Funding to participating Snowmobile Program Local Sponsors; and

WHEREAS, Madison County is the Local Sponsor of the Madison County Snowmobile Program; and

WHEREAS, the Madison County Association of Snowmobile Clubs incorporated in 2003 and has agreed to maintain snowmobile trails within Madison County, and comply with Snowmobile Program requirements; and

WHEREAS, Madison County has received a Snowmobile Trails Grant-in-aid for snowmobile trail maintenance within Madison County; and

WHEREAS, as a condition of this Grant-in-aid, Madison County undertakes to comply with certain promises and conditions associated with this grant;

NOW THEREFORE, BE IT RESOLVED, that Madison County Board of Supervisors hereby authorizes John M. Becker, Chairman of the Board, to enter into an agreement with the NYS Office of Parks Recreation and Historic Preservation for snowmobile trail maintenance.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-357

AUTHORIZING THE MODIFICATION OF THE 2021 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2021 Adopted County budget be modified as follows:

General Fund

Aquatic Vegetation Project

Expense

	<u>From</u>	<u>To</u>
H899080 427010 Refund of Prior Year Expense	<u>\$0</u>	<u>\$4,039.28</u>
Total	0	4,039.28
Control Total		<u><u>\$4,039.28</u></u>

Aquatic Vegetation Project

Revenue

H899080 542512 Aquatic Veg 18-19	<u>0</u>	<u>4,039.28</u>
Total	0	4,039.28

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

By Criminal Justice, Public Safety and Emergency Telecommunications Committee:

RESOLUTION NO. 21-358

**AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT
WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES**

WHEREAS, Madison County entered into an agreement with the NYS Division of Criminal Justice Services (DCJS) in June 2019 to receive reimbursement from New York State relative to costs incurred due to the implementation of Raise the Age legislation for the time period from April 1, 2018 through March 31, 2020; and

WHEREAS, that agreement has now been extended for the period from April 1, 2020 through March 31, 2021; and

WHEREAS, Madison County has been awarded funding of \$183,951 for Raise the Age related expenses for that time period; and

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

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and hereby is authorized to amend an agreement with the State of New York, Division of Criminal Justice Services, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-359

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
WILMAC BUSINESS EQUIPMENT CO., INC. FOR E911 RECORDER UPGRADE**

WHEREAS, Madison County Office of Emergency Management operates a Public Safety Answering Point (PSAP) for the purpose of answering Emergency 911 calls and dispatching first response agencies; and

WHEREAS, the PSAP utilizes a NICE recording system to store telecommunications made and received; and

WHEREAS, it is necessary to upgrade the NICE equipment to ensure its continued functionality at a cost of \$24,159.00;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Wilmac Business Equipment Co., Inc. to perform the appropriate upgrades to the NICE recording equipment, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-360

AUTHORIZING THE MODIFICATION OF THE 2021 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2021 Adopted County Budget be modified as follows:

General Fund

3645 Homeland Security

Expense

	<u>From</u>	<u>To</u>
A364530 524208 Equipment Expense FY18	\$58,223	\$83,223
A364530 542024 Consultant Services FY18	<u>25,000</u>	<u>-0-</u>
Control Totals	<u>\$83,223</u>	<u>\$83,223</u>

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-361

**APPROVING THE MADISON COUNTY CONTINUITY OF OPERATIONS PLAN
(COOP)**

WHEREAS, Madison County Office of Emergency Management has prepared the Madison County Continuity of Operations Plan (COOP) to be used in incidents where Madison County will need to operate in a continuity environment; and

WHEREAS, the COOP requires approval by the Madison County Board of Supervisors and will be maintained by the Continuity Planning Team; and

WHEREAS, the COOP has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby approves the Madison County Continuity of Operations Plan (COOP).

