

**MADISON COUNTY BOARD OF SUPERVISORS
Regular Board Meeting – Tuesday June 13, 2023**

The Board convened at 11:00 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, NY. All Supervisors were present.

Pledge of Allegiance.

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

Vouchers Payable Report submitted by Finance Director Lou Anne Randall, in the amount of \$11,716,118.37.

Communications, Reports and Reports of Committees

1. Notice from New York State Public Service Commission acknowledging receipt of Madison County Board of Supervisors resolution 23-139 requesting they dismiss NYSEG rate hike requests and to correct the billing problems before rate hikes are considered.
2. Madison County Occupancy Tax Receipts/Expenditures for Quarter: 1/1/2023-3/31/2023. Date completed: 5/12/2023

PROCLAMATION

RECOGNIZING PUBLIC SAFETY COMMUNICATOR MARK BRADBURY, RONALD TALLMAN, JR. AND SUE TALLMAN FOR THEIR LIFE-SAVING ACTIONS

***WHEREAS**, the Madison County Board of Supervisors does recognize outstanding achievements by groups, organizations and individuals in Madison County; and*

***WHEREAS**, on the evening of April 30, 2023 the Madison County 911 Center received a call regarding an individual in anaphylactic shock; and*

***WHEREAS**, through quick efforts and excellent teamwork, Public Safety Communicator Mark Bradbury guided Ronald Tallman, Jr. and Sue Tallman in the performance of life-saving actions, successfully stabilizing the patient until the ambulance crew arrived; and*

***WHEREAS**, this event serves as a reminder of the important work being done each day by first responders, including the teamwork between Madison County's Public Safety Communicators and the public calling for assistance, to protect our community; and*

***NOW, THEREFORE, BE IT RESOLVED**, that I, John M. Becker, Chairman of the Board on behalf of the Madison County Board of Supervisors recognize and appreciate Public Safety Communicator Mark Bradbury, Ronald Tallman, Jr. and Sue Tallman for working together to provide life-saving care.*

***BE IT FURTHER RESOLVED**, that Mark Bradbury, Ronald Tallman, Jr. and Sue Tallman each receive a copy of this proclamation as a memento of their extraordinary and lifesaving actions.*

Resolution of Appreciation

RESOLUTION NO. 23-175

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 Betty Jo Johnson, Sandra Jordan and John Wolf upon their retirement.

Betty Jo Johnson	Social Services	1989 - 2023
Sandra M. Jordan	County Clerk's	1996 - 2023
David J. Carpenter	Office of Emergency Management	2003 - 2023
John M. Wolf	Information Technology	2003 - 2023

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

Chairman Becker took a moment to acknowledge that these four employees represent just about 100 years of service to Madison County. These individuals hold a wealth of knowledge and are truly appreciated for all that they have done for the residents of Madison County. They have reached a tremendous milestone and will all be missed.

DSS Commissioner Mike Fitzgerald stepped forward to accept a gift on behalf of Betty Jo Johnson. Johnson has served the County for the past 33 years and has contributed countless hours and always has gone above and beyond for Madison County. She will be remembered for her sense of time and depth of knowledge. Johnson expressed her gratitude for her time here at the County and her coworkers. Betty Jo further expressed how grateful she is for the working relationship she has with Chairman Becker as well as the administration at the County.

County Clerk Mike Keville stepped forward to accept a gift on behalf of Sandy Jordan. Jordan has served Madison County for the past 26 years. Keville expressed how much he has truly appreciated the working relationship he and Jordan have shared all of these years. Keville further expressed how Jordan has always done everything she can for the residents of this County and how she will be deeply missed.

Emergency Management Director Dan Degear stepped forward to accept a gift on behalf of David Carpenter. Carpenter has served Madison County for the past 20 years as a 911 Dispatcher. Carpenter has been described as the “voice of Madison County”, and has always been one to speak the truth. Carpenter exoresses that nothing in his life has been more challenging and rewarding than being a 911 dispatcher and serving the residents of Madison County.

Information Technology Director Paul Lutwak stepped forward to accept a gift on behalf of John Wolf. Wolf has served Madison County in the IT Department for the past 20 years.

Wolf has been the face of IT and always serving the employees of Madison County with a smile. Lutwak expressed that John will be greatly missed and it will take 3 people to replace him. Wolf expressed his gratitude for his time here at Madison County and made sure to mention that we will all be left in great hands, the IT department is full of great people.

At 11:15 a.m. Chairman Becker announced the scheduled public hearing on proposed Local Law No. 1 of 2023 Adopting Madison County Occupancy Tax Law and Rescinding all previous Hotel and Motel Occupancy Tax Local Laws and Amendments in Madison County

Supervisor Reuter made the motion to open the hearing, seconded by Supervisor Pinard and carried.

Chairman Becker then called for speakers and there were none wishing to speak.

Supervisor Vosburg then made the motion to close the hearing, seconded by Supervisor Shwartz and carried.

Resolutions – Preferred Agenda

By Government Operations Committee:

RESOLUTION NO. 23-176

AMENDING THE CORPORATE COMPLIANCE POLICY ON REIMBURSEMENT PRACTICES AND BILLING ERRORS; REPORTING AND RETURNING OVERPAYMENTS

WHEREAS, Madison County as a Medicaid program provider is required to have an effective compliance program as required by NYS Social Services Law § 363-d and Title 18 of the New York Codes, Rules and Regulations (18 NYCRR) SubPart 521-1; and

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, Madison County adopted a Corporate Compliance Policy on Reimbursement Practices and Billing Errors; and

WHEREAS, changes to the New York Office of the Medicaid Inspector General (OMIG) Title 18 NYCRR Part 521 Provider Compliance Programs regulations and Self-Disclosure protocols has necessitated additional changes to this Policy; and

WHEREAS, the revisions to the policy are recommended by outside counsel and have been reviewed by the Corporate Compliance officer with appropriate staff and management; and

WHEREAS, the Government Operations Committee has considered and evaluated the changes to the policy;

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors approve the amendment of the Corporate Compliance Policy titled "Reimbursement Practices and Billing

Errors Policy; Reporting and Returning Overpayments”, making it effective as of March 28, 2023.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-177

AUTHORIZING THE CHAIRMAN TO ENTER INTO A PILOT AGREEMENT WITH NEXAMP SOLAR, LLC D/B/A ALLIS HILL SOLAR, LLC

WHEREAS, the Madison County Board of Supervisors received correspondence from Nexamp Solar, LLC, d/b/a Allis Hill Solar, LLC, pursuant to New York State Real Property Tax Law (RPTL) section 487(9) that they intended to construct a solar energy system in the Town of Lenox; and

WHEREAS, the solar energy systems would be located at 2945 New Boston Road, Lenox, New York; and

WHEREAS, the solar energy system would be one 5 megawatt project; and

WHEREAS, the PILOT provides that Nexamp Solar, LLC, d/b/a Allis Hill Solar, LLC, will pay the County, Town, and School District, \$4,500.00 per megawatt; and

WHEREAS, the County share of the PILOT payment will be 24.208 % and the PILOT will have a 2% annual escalator;

WHEREAS, pursuant to RPTL section 487, the PILOT will be for a term of fifteen (15) years; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a PILOT agreement with Nexamp Solar, LLC, d/b/a Allis Hill Solar, LLC, for the solar project in the form that is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-178

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THOMSON REUTERS – WEST PUBLISHING CORPORATION

WHEREAS, certain online research materials are maintained by the County Attorney’s Office, currently under contract with Thomson Reuters-West Publishing Corporation; and

WHEREAS, the Madison County District Attorney’s Office wishes to join in the online legal research subscription contract, which would result in overall reduced costs for both offices; and

WHEREAS, proposals have been received and reviewed for same;

WHEREAS, it is advisable to enter into a new agreement with Thomson Reuters-West Publishing Corporation for online research;

WHEREAS, under such agreement the monthly West Proflex online service will be \$803.00/month for the first three months; \$835.00/month the first year; and \$876.75/month the second year; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into the agreement for online research services with Thomson Reuters – West Publishing Corporation in the form as is on file with the Clerk of the Madison County Board of Supervisors.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-179

CREATING AN OFFICE ASSISTANT-CLAIMS PROCESSOR IN THE MENTAL HEALTH DEPARTMENT

WHEREAS, the Director of Community Mental Health Services has identified an increase in billing responsibilities due to the addition of the school clinics as well as an increase in responsibilities related to newly adopted OMIG regulations; and

WHEREAS, the Director of Community Mental Health Services has requested a second full-time Office Assistant-Claims Processor position be created to accommodate duties; and

WHEREAS, the Personnel Officer certifies that Office Assistant-Claims Processor is the appropriate classification based on the description of duties submitted for this position; and

WHEREAS, the 2023 Adopted County Budget contains ample appropriations to finance the salary and fringe benefits for this position for the remainder of 2023 due to other position vacancies; and

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

BE IT FURTHER RESOLVED that one full-time Office Assistant-Claims Processor position be and hereby is created effective immediately; and

BE IT FURTHER RESOLVED that the Director of Community Mental Health Services be and hereby is authorized to fill said position in accordance with Civil Service Law and Rule, effective immediately.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23- 180

CREATING AN OFFICE ASSISTANT I POSITON IN THE BUILDING MAINTENANCE DEPARTMENT

WHEREAS, the Director of Public Facilities has evaluated the organizational structure of the department and has determined the need for an additional administrative support position; and

WHEREAS, the Personnel Officer certifies that Office Assistant I is the appropriate classification based on the description of duties submitted for this 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 full-time Office Assistant I position be and hereby is created effective immediately; and

BE IT FURTHER RESOLVED that the Director Public Facilities be and hereby is authorized to fill said position at the 2023 hourly rate of \$18.46 in accordance with Civil Service Law and Rule and the Agreement between the County and the Civil Service Employees Association, White Collar unit effective immediately.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-181

CREATING A FULL-TIME CASE MANAGER (CORRECTIONS) POSITION IN THE OFFICE OF THE SHERIFF

WHEREAS, the Sheriff has reviewed the organizational structure of the office and has determined the need for additional staffing; and

WHEREAS, recent mandates from the State legislature have expanded the requirements regarding successful reintegration of inmates into society and post release follow-up; and

WHEREAS, the current contract with Madison-Oneida BOCES that provides part of the services required of this position will expire in June 30, 2023; and

WHEREAS, the Personnel Officer certifies that Case Manager (Corrections) is the appropriate classification based on the description of duties submitted for this position; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Criminal Justice, Public Safety and Emergency Communications Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Case Manager (Corrections) position be and hereby is created effective immediately and be allocated to Grade J of the White Collar Bargaining Agreement; and

BE IT FURTHER RESOLVED that the Sheriff be and hereby is authorized to fill said position at the 2023 hourly rate of \$25.34 in accordance with Civil Service Law and Rule and the Agreement between the County and the Civil Service Employees Association, White Collar unit effective immediately.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-182

**CREATING AN EMERGENCY MEDICAL SERVICES EDUCATOR POSITON IN THE
OFFICE OF EMERGENCY MANAGEMENT**

WHEREAS, the Madison County Office of Emergency Management and the Madison County Board of Supervisors have determined the need for increased Emergency Medical Services education throughout Madison County; and

WHEREAS, in consideration of filling said need, the Director of Emergency Management Services has evaluated the organizational structure of the department and has determined the need for additional staffing; and

WHEREAS, the Personnel Officer certifies that Emergency Medical Services Educator is the appropriate classification based on the description of duties submitted for this position; and

WHEREAS, this request was reviewed and approved in accordance with the vacancy review procedure by the Criminal Justice, Public Safety and Emergency Communications Committee and the Government Operations Committee,

NOW, THEREFORE BE IT RESOLVED that one (1) Emergency Medical Services Educator position be and hereby is created effective immediately and be allocated to Grade L of the White Collar Bargaining Agreement; and

BE IT FURTHER RESOLVED that the Director of Emergency Management Services be and hereby is authorized to fill said position at the 2023 hourly rate of \$27.88 in accordance with Civil Service Law and Rule and the Agreement between the County and the Civil Service Employees Association, White Collar unit effective immediately.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

By Finance, Ways and Means Committee:

RESOLUTION NO. 23- 183

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2023 Adopted County Budget be modified as follows:

General Fund

3114 Multidisciplinary Teams Grant

Expense

	<u>From</u>	<u>To</u>
A311430 512000 Personal Services Grants	\$143,769	\$145,269
A311430 540200 Miscellaneous Expense	17,789	22,089
A311430 581001 Allocation of Fringe Benefits	<u>57,451</u>	<u>51,651</u>
Control Totals	<u>\$219,009</u>	<u>\$219,009</u>

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-184

**AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET
(ARPA)**

BE IT RESOLVED that the 2023 Adopted County Budget be modified, effective May 25, 2023, as follows:

General Fund

1310 Finance Office

Expense

	<u>From</u>	<u>To</u>
A131010 542020 Single Audit Expense	\$66,980	\$72,980

1460 Records Management

Expense

A146010 524017 Shelving Equipment	\$-0-	\$41,094
A146010 540416 Indexing Equipment	-0-	25,000

1461 Records Management (ARPA)

Expense

A146110 524017 Shelving Equipment	\$41,094	\$-0-
A146110 540416 Indexing Equipment	25,000	-0-