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

By Highway, Buildings and Grounds Committee:

RESOLUTION NO. 21-362

AUTHORIZING THE MODIFICATION OF THE 2021 ADOPTED COUNTY BUDGET

BE IT RESOLVED, that the 2021 Adopted County Budget be modified as follows:

General Fund

1990 Contingent Fund

Expense

	<u>From</u>	<u>To</u>
A199010 544440 Contingent Fund	\$595,267	\$590,267

9950 Transfer to Capital Projects Fund

Expense

A995099 594206 Transfer to Capital Projects Fund	<u>-0-</u>	\$ <u>5,000</u>
Control Total	<u>\$595,267</u>	<u>\$595,267</u>

Capital Projects Fund
8197 Office Complex Sanitary Sewer System

<u>Revenue</u>		
H819780 450326 Transfer from General Fund	<u>\$10,000</u>	\$ <u>15,000</u>
Control Total		\$ <u>5,000</u>

<u>Expense</u>		
H819780 529801 Legal Expense	<u>\$-0-</u>	\$ <u>5,000</u>
Control Total		\$ <u>5,000</u>

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-363

CONTROL OF SNOW AND ICE ON COUNTY ROADS

WHEREAS, the County of Madison entered into an Agreement with the Towns of the County of Madison on October 12, 1982, for Control of Snow and Ice on the County Road System in accordance with the terms and provisions of said agreement; and

WHEREAS, the Highway, Buildings and Grounds Committee met on July 21, 2021 and recommend the payment cost per lane mile to the Towns remain the same; and

WHEREAS, the reimbursement payment of \$20.40 per lane mile cost will remain the same for the Agreement starting October 1, 2021 and ending April 30, 2022; and

WHEREAS, the reimbursement payment of \$12.23 per lane mile for regular salt brine applications and \$13.73 per lane mile for salt brine with 5% magnesium chloride applications will remain the same for the Agreement starting October 1, 2021 and ending April 30, 2022; and

WHEREAS, the Agreement also includes a loader rate of \$120.00 per hour for snow bank removal under certain circumstances; and

WHEREAS, the Agreement for payment has been included in the County Road Fund Budget for 2021 and 2022;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and hereby authorizes the County Highway Superintendent to execute said Agreement on behalf of the County.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-364

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BARTON
AND LOGUIDICE, D.P.C. FOR THE DESIGN OF THREE LARGE SIZED CULVERT
REPLACEMENTS**

WHEREAS, RFPs were submitted on June 15, 2021 for three Large Sized Culvert Replacements in various locations in Madison County, P421, and;

WHEREAS, selection based on the highest scoring summary is as follows;

Barton & Loguidice, D.P.C. Lump Sum of \$82,000.00

WHEREAS, the cost for services has been appropriated in the 2021 County Road Fund Budget;

WHEREAS, this agreement was reviewed and approved by the Highway, Buildings and Grounds Committee on July 21, 2021,

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

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-365

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH KING &
KING ARCHITECTS, LLP**

WHEREAS, Madison County is in need of professional design services with regard to building renovations for the Mental Health Pathway Program located at 1068 N Main St (Gorman building), Oneida; and

WHEREAS, King & King Architects with previous work performed for Madison County possess the special skills and training to perform the services required, and

WHEREAS, King & King Architects has agreed to perform these professional design services for a total amount of \$22,00, with services to commence August 11, 2021 and ending August 10, 2022; and

WHEREAS, the cost for the design services and renovations will be split equally between the Mental Health Department Grant Funding and the Gorman Foundation funding; and

WHEREAS, the Highway, Buildings and Grounds Committee have reviewed and recommends entering into a contract with King & King Architects for this service;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with King & King Architect. A copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

By Solid Waste and Recycling Committee:

RESOLUTION NO. 21-366

AUTHORIZING THE MODIFICATION OF THE 2021 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2021 Adopted County Budget be modified as follows:

Enterprise Landfill Fund

8164 Environmental Control (Landfill)

Expense

	<u>From</u>	<u>To</u>
EE816480 540124 Office Bldg Design/Bidding	\$40,000	\$20,000
EE816480 594215 Transfer to General - Mid-year	<u>-0-</u>	<u>20,000</u>
Control Totals	<u>\$40,000</u>	<u>\$40,000</u>

General Fund

1680 Information Technology

Expense

A168010 525210 Access Control Doors	<u>\$15,000</u>	<u>\$35,000</u>
Control Total		<u>\$20,000</u>

Revenue

A168010 450333 Transfer from Landfill - Mid-year	<u>\$-0-</u>	<u>\$20,000</u>
Control Total		<u>\$20,000</u>

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-367

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH EGGAN EXCAVATING AND EQUIPMENT COMPANY FOR VACUUM TRUCK SERVICES

WHEREAS, the Madison County Department of Solid Waste is required to maintain and periodically clean its leachate piping associated with the Madison County Landfill; and

WHEREAS, vacuum truck services are occasionally required to perform such maintenance and cleaning activities and these cost of these services are included in the Solid Waste Department landfill site maintenance budget; and

WHEREAS, Eggan Excavating and Equipment Company possesses the special skills and training required to perform these services;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes and directs the Chairman of the Board of Supervisors to enter into an agreement with Eggan Excavating and Equipment Company, Inc. for vacuum truck services at the Madison County Landfill, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-368

**ENTERING INTO NEW STANDARD WASTE DISPOSAL
AGREEMENTS FOR THE TERM 2021-2023**

WHEREAS, Madison County offers a discounted disposal rate to Commercial Solid Waste Permittees that sign a Solid Waste Disposal Agreement, wherein such Permittees commit to deliver all collected waste and recyclable materials to the Madison County Landfill and Recycling Center; and

WHEREAS, the Solid Waste Committee has created two classifications: a Standard Waste Disposal Agreement (for traditional waste haulers that collect residential, commercial, and industrial waste materials) and a Contractor Agreement, also known as the “Business Convenience Agreement,” recognizing that many commercial permit holders are businesses such as landscapers, roofers, general contractors and small businesses that generate waste in the course of their business and then haul it to the landfill for disposal; and

WHEREAS, there are separate insurance requirements for each classification and Commercial Solid Waste Permittees must maintain minimum insurance requirements for the term of the Agreement; and

WHEREAS, on September 8, 2020, the Madison County Board of Supervisors established new standard agreements for the term of January 1, 2021 through December 31, 2023; and

WHEREAS, each agreement requires approval by the Madison County Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, that Madison County enter into Solid Waste Disposal Agreements and Business Convenience Agreements with Commercial Solid Waste Permittees that are approved by the Solid Waste Committee and that agree to abide by the provisions of the Agreements, copies of which are on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED that the Chairman of the Madison County Board of Supervisors is hereby authorized and directed to enter into the Solid Waste Disposal Agreements and Business Convenience Agreements with the following Solid Waste Committee approved Commercial Solid Waste Permittee:

Bronze Contracting, LLC

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

Resolutions – Regular Agenda

By Supervisor Nirelli:

RESOLUTION NO. 21-369

AUTHORIZING REVISION OF THE MADISON COUNTY FUND BALANCE POLICY

WHEREAS, a key measure of a local government's financial condition is its level of fund balance, which represents resources remaining from prior fiscal years; and

WHEREAS, the level of unexpended surplus funds is particularly important, as this represents the amount available to manage emergencies, contend with revenue shortfalls, and other unanticipated occurrences; and

WHEREAS, the County formalized its practice of maintaining a reasonable level of unexpended surplus funds by implementing a Fund Balance Policy for the General Fund in 2013; and

WHEREAS, the Policy provides for the amount of unexpended surplus funds to be not less than 5% and not more than 15% of General Fund adopted budget appropriations; and

WHEREAS, the Finance, Ways and Means Committee conducted their annual review of the Policy in July 2021, and recommends increasing the upper threshold from 15% to 20%.

NOW, THEREFORE, BE IT RESOLVED that the revised Madison County Fund Balance Policy is hereby authorized by the Board of Supervisors effective immediately, as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

**Madison County
Fund Balance Policy**

Adopted: July 9, 2013
Revised: August 10, 2021

Purpose

Madison County government is responsible for the appropriate accounting of public funds, the sound management of municipal finances, and the adequate funding of services desired by the public. This fund balance policy is meant to help the County maintain a prudent level of financial resources to provide essential services, maintain sufficient cash flow, and manage unanticipated occurrences.