1481 Public Information Services (ARPA)

Expense

A148110 511000 Personal Services Full Time	\$24,708	\$52,432
A148110 581100 Retirement Expense	3,426	4,605
A148110 582100 Social Security & Medicare Expense	1,980	4,012
A148110 583100 Workers Comp Expense	59	36
A148110 585100 Disability Expense	56	77
A148110 586100 Employee Health Insurance	10,314	9,966

1619 County Buildings-Veteran's Memorial

Expense

A161910 540366 Veteran's Building Basement-Sheriff	\$-0-	\$80,000
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1620 County Buildings

Expense

A162010 529355 Generator for COB	\$-0-	\$190,009
A162010 540116 Mowing Expense	-0-	60,000
A162010 540238 Rest Room Renovations-2 nd Floor COB	-0-	21,983
A162010 540352 Morrisville Highway Garage Site Expense	-0-	5,000
A162010 540619 PSB/911 Control Panels	575,948	301,560
A162010 540621 PSB Isolation Room	-0-	111,160

1631 Public Facilities (ARPA)

Expense

A163110 529355 Generator for COB	\$706,028	\$540,407
A163110 540116 Mowing Expense	60,000	-0-
A163110 540238 Rest Room Renovations-2 nd Floor COB	473,835	451,852
A163110 540352 Morrisville Highway Garage Site Expense	383,774	378,774
A163110 540366 Veterans Building Basement-Sheriff	80,000	-0-

A163110 540621 PSB Isolation Room	225,000	143,840
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1680 Information Technology

Expense

A168010 540195 Carpet Replacement	\$-0-	\$9,546
A168010 540414 Switches	-0-	4,220
A168010 540417 Document Management Software	-0-	120,000
A168010 540418 Exchange Online	-0-	58,186

1681 Information Technology (ARPA)

Expense

A168110 540195 Carpet Replacement	\$25,000	\$15,454
A168110 540400 Furniture Expense	71,789	69,839
A168110 540414 Switches	101,247	97,027
A168110 540417 Document Management Software	120,000	-0-
A168110 540418 Exchange Online	58,186	-0-
A168110 540419 PH Conference Room Upgrade	-0-	3,975

3021 Communications E911

Expense

A302130 541943 E911 System Upgrades	\$-0-	\$102,580
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3023 Communications E911 (ARPA)

Expense

A302330 541943 E911 System Upgrade	\$102,580	\$-0-
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3410 Office of Emergency Management

Expense

A341030 540251 Concrete Pad for Vehicles-FT/EMTC	\$-0-	\$56,991
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3411 Office of Emergency Management (ARPA)

Expense

A341130 540251 Concrete Pad for Vehicles-FT/EMTC	\$57,500	\$509
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4018 Public Health (ARPA)

Expense

A401840 540151 Health Festival	\$762	\$-0-
A401840 540153 Public Health App	20,000	19,990

4311 Mental Health School Clinics (ARPA)

Expense

A431140 511000 Personal Services Full Time	\$385,458	\$97,143
A431140 540456 License Expense	20,458	-0-
A431140 541000 Travel Expense (Mileage)	1,120	100
A431140 541183 School Mental Health First Aid	39,604	43,000
A431140 581100 State Retirement Expense	31,929	7,812
A431140 582100 Social Security & Medicare Expense	29,540	7,277
A431140 583100 Workers Compensation Expense	1,039	206
A431140 585100 Disability Expense	655	127
A431140 586100 Employee Health Insurance	62,862	15,510

4312 Mental Health School Clinics**Expense**

A431240 511000 Personal Services Full Time	\$-0-	\$579,625
A431240 540456 License Expense	-0-	35,880
A431240 541000 Travel Expense (Mileage)	-0-	1,020
A431240 541183 School Mental Health First Aid	-0-	26,461
A431240 581100 State Retirement Expense	-0-	48,247
A431240 582100 Social Security & Medicare Expense	-0-	44,587
A431240 583100 Workers Compensation Expense	-0-	1,617
A431240 585100 Disability Expense	-0-	1,022
A431240 586100 Employee Health Insurance	-0-	94,812

4540 EMS Program**Expense**

A454040 511000 Personal Services Full Time	\$155,833	\$183,016
A454040 513000 Personal Services Part Time	207,197	214,690
A454040 522130 Ambulance	-0-	8,140
A454040 540122 Equipment Expense	12,500	17,054
A454040 540386 Technology Expense	-0-	752
A454040 541030 Training & Scholarships	-0-	33,458
A454040 545090 Medical Supplies	40,000	70,797
A454040 582100 Social Security & Medicare Expense	28,752	31,507

4989 EMS Program (ARPA)**Expense**

A498940 511000 Personal Services Full Time	\$189,216	\$174,760
A498940 513000 Personal Services Part Time	299,709	398,612
A498940 514000 Overtime	15,356	47,751
A498940 522130 Ambulance	284,500	276,360
A498940 524015 Equipment Expense	48,874	46,733
A498940 540122 Equipment Expense	4,373	1,960
A498940 540285 County EMS Program	669	-0-
A498940 540386 Technology Expense	7,346	6,594
A498940 541030 Training & Staff Development	10,020	1,562
A498940 545090 Medical Supplies	3,504	3,375
A498940 581100 State Retirement Expense	77,544	55,670
A498940 582100 Social Security & Medicare Expense	38,582	61,894
A498940 583100 Workers Compensation Expense	64,799	17,897
A498940 585100 Disability Expense	1,090	3,582
A498940 586100 Employee Health Insurance	152,379	40,341

6012 Affordable Housing Projects (ARPA)**Expense**

A601260 542705 Affordable Housing Project	\$400,000	\$-0-
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6013 Affordable Housing Projects**Expense**

A601360 542705 Affordable Housing Project	\$-0-	\$400,000
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9903 Transfer To/From Other Funds (ARPA)

Expense

A990399 594101 Transfer to Road Machinery Fund	\$7,567	\$227,547
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Totals	\$5,857,741	\$6,381,512
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Control Total		\$523,771
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4311 Mental Health School Clinics (ARPA)Revenue

A431140 444883 Fed Aid Medicaid Admin Claiming	\$1,120	\$-0-
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4312 Mental Health School ClinicsRevenue

A431240 422612 School Clinic Reimbursement	\$-0-	\$483,863
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A431240 444883 Fed Aid Medicaid Admin Claiming	-0-	1,120
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9903 Transfer To/From Other Funds (ARPA)Revenue

A990399 450333 Transfer From Enterprise Landfill Fund	\$-0-	\$1,413
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9999 Non Departmental RevenueRevenue