Background

The New York State Office of the State Comptroller and the New York State Government Finance Officers Association recommend that local governments establish a policy to maintain reasonable levels of unexpended surplus funds in their General Funds to hedge against unanticipated expenditures and/or revenue shortfalls, without withholding funds that could otherwise be put to productive use.

The Governmental Accounting Standards Board (GASB) issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which is intended to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied. This statement has been adopted by the County effective for the year beginning January 1, 2011.

Definitions

GASB Statement No. 54 replaces the previous fund balance classifications with the following:

Nonspendable fund balance consists of assets that are inherently nonspendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principal of endowments.

Restricted fund balance consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments, or through constitutional provisions or enabling legislation.

Committed fund balance consists of amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority before the end of the fiscal year, and that require the same level of formal action to remove the constraint. The New York State Office of the State Comptroller believes that in most cases, local governments in New York will not have committed fund balance to report.

Assigned fund balance consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund, and in funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.

Unassigned fund balance represents the residual classification for the government's General Fund, and could report a surplus or deficit. In funds other than the General Fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or unassigned.

Policy

1. This policy shall apply to the County's General Fund, only.
2. When resources are available from multiple classifications, the County spends funds in the following order: restricted, committed, assigned, unassigned.
3. The County Board of Supervisors is the decision-making authority that can, by resolution, commit fund balance. The action to commit fund balance must occur prior to the fiscal year-end in order to report such commitments in the financial statements of the respective period. The commitment may only be modified by a new resolution authorized by the Board of Supervisors.
4. The County Treasurer has the authority to assign unrestricted fund balance amounts where the County's intent is for those amounts to be used for specific purposes. This delegation of authority is for the sole purpose of reporting these amounts in the annual financial statements.
5. Unexpended Surplus Funds
 - a. For the purpose of this policy, unexpended surplus funds consist of Assigned Unappropriated Fund Balance and Unassigned Fund Balance.

- b. The County shall strive to maintain unexpended surplus funds of not less than 5% and not more than 20% of General Fund adopted budget appropriations.
- c. The County Treasurer shall report the amount and percentage of General Fund unexpended surplus funds to the Finance, Ways and Means Committee upon completion of the Annual Update Document each year.
- d. In the event that unexpended surplus funds exceed 20% of adopted budget appropriations, the excess may be utilized for any lawful purpose approved by the Board of Supervisors. In order to minimize the long term effect of such use, the excess should be appropriated to fund one-time expenditures which do not result in recurring operating costs, and/or be used to establish or increase reserves.
- e. In the event that unexpended surplus funds fall below 5% of adopted budget appropriations, the Budget Officer shall make a recommendation to the Finance, Ways and Means Committee to restore the balance to the minimum level in the next budget year or other appropriate period of time.

Review

This policy shall be reviewed by the Finance, Ways and Means Committee on an annual basis.

By Supervisor Moses:

RESOLUTION NO. 21-370

OPPOSING NEW YORK STATES 94-C “ACCELERATED RENEWABLE ENERGY GROWTH AND COMMUNITY BENEFITS ACT”

WHEREAS, Madison County has been at the forefront of cutting edge renewable energy projects over the past 20+ years; and

WHEREAS, Madison County has worked closely with local municipalities and citizens over the years to help bring forward thoughtful and well planned renewable energy projects that are in sync with local land use regulations; and

WHEREAS, New York State passed the “Accelerated Renewable Energy Growth and Community Benefits Act” on April 3rd, 2020, during the height of the COVID-19 Pandemic as part of the budget process without proper debate and public attention; and

WHEREAS, the Act, amongst other things, establishes a new Office of Renewable Energy Siting (ORES) and called for the creation of siting regulations referred to as the 94-C siting process; and

WHEREAS, specific provisions and vague language of the 94-C siting process have opened the door for ORES to pay little attention to local laws and public input which undermines home rule, which has long been the standard in New York State;

WHEREAS, these regulations do not place a high value on the protection of prime agricultural soils which provide the basis of much of the upstate agricultural economy and landscape; and

WHEREAS, little change was made to the 94-C regulations after the public comment period though detailed comments were provided by the NYS Association of Counties, New York State Conference of Mayors, Association of Towns, and others; and

NOW THEREFORE, BE IT RESOLVED, that Madison County Board of Supervisors hereby opposes the authority given to ORES under the 94-C citing process and calls for the State to undertake a proper approval process that takes into account home rule, the impact on our rural upstate landscape, and the wishes of the public in affected communities.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

By Supervisor Cavanagh:

RESOLUTION NO. 21-371

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

WHEREAS, the 2021 Drug Recognition Expert Program (DRE) Training Conference will be held October 17 -24, 2021 in Jacksonville, FL; and

WHEREAS, Todd Hood, Madison County Sheriff, has requested Aaron Silverman, Deputy Sheriff, attend this conference; and

WHEREAS, his expenses are fully funded by the NYS Governor's Traffic Safety Committee as he is a DRE Instructor for the NYS Governor's Traffic Safety Committee; and

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

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

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

By Supervisor Walrod:

RESOLUTION NO. 21-372

**AUTHORIZING CHAIRMAN TO ENTER AN AGREEMENT WITH THE
ONEIDA CITY SCHOOL DISTRICT FOR THE USE OF SPECIAL PATROL OFFICERS**

WHEREAS, the County of Madison, through the Office of the Sheriff, has a position entitled Special Patrol Officer, and these officers are employed to maintain order and provide security in public buildings, including schools; and

WHEREAS, the Oneida City School District is desirous in continuing to utilize these Special Patrol Officers in order to enhance order and security in their public school buildings; and

WHEREAS, in order to continue to facilitate such a use of Special Patrol Officers, the County of Madison and the Oneida City District wish to enter into an agreement so as to set forth and define the parties' understanding of the terms and conditions; and

WHEREAS, this request for the use of Special Patrol Officers to continue to provide services to the Oneida City School District has been approved by the Criminal Justice, Public Safety and Emergency Communications Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement with the Oneida City School District for the utilization of Special Patrol Officers, and said agreement shall be in substantially the same form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-373

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH MADISON-ONEIDA BOCES FOR INMATE CONTINUING EDUCATION**

WHEREAS, it is necessary and required to provide educational services and programs to inmates at the Madison County Jail in the regular course of their incarceration; and

WHEREAS, the Sheriff of Madison County seeks to continue to cut costs and enhance the efficiency in the provision of such services and programs by continuing to utilize the expertise of Madison-Oneida BOCES; and

WHEREAS, Madison-Oneida BOCES possesses experienced personnel with special skills and training required to perform the necessary services pursuant to the terms of the contract by providing a staff person to the Madison County Jail; and

WHEREAS, the term of this contract shall be from July 1, 2021 through June 30, 2022. This contract may be terminated without cause by either party hereto at any time upon thirty (30) days written notice of the intention to so terminate. The County reserves the right to terminate this Agreement for cause at anytime; and

WHEREAS, the County hereby agrees to pay Madison-Oneida BOCES a monthly rate of Two Thousand Seven Hundred Fifty Dollars and 00/100 (\$2,750) in full and final satisfaction of all services and expenses. The total amount of compensation shall not exceed Thirty Three Thousand Dollars (\$33,000); and

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

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

ADOPTED: AYES – 1138 NAYS – 280 (Becker ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-374

**AUTHORIZING PARTICIPATION IN A FEDERAL GRANT AND
MODIFYING THE 2021 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:	New York State Governor's Traffic Safety Committee
Catalog #:	20.600
Program Name:	Police Traffic Services (PTS)
Award Year:	October 1, 2021 through September 30, 2022
Federal Funds Percentage:	100%
Total Grant Amount:	\$13,440; and

WHEREAS, the funding agencies have approved the following budget for this project during the project year 10/1/2021 – 9/30/2022:

General Fund

3113 Sheriff's Office - "PTS" Federal Grant

Revenue

		<u>From</u>	<u>To</u>
A311330 443980	Federal Aid "PTS" Grant 2021-22	<u>\$7,686</u>	<u>\$21,126</u>
Control Total			<u>\$13,440</u>

Expense

A311330 512000	Personal Services Grants	<u>\$7,686</u>	<u>\$21,126</u>
Control Total			<u>\$13,440</u>

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board is hereby authorized to execute the necessary documents to finalize receipt of the grant; and

BE IT FURTHER RESOLVED, that the adopted 2021 County Budget be modified in accordance with this grant.

ADOPTED: AYES – 1138 NAYS – 280 (Becker ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-375

**AUTHORIZING PARTICIPATION IN A FEDERAL TRAFFIC SAFETY
GRANT AND MODIFYING THE 2021 COUNTY BUDGET**

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

WHEREAS, the Federal awards grant is identified as follows;

Awarding Agency:	National Highway Safety Administration
Pass-through Agency:	New York State Governor's Traffic Safety Committee

Catalog of Federal Domestic Assistance: #20.600
 Program Name: Madison County Traffic Safety Plan
 Award Year: October 1, 2021 through September 30, 2022
 Federal Funds Percentage: 100%
 Total Grant Amount: \$26,413.00, and

WHEREAS, the funding agencies have approved the following budget for this project during the project year 10/1/21– 9/30/22:

General Fund

3111 Sheriff's Office -Traffic Safety Coordinator Grant		<u>From</u>	<u>To</u>
<u>Expense</u>			
A311130 512000	Personal Services Grants	\$15,270	\$35,430
A311130 541157	Commodities 2021-22	1,200	2,600
A311130 541158	Travel-Conference & Seminar Expense 2021-22	400	900
A311130 544224	Equipment	-0-	2,750
A311130 581001	Allocation of Fringe Benefits	<u>1,201</u>	<u>2,804</u>
Totals		<u>\$18,071</u>	<u>\$44,484</u>
Control Total			<u>\$26,413</u>

Revenue

A311130 443925	Federal Aid Distracted Driving 2021-22	<u>\$18,071</u>	<u>\$44,484</u>
Control Total			<u>\$26,413</u>

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board is hereby authorized to execute the necessary documents to finalize receipt of the grant; and,

BE IT FURTHER RESOLVED, that the 2021 Adopted County Budget be modified in accordance with this grant.

ADOPTED: AYES – 1138 NAYS – 280 (Becker ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-376

**AUTHORIZING THE CHAIRMAN TO ACCEPT ADDITIONAL GRANT FUNDS
 WITH THE NYS STOP DWI FOUNDATION AND MODIFYING THE 2021 COUNTY
 BUDGET – STOP DWI STATEWIDE CRACKDOWNS HIGH VISIBILITY
 ENFORCEMENT**

WHEREAS, the NYS STOP-DWI Foundation has increased the Madison County allotted crackdown money by an additional \$5,000, and

WHEREAS, this additional allocation is subject to use under the same criteria as the original funds granted, and

Awarding Agency: NYS Governor's Traffic Safety Committee
 Pass Thru. Agency: NYS STOP DWI Foundation
 Program Name: Crackdown Enforcement and DRE Callout
 Grant Period: 10/1/20 – 9/30/2021

Contract #: C002527
CFDA #: 20.616
Grant Total: \$5,000.00

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

BE IT FURTHER RESOLVED, that the 2021 Adopted County Budget be modified as follows:

General Fund

A3316 STOP DWI Grant Programs

	<u>From</u>	<u>To</u>
<u>Expense</u>		
A331630 541128 Sobriety Checkpoint Personnel Reimbursement	\$ <u>8,233</u>	\$ <u>13,233</u>
Control Total		\$ <u>5,000</u>

Revenue

A331630 443924 FA Crackdown Funding	\$ <u>8,233</u>	\$ <u>13,233</u>
Control Total		\$ <u>5,000</u>