A999995 440895 Federal Aid Coronavirus Fiscal Recovery	\$5,458,979	\$5,497,564
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Totals	\$5,460,099	\$5,983,870
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Control Total		\$523,771
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County Road Fund**5110 Maintenance of Roads & Bridges**Expense

D511050 547300 Contract Surface Treatment	\$1,300,000	\$400,000
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D511050 547310 Contract Crack Sealing	150,000	-0-
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5114 County Highway (ARPA)Expense

D511450 547300 Contract Surface Treatment	\$-0-	\$900,000
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D511450 547310 Contract Crack Sealing	-0-	150,000
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Control Totals	\$1,450,000	\$1,450,000
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Road Machinery Fund**5130 Road Machinery Repairs & Expense**Expense

DM513050 522016 Chipper Truck	\$115,170	\$-0-
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DM513050 529050 10 Wheel Dump Truck	1,216,770	337,629
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DM513050 529061 Roof Expense	-0-	775,500
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DM513050 529098 Brush Hog Tractor	140,888	-0-
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DM513050 529101 Bridge Utility Tractor	88,654	-0-
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DM513050 529175 Roadside Tractor & Mower	160,000	1,600
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DM513050 529686 6-Wheel Truck Chassis	146,043	-0-
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DM513050 548700 Parking Lot Expense	-0-	238,605
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5133 Road Machinery Equipment (ARPA)

Expense

DM513350 522016 Chipper Truck	\$-0-	\$115,170
DM513350 529050 10 Wheel Dump Truck	-0-	879,141
DM513350 529098 Brush Hog Tractor	-0-	140,888
DM513350 529101 Bridge Utility Tractor	-0-	88,654
DM513350 529175 Roadside Tractor & Mower	-0-	158,400
DM513350 529686 6-Wheel Truck Chassis	-0-	146,043
DM513350 529692 Heavy Truck Lift	87,876	87,856

5134 Road Machinery Projects (ARPA)

Expense

DM513450 529061 Roof Expense	\$560,000	\$4,500
DM513450 548700 Parking Lot Expense	<u>238,605</u>	<u>-0-</u>

Totals	<u>\$2,754,006</u>	<u>\$2,973,986</u>
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Control Total		<u>\$219,980</u>
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5130 Road Machinery Repairs & Expense

Revenue

DM513050 450326 Transfer from General Fund	<u>\$-0-</u>	<u>\$219,980</u>
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Control Total		<u>\$219,980</u>
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8172 Environmental Control (ARPA)

Expense

EE817280 529050 Off-Road Dump Truck	\$8	\$-0-
EE817280 529069 Truck Scale Deck	1,405	-0-
EE817280 594215 Transfer to General Fund	<u>-0-</u>	<u>1,413</u>

Control Totals	<u>\$1,413</u>	<u>\$1,413</u>
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ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO 23-185

**INDICATING CERTAIN INTENT PURSUANT TO RPTL §487(9) AND DIRECTING THE
MADISON COUNTY DEPARTMENT OF LAW TO ISSUE CERTAIN NOTICE TO
NEW LEAF ENERGY, INC.**

WHEREAS, the Chairman of the Madison County Board of Supervisors received correspondence on May 8, 2023, from New Leaf Energy, Inc., pursuant to New York State Real Property Tax Law (RPTL) § 487(9) that they intend to construct a wind energy system at 4906 Goff Road, Morrisville (the “Project”), referred to as Smithfield Wind 2, LLC; and

WHEREAS, the Chairman of the Madison County Board of Supervisors also received correspondence on May 8, 2023, from New Leaf Energy, Inc., that they intend to construct a wind energy system at 5075 Peterboro Road, Morrisville (the "Project"), referred to as Smithfield Wind 3, LLC; and

WHEREAS, pursuant to RPTL § 487(9) where a county has not acted to remove the exemption under § 487, the County may require a wind energy system which meets the requirements of § 487(4) to enter into a contract for payments in lieu of taxes; and

WHEREAS, once the County has received written notification from the owner or developer of said system to construct such a system, the County then has sixty (60) days to notify in writing the developer or owner of the County's intent to require a contract for payments in lieu of taxes;

NOW, THEREFORE, BE IT RESOLVED, that as such Projects are eligible for such an exemption, Madison County intends to require a contract for payments in lieu of taxes up to the amounts which would otherwise be payable but for the exemption under RPTL § 487; and

BE IT FURTHER RESOLVED, that the Madison County Department of Law notify New Leaf Energy, Inc. in writing of Madison County's intent to require contracts for payments in lieu of taxes up to the amounts which would otherwise be payable but for the exemption under RPTL § 487 if such Projects are eligible for such an exemption.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

By Health and Human Services Committee:

RESOLUTION NO. 23-186

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT AND MODIFYING THE 2023 ADOPTED COUNTY BUDGET FOR PUBLIC HEALTH PREPAREDNESS GRANT

WHEREAS, the Madison County Department of Health has been working on Public Health Preparedness by implementing emergency procedures and has successfully completed the past work plans through Health Research Inc.; and

WHEREAS, the grant is identified as follows:

Awarding Agency:	Health Research Incorporated (HRI)
HRI Acct Number:	15-0686-11
Program Name:	Public Health Emergency Preparedness Program
Grant Period:	July 1, 2023 - June 30, 2024
Federal Funds:	100%
CFDA #:	93.069
Total Grant Award:	\$52,099

WHEREAS, Health Research Inc., has approved the 2023-2024 budget in the amount of \$52,099 from July 1, 2023 through June 30, 2024; and

WHEREAS, the Health and Human Services Committee believes it is appropriate and in the best interest of Madison County to accept the grant funds and to accomplish the required work for Public Health Emergency Preparedness;

NOW, THEREFORE BE IT RESOLVED, that the 2023 Adopted County Budget be modified as follows:

General Fund

<u>4016 Public Health Federal and State Grants</u>	<u>From</u>	<u>To</u>
<u>Expense</u>		
A401640 549150 Emergency Preparedness Exp.	<u>\$5,323</u>	<u>\$10,472</u>
Control Total		<u>\$5,149</u>
<u>Revenue</u>		
A401640 444895 Federal Aid – Emergency Prep.	<u>\$51,601</u>	<u>\$56,750</u>
Control Total		<u>\$5,149</u>

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter an agreement with Health Research, Inc., effective July 1, 2023 through June 30, 2024, as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-187

**EXTENDING AN AGREEMENT WITH LANPHERS TRANSPORT INC. FOR
TRANSPORTATION SERVICES**

WHEREAS, Madison County Department of Health is responsible to provide arrangements for the transportation of children with special healthcare needs to education facilities under the Early Intervention Program and Special Education Program for ages 0-5; and

WHEREAS, Resolution 21-271 pertaining to Bid Ref. #2113 was approved on June 8, 2021 approving transportation services for Preschool and Early Intervention children; and

WHEREAS, an extension to the current agreement with Lanpher's Transport Inc. is necessary to continue the transportation of Preschool and Early Intervention children to programs ; and

WHEREAS, the current rates and awarded locations are as follows:

<u>Route Destination</u>	<u>Location</u>	<u>Current Rate</u>
SPICE - Park Hill	Prospect Ave Syracuse	\$445.99
SPICE - Park Hill	Kinne Street Syracuse	\$559.29
SPICE - Park Hill	Roby Ave. Syracuse	\$594.31
Jowonio	Syracuse	\$427.45
SPICE - Elmcrest	Syracuse	\$347.11
Little Lukes	E. Syracuse	\$405.82

WHEREAS, the county agrees to the pay compensation at the current rate per route plus the 12 month CPI-U for the preceding 12 months as released by the Bureau of Labor Statistics in June 2023 or 3%, whichever is less; and

WHEREAS, the Health & Human Services' Committee feels it's in the best interest of Madison County to extend the agreement, and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to extend the agreement with Lanpher's Transport Inc. effective July 1, 2023 as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-188

EXTENDING AN AGREEMENT WITH BIRNIE BUS SERVICE INC. FOR TRANSPORTATION SERVICES

WHEREAS, Madison County Department of Health is responsible to provide arrangements for the transportation of children with special healthcare needs to education facilities under the Early Intervention Program and Special Education Program for ages 0-5; and

WHEREAS, Resolution 21-271 pertaining to Bid Ref. #2113 was approved on June 8, 2021 approving transportation services for Preschool and Early Intervention children; and

WHEREAS, an extension to the current agreement with Birnie Bus Service Inc. is necessary to continue the transportation of Preschool and Early Intervention children to programs; and

WHEREAS, the current rates and awarded locations are as follows:

<u>Program Name</u>	<u>Location</u>	<u>Current Rate</u>
UCP Rome	Rome	\$590.19
UCP Armory	Utica	\$590.19
UCP Oneida	Oneida	\$590.19
UCP Saquoit	Saquoit	\$590.19
UCP Whitesboro	Whitesboro	\$590.19
NYS School for the Deaf	Rome	\$590.19
Family Enrichment	Norwich	\$590.19
Oneida Area Daycare	Oneida	\$590.19
Wheelchair Bus	All Destinations	\$590.19
Sprout Therapy Group	Oneida	\$590.19

WHEREAS, the county agrees to the pay compensation at the current rate per route plus the 12 month CPI-U for the preceding 12 months as released by the Bureau of Labor Statistics in June 2023 or 3%, whichever is less; and

WHEREAS, the Health & Human Services' Committee feels it's in the best interest of Madison County to extend the agreement, and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to extend the agreement with Birnie Bus Service Inc. effective July 1, 2023 as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

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

RESOLUTION NO. 23-189

**AUTHORIZING AN AGREEMENT WITH MADISON-ONEIDA BOCES FOR THE
2023 SUMMER YOUTH EMPLOYMENT PROGRAM**

WHEREAS, the Madison County Department of Planning & Workforce Development will operate a Temporary Assistance for Needy Families (TANF), Summer Youth Employment Program during 2023; and

WHEREAS, this summer program aims to employ up to one-hundred (100) youths, ages 14-20 at various jobsites around Madison County; and

WHEREAS, Madison County solicited proposals through the Purchasing Department; and

WHEREAS, BOCES has the skills and experience necessary to supervise and lead a number of these youth work teams at a number of the job sites throughout the County; and

WHEREAS, BOCES will provide educational experience, worksite training, and jobsite supervision for a total cost not to exceed \$767,491 for 2023; and

WHEREAS, all costs are one hundred percent (100%) funded under a NYS OTDA TANF allocation, and the program will not move forward if the funds are not provided by New York State; and

NOW THEREFORE BE IT RESOLVED, that the Chairman is hereby authorized to sign an agreement with BOCES for the Summer Youth Employment Program for 2023.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23- 190

**AUTHORIZING THE CHAIRMAN TO EXECUTE AN INDEMNITY AGREEMENT
FOR POLE ATTACHMENT BONDS**

WHEREAS, the County is working towards finalizing pole attachment agreements with various utility companies for the rural broadband project; and

WHEREAS, the County is required to secure pole attachment bonds in order to comply with the agreements; and

WHEREAS, Propeller, Inc. has approved the County's application, and provided the annual premium rate of \$100.00 per \$1,000.00 of security; and

WHEREAS, the security amount is determined by the number of pole attachments; and

WHEREAS, the bond expense is included in the Adopted County Budget for the rural broadband project.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to execute an Indemnity Agreement with Propeller, Inc., as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION 23-191

AUTHORIZING AN AGREEMENT WITH MADISON COUNTY BUSINESSES FOR COVID RELIEF FUNDING GRANT

WHEREAS, Madison County had received a \$1,000,000 grant from the New York State CARES Community Development Block Grant (CDBG) program, and

WHEREAS, Madison County received requests for over \$2,000,000 in grant funds from small business applicants throughout the County, leaving us unable to fund all the eligible projects, and

WHEREAS, after the grant funds were completely awarded, it has been determined that there were a number of worthy and deserving applicants that didn't receive funding as a result of our limited grant award, and

WHEREAS, Madison County has determined that it will use its revolving loan fund for this one-time grant award (for a total of \$350,000) due to the extenuating circumstances presented to local businesses as a result of the COVID-19 Pandemic, and

WHEREAS, these grants will be awarded to the local businesses listed below using the same criteria and program rules as our CARES CDBG grant award via our work with the Harrison Studio; and

WHEREAS, Madison County, with further guidance from Harrison Studios, has determined that the following businesses are eligible for a grant award in the amount specified:

1. Kubecka Farms for \$25,000
2. Canastota Highway Bowling Center for \$50,000
3. Canastota Publishing for \$25,000
4. Intents Events for \$25,000
5. Erie Canal Brewing Company for \$50,000
6. Heartstone Artisan Bakery for \$25,000

7. Blooms and Blossoms for \$25,000
8. Shol's Boutique for \$25,000
9. Madison Bistro for \$50,000
10. Dizzy Lizzy's Farm for \$25,000
11. Olive Branch for \$25,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Agreements with the above mentioned businesses for grant awards in the amounts specified above.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-192

**AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT WITH THE LOCAL
WORKFORCE DEVELOPMENT BOARD OF HERKIMER, MADISON, & ONEIDA COUNTIES**

WHEREAS, the Workforce Innovation and Opportunity Act ("WIOA") which was approved in 2014 and took effect on July 1, 2015 continues a longstanding federal commitment to help people with employment barriers to be productive members of the labor force; and