ADOPTED: AYES – 1138 NAYS – 280 (Becker ABSENT – 82 (Stokes, Ostrander)

RESOLUTION NO. 21-377

**AUTHORIZING THE CHAIRMAN TO APPLY FOR A GRANT FROM THE
NEW YORK STATE OPPORTUNITY - CANAL CORPORATION**

WHEREAS, the County of Madison has recognized the need to ensure the safety and security of its citizens and visitors; and

WHEREAS, the County of Madison is eligible to apply for the FY2021/2022 Marine Patrol Grant Program from the New York State Canal Corporation to continue bicycle and snowmobile patrols along the Canalway Trail, and for marine patrol on Oneida Lake; and

WHEREAS, this grant would support the Sheriff's efforts in maintaining a high degree of public safety for users of the Canalway Trail and Oneida Lake; and

WHEREAS, the award under this program would not exceed \$40,000 and the County will provide 25% match of local funding;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be and is hereby authorized to apply on behalf of the County of Madison for a grant from the New York State Canal Corporation, in form as is on file with the Clerk of the Board.

This Resolution was TABLED by: Supervisor DiVeronica, 2ND by: Supervisor Roberts. This resolution will be consider for action at the next Board meeting scheduled for Sept. 16, 2021.

By Supervisor Cavanagh:

RESOLUTION NO. 21-378

AUTHORIZING THE CHAIRMAN TO APPROVE AND EXECUTE A SETTLEMENT AGREEMENT RELATING TO THE OPIOID CRISIS

WHEREAS, there is pending a matter on behalf of Madison County, regarding the opioid addiction crisis, in which Madison County is a named plaintiff in the action (the “Action”); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica, Inc. (“J & J”) based on claims that J & J contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various “front groups” and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in Madison County; and

WHEREAS, J & J has offered to settle the claims of Madison County against it by paying the sum of between approximately \$201,991.96 and \$471,403.86 over ten (10) years to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids; and

WHEREAS, Madison County has approved a settlement agreement and release (“Agreement”) and the Agreement is attached hereto as Exhibit “A”; and

WHEREAS, it is in the best interest of Madison County to resolve this matter with respect to J & J without further litigation and enter into the proposed Agreement as it shall settle all allegations against J & J and avoid protracted litigation;

NOW, THEREFORE BE IT RESOLVED, that the execution and delivery on behalf of and in the name of the Madison County by John M. Becker, Chairman of the Madison County Board of Supervisors, of the proposed Agreement attached hereto as Exhibit “A” is hereby authorized, and John M. Becker, on behalf of Madison County, is hereby authorized, subject to Board approval, and directed to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with J & J.

ADOPTED: AYES – 1418 NAYS – 0 ABSENT 82 (Stokes, Ostrander)

PUBLIC COMMENT

The following public comment was received at the Clerk’s office by email:

1. “I am writing to you today to voice my concern with mask and possible vaccine mandates for our children. I am part of the Madison County Chapter of CNY. My husband and I strongly believe this is a parental decision only.” Thank you for your time, Douglas and Arlene Jarvis.

2. Hollie Loson, Cazenovia, New York opposed to mask and vaccine mandates. "This needs to be the parent's choice." Ms. Loson attached a four page petition stating that "We live in the district and are active voters. We are concerned about the increasing governmental infringement on the free exercise of our religious beliefs, personal medical decisions and parental rights. We OPPOSE mask and COVID vaccine mandates for ALL New York residents, including Teachers, Staff, and Students attending public or private schools in New York."

At approximately 2:45 p.m., following the Board meeting, Chairman Becker asked for a motion from the floor to open an executive session to discuss a personal and/or a potential litigation matter. Supervisor Moses made the motion to open, seconded by Supervisor Cavanagh and carried.

At approximately 3:45 p.m. Supervisor Walrod made a motion to exit the executive session, seconded by Supervisor Nirelli and carried.

ON motion by Supervisor Corbin, seconded by Supervisor Cunningham the Board adjourned.

The next scheduled Board meeting will be held on Thursday, September 16, 2021 @ 2:00 p.m.