WHEREAS, the three chief elected officials of Herkimer, Madison, and Oneida Counties have enter into an agreement to organize and implement activities pursuant to WIOA and as proposed by the Governor of the State of New York; and

WHEREAS, for many years Herkimer, Madison, and Oneida Counties have implemented and operated their workforce development programs by way of a Consortium Agreement, and a Chief Local Elected Officials Agreement among the Chief Elected Officials of the three Counties and the Workforce Development Board; and

WHEREAS, Madison County wishes to provide funding to the Workforce Development Board for the hiring of two full time employees and one part time employee or any combination of full time equivalents (fte). The employee's main purpose will be to explore, grow and monitor Youth Work Experience opportunities, monitor and enter WIOA Performance Measures and assist Workforce Development Counselors with adult, youth and dislocated workers ; and

WHEREAS, no local funds are involved herewith or encumbered hereby; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of this Board is hereby authorized and directed to execute the Memorandum of Understanding, a copy of which is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23- 193

**CALLING FOR A PUBLIC HEARING REGARDING THE IMPLEMENTATION OF A
COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, Madison County wishes to have a public hearing on the implementation of Community Development Block Grant ("CDBG") Project # 686ME979-21, from the New York State Office of Community Renewal for a Madison County Microenterprise Grant;

WHEREAS, the County is required to hold a public hearing to consider citizen comments regarding the implementation of the grant program;

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held regarding the project's implementation in the Madison County Board of Supervisors chambers, County Office Building #4, Wampsville, New York on July 11th @ 11:15 a.m. or as soon thereafter as possible; and

BE IT FURTHER RESOLVED, that the Clerk duly publish a notice of said hearing in the official newspapers of the County at least ten (10) days prior to the scheduled hearing date.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

By Criminal Justice, Public Safety and Emergency Communications Committee:

RESOLUTION NO. 23-194

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH INTELLINX, INC.
ON BEHALF OF THE MADISON COUNTY ASSIGNED COUNSEL PROGRAM**

WHEREAS, Madison County Assigned Counsel wishes to contract with IntelLinx, Inc. for a database/case management system; and

WHEREAS, IntelLinx, Inc. is a provider of Assigned Counsel Program software and offers its software platform IntelLinx ACP, website design and development for the use of our offices as well as our panel attorneys for a database, assignment, case information and voucher management system; and

WHEREAS, the contract with IntelLinx, Inc. would cover a 36-month period of time to start May 1, 2023 and run through April 30, 2026; and

WHEREAS, H-H grant funding will allow us to utilize IntelLinx, Inc. and its services, including case and data management and attorney vouchering for a 3-year period for a fee of \$25,000 for the initial set up and first year and at an annual rate of \$17,500 for the next two years. IntelLinx, Inc. will provide a stronger database management system than what is currently being utilized and will afford our panel attorneys faster access to the information needed to process their cases in a more timely manner and to allow them immediate access to case history and details while also allowing them access to a speedy vouchering system. This will provide easy access to information required by our panel attorneys to better address the specifics of each of their assigned cases as well as decreasing the amount of time spent on vouchering, all of which will serve as strong incentives for attorney retention; and

WHEREAS, both starting costs and the annual fee for the IntelLinx, Inc. program shall be covered in their entirety by grant funding; 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 IntelLinx, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-195

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN EXTENSION AGREEMENT WITH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR A THREE-YEAR
DISTRIBUTION 2020-2022**

WHEREAS, the County of Madison by Resolution 21-55 dated February 9, 2021, entered into an agreement with the New York State Office of Indigent Legal Services for a Three-Year Distribution for 2020-2022; and

WHEREAS, the Madison County Assigned Counsel Program office did not utilize all the funds in this grant in the time given by the New York State Office of Indigent Legal Services; and

WHEREAS, the New York State Office of Indigent Legal Services has agreed to a twelve (12) month extension of this grant so that these funds can be utilized; and

WHEREAS, the amount of funds available are \$110,537.23 and are to be used to further assist the County in improving the quality of indigent legal services; and

WHEREAS, the County shall be reimbursed only for costs actually incurred in accordance with this Agreement. Payments shall be made in arrears on a quarterly basis and shall be processed upon submission by the County and approval by the NYS Office of Indigent Legal Services of appropriate statements and vouchers; 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 extension agreement on behalf of the County of Madison with the NYS Office of Indigent Legal Services, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-196

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NEW YORK
STATE OFFICE OF INDIGENT LEGAL SERVICES FOR A THREE-YEAR DISTRIBUTION
2023-2025 (4th CAFA GRANT)**

WHEREAS, the County of Madison by Resolution 21-55 dated February 9, 2021, entered into an agreement with the New York State Office of Indigent Legal Services for a Three-Year Distribution for 2020-2022 (3rd CAFA Grant); and

WHEREAS, the New York State Office of Indigent Legal Services and the County of Madison desire to enter into an agreement for the provision of funds to further assist the County in improving the quality of Indigent Legal Services provided by such County pursuant to Article 18-B of the County Law for an additional Three-Year Distribution for January 1, 2023 – December 31, 2025; and

WHEREAS, the maximum amount of funds available and payable to the County under this three-year distribution for 2023-2025 shall not exceed \$427,310.00; and

WHEREAS, the County shall be reimbursed only for costs actually incurred in accordance with this Agreement. Payments shall be made in arrears on a quarterly basis and shall be processed upon submission by the County and approval by the NYS Office of Indigent Legal Services of appropriate statements and vouchers; and

WHEREAS, this Agreement shall be in effect for the period from January 1, 2023 to December 31, 2025, unless terminated earlier pursuant to its terms; 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 the NYS Office of Indigent Legal Services, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-197

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
AK ASSOCIATES FOR 911 PHONE EQUIPMENT UPDATE**

WHEREAS, Madison County operates a Public Safety Answering Point (PSAP), also known as the Madison County Emergency 911 Center; and

WHEREAS, the PSAP utilizes specialized phone equipment to receive and process calls and text messages to 911 from persons in need of assistance; and

WHEREAS, it is necessary to upgrade certain components of the phone equipment which will allow for the text to 911 feature as well as to ensure the system's proper working condition at a cost of \$76,110.98. Said money is available in the department budget; 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 AK Associates, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-198

**AUTHORIZING THE CHAIRMAN TO AMEND AND RENEW AN AGREEMENT
WITH UMR, INC.**

WHEREAS, the Madison County Sheriff's Correctional Facility receives numerous bills for medical expenses of inmates and currently contracts with UMR, Inc. to reduce costs and increase efficiency in medical claim payments; and

WHEREAS, UMR, Inc. has requested an amendment to Sections A6 and A2 of the Administrative Services Agreement to be effective January 1, 2023; and

WHEREAS, UMR, Inc. has requested no fee increase and the County agrees to continue paying UMR, Inc. a monthly fee of \$2,600 or a total of \$22.65 per claim, whichever administrative fee is greater; and

WHEREAS, both parties desire to amend and renew the Agreement for the term January 1, 2023 through December 31, 2023; 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 amend this agreement on behalf of the County of Madison with UMR, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-199

**APPOINTING AND RE-APPOINTING MEMBERS TO THE MADISON COUNTY
TRAFFIC SAFETY BOARD**

RESOLVED, that the following be hereby appointed to the Madison County Traffic Safety Board for a three (3) year term commencing on June 1, 2023 and expiring on May 31, 2026:

Lieutenant Keith Hudson, City of Oneida Police Department, residing in Canastota

RESOLVED, that the following be hereby re-appointed to the Madison County Traffic Safety Board for a three (3) year term commencing on June 1, 2023 and expiring on May 31, 2026:

Sergeant Matthew White, Madison County Sheriff's Department

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

By Highway, Buildings and Grounds Committee:

RESOLUTION NO. 23-200

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TOWN &
COUNTY BRIDGE AND RAIL, INC.**

WHEREAS, sealed bids were opened on May 2, 2023 for Element Specific Bridge Repair and Maintenance, RFB 23-25 and reviewed by the Highway Buildings and Grounds Committee on May 24, 2023, and

WHEREAS, the low bid meeting specifications is as follows;

Town & County Bridge and Rail, Inc. for Items #1 through #8

WHEREAS, the cost for services has been appropriated in the 2023 County Road Fund Budget and will be appropriated in subsequent budgets;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors, be and is hereby authorized to enter into an Agreement on behalf of the County of Madison with Town & County Bridge and Rail, Inc. in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-201

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
HEIDELBERG MATERIALS NORTHEAST - NY LLC**

WHEREAS, sealed bids were opened on May 2, 2023 for Hot Mix Asphalt, Bid 23-21, and reviewed by the Highway Buildings and Grounds Committee on May 24, 2023, and

WHEREAS, the low bid meeting specifications is as follows;

Heidelberg Materials Northeast – NY LLC Items 1 through 6

WHEREAS, the cost for services has been appropriated in the 2023 County Road Fund Budget;

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 Heidelberg Materials Northeast – NY LLC in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO.23-202

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
ARGUS ENGINEERING PLLC**

WHEREAS, Madison County is in need of professional engineer design services with regards to the County ReConnect Fiber Project; and

WHEREAS, Argus Engineering PLLC has agreed to perform these professional engineering services for a total cost of \$32,000 with services to commence May 24, 2023 and ending December 31, 2023; and

WHEREAS, the Highway, Buildings and Grounds Committee have reviewed and recommends entering into an agreement with Argus Engineering PLLC for this service;

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 Argus Engineering PLLC., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

RESOLUTION NO. 23-203

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
PULVER ROOFING**

WHEREAS, Madison County has a need for roof repairs at the Highway Wampsville Building; and

WHEREAS, Pulver Roofing has agreed to provide these services per state contract TIPS program pricing, commencing June 13, 2023 continuing through 2024, in the amount of \$1,055,000.00; and

WHEREAS, this agreement has been reviewed and approved by the Highway, Buildings & Ground 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 Pulver Roofing, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

Resolutions- Regular Agenda

By Supervisor Pinard:

RESOLUTION NO. 23-204

ADOPTING LOCAL LAW NO. 1 FOR THE YEAR 2023

WHEREAS, there has been duly introduced Local Law No. 1 for the year 2023 entitled “A LOCAL LAW ADOPTING THE MADISON COUNTY OCCUPANCY TAX LAW AND RESCINDING ALL PREVIOUS HOTEL AND MOTEL OCCUPANCY TAX LOCAL LAWS AND AMENDMENTS IN MADISON COUNTY”; and

WHEREAS, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on June 13, 2023;

NOW, THEREFORE BE IT RESOLVED, that Local Law No. 1 for the year 2023 be and the same is hereby adopted.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

By Supervisor Roberts:

RESOLUTION NO. 23-205

ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 2 FOR THE YEAR 2023 AND CALLING FOR A PUBLIC HEARING

WHEREAS, Supervisor Matthew Roberts has duly introduced proposed Local Law No. 2 for the year 2023, entitled "A LOCAL LAW OPTING OUT OF REAL PROPERTY TAX LAW §487 EXEMPTIONS; and

WHEREAS, a copy of said proposed local law has been furnished to each Supervisor;

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held on the proposed local law in the chambers of the Board of Supervisors at the County Office Building, Wampsville, New York on July 11, 2023 at 11:20 a.m.; and

BE IT FURTHER RESOLVED that the Clerk of the Board duly publish a notice of said hearing in the official newspapers of the County at least five days prior to the scheduled hearing date.

**MADISON COUNTY
LOCAL LAW NO. 2 FOR THE YEAR 2023
OPTING OUT OF REAL PROPERTY TAX LAW § 487 EXEMPTIONS**

Be it enacted by the Madison County Board of Supervisors as follows:

SECTION 1. LEGISLATIVE INTENT. New York Real Property Tax Law § 487 provides an exemption from real property taxes for certain energy systems which the County can remove by local law.

SECTION 2. REMOVAL OF EXEMPTION. No tax exemption made available by New York Real Property Tax Law § 487 shall be applicable within the jurisdiction of Madison County with respect to any solar or wind energy system or farm waste energy system constructed subsequent to the effective date of this Local Law.

No tax exemption made available by New York Real Property Tax Law § 487 shall be applicable within the jurisdiction of Madison County with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system constructed subsequent to the effective date of this Local Law.

SECTION 3. This Local Law shall be effective immediately.

ADOPTED: AYES- 1,500 NAYS – 0 ABSENT – 0

By Supervisor Pinard:

RESOLUTION NO. 23-206

OPPOSING PROPOSED CHANGES TO THE NEW YORK STATE SOIL AND WATER CONSERVATION DISTRICT LAW

WHEREAS, in the 1930s soil and water conservation districts were established in local communities throughout the United States in direct response to the environmental disaster of the Dust Bowl. In 1940, the New York State Soil and Water Conservation Districts Law ("Districts Law") was enacted creating the State Soil Conservation Committee ("State Committee") and authorizing counties to create local soil and water conservation districts ("Local Districts") led by local leadership; and

WHEREAS, Local Districts currently provide all counties in New York State with environmental services, including but not limited to climate resiliency, watershed monitoring, soil health protection, sediment and erosion control, nutrient reduction, stormwater management, forestry management, water quality improvement, education and technical training, invasive species mitigation, green infrastructure, best management implementation, and technical assistance for private citizens, municipalities, and the State; and

WHEREAS, the New York Association of Conservation Districts recently alerted counties of an initiative attempting to drastically amend Article 2 of the Districts Law which specifically governs the State Committee and the creation of Local Districts; and

WHEREAS, the proposed legislative amendment significantly modifies the make-up, board size, and scope of work being performed by the State Committee and Local District boards; and

WHEREAS, the proposal changes the State Committee's membership by increasing the number of members from five (5) to seven (7) and completely eliminates the authority of the New York State Grange ("the Grange") to nominate a member for appointment. This power is instead granted to the Northeast Organic Farming Association of New York. In addition, one of the other members of the State Committee would have to be appointed from a combined nomination list submitted by other newly identified organizations, including but not limited to the state college of agriculture and life sciences at Cornell University and the college of environmental science and forestry of the state university of New York; and

WHEREAS, the legislative amendment also seeks to modify the make-up of Local District boards. While these boards would continue to consist of five (5) members, the three (3) members who are not representatives of the county board would be appointed from a combined list of nominees submitted by newly identified organizations, including but not limited to the New York State Soil Conservation Districts Association, Inc., the local office of Cornell Cooperative Extension, and the local chapter of the National Young Farmers Coalition. The proposed change specifically eliminates the ability of the county grange and the county farm bureau to independently nominate two (2) of the three (3) board members who are not representatives of the county board. Lastly, the proposal allows Local Districts to move from two (2) appointed county legislative representatives to an open election for these positions; and

WHEREAS, the legislative bill creates sweeping changes to the Districts Law that only benefits the organizations involved in drafting it. The proposal would marginalize Local Districts and empower various environmental groups. Projects already being developed or in a state of being completed may be jeopardized; now, therefore, be it

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby strongly opposes the proposed legislative changes to the Soil and Water Conservation Districts Law due to the negative long term economic and environmental impacts to small communities; and

BE IT FURTHER RESOLVED, that the Clerk of the Board shall forward copies of this Resolution to Governor Kathy Hochul, elected state representatives that represent Madison County in Albany, the New York State Association of Counties and all others deemed necessary and proper.

ADOPTED: AYES- 1,356 NAYS – 144 (Shwartz) ABSENT – 0

RESOLUTION NO. 23-207

AUTHORIZING A CONTRACT WITH C&S COMPANIES, P&J MECHANICAL, ERIE MECHANICAL, AND KNAPP ELECTRIC FOR THE DELPHI FALLS COUNTY PARK PHASE II VISITOR CENTER CONSTRUCTION PROJECT AND MODIFYING THE 2023 ADOPTED COUNTY BUDGET

WHEREAS, Madison County acquired and opened Delphi Falls County Park in 2018; and

WHEREAS, the County has worked to develop plans and design elements for the park that will enhance the Park experience for users of all abilities; and

WHEREAS, Madison County solicited bids (Bid 23-24) through the Purchasing Department for the Phase II Delphi Falls County Park Visitor Center; and

WHEREAS, after the bid review process, Madison County has selected the low bidders, C&S Companies (General Construction), P&J Mechanical (Plumbing), Erie Mechanical (Mechanical), and Knapp Electric (Electrical); and

WHEREAS, costs for the project include General Construction (\$3,318,100), Plumbing (\$199,900), Mechanical (\$243,892), and Electrical (\$673,400), and the contract term will be from June 13, 2023 until November 12, 2024; and

WHEREAS, the total project cost will not exceed \$4,790,115, which includes an 8% contingency; and

WHEREAS, the County is pursuing various grant opportunities that will be accepted in the form of reimbursements if so awarded; and

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board is hereby authorized to enter into contracts with the aforementioned companies for the Delphi Falls County Park Visitor Center project, as are on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED that the 2023 Adopted County Budget be modified as follows to fund the remainder of this project with \$696,344 from 2023 Host Community Benefit, \$700,000 from 2024 Host Community Benefit, \$231,420 from available appropriations in the 2023 Mental Health School Clinics Budget, and \$432,761 from unexpended surplus funds in the General Fund.

General Fund**4312 Mental Health School Clinics****Expense**

	<u>From</u>	<u>To</u>
A431240 511000 Personal Services Full Time	\$579,625	\$175,000
A431240 541183 School Mental Health First Aid	26,461	150,000
A431240 581100 State Retirement Expense	48,247	17,000
A431240 582100 Social Security & Medicare Expense	44,587	13,388
A431240 583100 Workers Compensation Expense	1,617	400
A431240 585100 Disability Expense	1,022	300
A431240 586100 Employee Health Insurance	94,812	25,000

9950 Transfer To/From Capital Projects Fund**Expense**

A995099 594206 Transfer to Capital Projects Fund Mid-Year	<u>\$-0-</u>	<u>\$2,060,525</u>
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Totals	<u>\$796,371</u>	<u>\$2,441,613</u>
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Control Total		<u>\$1,645,242</u>
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4312 Mental Health School Clinics**Revenue**

A431240 422612 School Clinic Reimbursement	\$483,863	\$300,000
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Fund Balance

A 300599 Appropriated Fund Balance	<u>\$7,409,762</u>	<u>\$9,238,867</u>
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Total Revenue & Fund Balance	<u>\$7,893,625</u>	<u>\$9,538,867</u>
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Control Total		<u>\$1,645,242</u>
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Capital Projects Fund**7111 Parks Capital Projects****Revenue**

H711170 450326 Transfer from General Fund Mid-Year	<u>\$3,766,036</u>	<u>\$5,826,561</u>
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Control Total		<u>\$2,060,525</u>
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Expense

H711170 529054 Delphi Falls-County Expense	<u>\$3,816,036</u>	<u>\$5,876,561</u>
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Control Total		<u>\$2,060,525</u>
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Supervisor Roberts made the motion to amend this resolution to include a budget modification establishing where the funding for the project would be coming from Supervisor Vosburg seconded the motion and the following vote was taken:

**ADOPTED: AYES – 1,209 NAYS – 291 (Corbin, Jones, Shwartz, Winn, Stokes)
ABSENT – 0**

Discussion continued among the Supervisors in regards to funding allocation and awarding of the Bid for this project.

Supervisor Jones made a motion to Table the resolution, seconded by Supervisor Cunningham. Discussion continued on the timeline of needing to award a Bid and Supervisor Jones then made the motion to rescind his previous motion, seconded by Supervisor Cunningham.

A final vote was then taken on the resolution as amended to include the budget modification establishing the funding for this project.

ADOPTED: AYES – 1,240 NAYS – 260 (Corbin, Jones, Shwartz, Stokes) ABSENT – 0

The next Board meeting is scheduled for July 11, 2023 at 11:00 a.m.

On motion by Supervisor Vosburg, seconded by Supervisor Zupan, the Board adjourned.