

MADISON COUNTY BOARD OF SUPERVISORS
Regular Board Meeting – Tuesday February 7, 2023

The Board convened at 11:00 a.m. in the Supervisors Chambers, second floor, County Office Building, Wampsville, NY with all members present except for Supervisor Magliocca (55 votes).

Pledge of Allegiance.

On motion by Supervisor Roberts, seconded by Supervisor Pinard, 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 \$6,504,269.51

State of the County by Chairman John Becker

Good Morning,

As I began writing this year's State of the County address, I couldn't help but think about how fortunate we all are to live in such a great County, the great Madison County, New York. Our County work force is our bread and butter, working diligently daily for the residents, providing top notch services and implementing programs and procedures that are ahead of other counties in New York State. We all should be grateful for that, I know I am.

2022 began with many COVID-19 restrictions still in place, slowly our communities started to come back together and rebuild and navigate a new post-pandemic world. We know that things will never be the same. In fact, I said in my very first State of the County address, and many other countless times, if you don't like change, go home and hide under the bed. We can either lead and adjust, or we can hide and pretend that the rest of the world doesn't exist and act like when we get done hiding, things will be ok.

I'm here to tell you, people of action and leaders, embrace the change and make our lives better, make bad situations better, and face reality. That is what we do here in Madison County, we are leaders, we use a common sense approach to situations and adjust to change. Our employees have consistently been voted to be heads of their state and national associations, whether it's Department of Social Services, Sheriff's Office, Probation, Highway, IT, board members and many more, we lead. It is ALL about leadership.

As we go into 2023, we are a financially healthy County, our employees are paid well and they have first class equipment and facilities to provide services to our residents. But to continue that financial health, 2023 will be a year of advocacy and very hard decisions.

The creation of the Madison County wide Emergency Medical Service initiative is going to help fill any current and future holes in coverage or need by our EMS Agencies. Our local providers are not immune to issues that other agencies across the state and nation are facing. These issues existed prior to the pandemic and have only been exasperated by it.

EMS agencies are facing staffing issues, low to no health insurance reimbursement rates, and long wait times at hospitals that tie them up with patients before they can get back in service. The demand on our local EMS agencies has increased over the past few years and that is going to continue. For these reasons Madison County is looking to change the way EMS looks in our county, to help our current agencies and provide more efficient services to our

residents. Change is not always bad, EMS of tomorrow may not be the EMS of yesterday, and that is ok. What we need to focus on is not what we want, but how do we fill the need of our residents. Pre pandemic, (just 2 years ago) there were over 1,200 EMS agencies in New York State, today there are only 1,000. Strong advocacy in Albany to bolster what is left will only slow the bleeding. What we need is more than a temporary tourniquet.

Seven years ago, Madison County spent County tax dollars to fund a study on EMS. Despite the findings and the predictions, if EMS service continued as status quo, the Board chose to do nothing. Now everything that the study predicted has come true, we've lost a volunteer ambulance service and we've lost a lot of volunteers throughout the county. A lot of agencies are unable to sustain themselves without financial support from their municipalities. So now we do what we do best here in Madison County, we have a problem, we see the problem and we have to fix it. Years from now, we will see that our efforts today will create an EMS system that is the most efficient for our tax payers and effective for our residents.

Another hurdle that we face this year is the future of the Madison County Landfill, when we were running on all 8 cylinders at the landfill just 10 years ago, recycling revenues came closer to covering costs and machines only cost a fraction of what they do today. Then, beginning in 2017, recycling markets crashed with China's National Sword policy and in 2020, the pandemic hit. As we pulled into 2022, the recycling program was operating at a major deficit; out of \$900,000 in recycling costs here at the County, we only recovered \$400,000. Last year, we spent about 1 million dollars in ARPA money on new equipment at the Landfill. We are a very small municipal landfill, and in the landfill business, we are simply not achieving economies of scale that allow us to keep costs affordable.

So what do we do? We have all heard the rumors circulating. We understand folks are concerned about transfer stations closing and about the landfill being sold outright. But let me make one thing clear, the landfill is not closing.

In 2023, we will be evaluating options for a private/public partnership for operations of the landfill that may allow the County to offer the same level of services at a much more reasonable cost. Under a partnership model, Our County will hold the permit, and still own the land of the landfill. In 2023, we will be assessing the benefits of such a public private partnership and we ask for your patience as we move through this process.

Also, in 2023, we will be breaking ground on the largest project that Madison County has ever done. Our broadband fiber network will connect thousands of households to low cost, high speed internet, many of which currently do not have any access. Not only will this provide a necessary utility, but also our partner, Empire Access, will provide this service at a competitive cost, giving our taxpayers a choice on who they want for internet service. This project alone is \$16 million with \$10.1 million in grant funding.

Delphi Falls, what an absolute gem in our County, rivaling anything that a state park has and more. Again, because of our dedicated staff working tirelessly and thinking outside of the box, this once hidden gem is open to the public and will soon be better than ever. Grants, along with a generous donation from Harold Jones, helped pay to purchase the park and now grants, and a donation from the Allen Family, are paying for the new trails, parking lot, and bridge. Funding has also been set aside for 2023 and 2024 to pay for the new building that will sit where the house is now. Delphi Falls will truly be the envy of other Counties and will be a must see destination. Thanks to the forward thinking of this Board and previous Boards, this truly beautiful park is being brought to its full potential.

Our rebranding of Buy Madison County in 2022 is seeing success. Buy Madison County is a one-stop website that highlights our local farms and connects them with buyers. It also takes the work off of the shoulders of our farmers and gives them a free way to market their goods. I recently heard a person that watched one of our ads, say they were glad that we are helping our farms compete and sell locally against two urban counties to either side of us. Buy Madison County is more than just a website; it is a way of life. We want you to know when you see the Buy Madison County logo, that those products and services came from our great community. We will continue to the Buy Madison initiative for the foreseeable future to help our agriculture producers, as well as our other local businesses. We have some exciting announcements coming, so stay tuned.

In 2022, the Treasurer's Office continued to provide services to the community while expanding the use of technology. The delinquent tax area has continued to transition away from paper copies to digital storage, improving efficiency and saving money. They held a very successful land sale in 2022, which was conducted entirely on-line. The real property area recently completed a software upgrade to convert the County's tax maps and GIS data, and this vital information is now in the desired format for the new 911 CAD System that will be going live in the first quarter of 2023. The Treasurer's Office has also worked closely with the Finance Office to maximize its return on investments. Because of their efforts in 2022, the County will be on pace to achieve record investment earnings in 2023. The Treasurer's Office provides budgetary support for all County departments. Whether a \$50 donation or \$13 million in ARPA funds, the Treasurer works with every department to help ensure the County budget is modified appropriately. In addition the Treasurer presented the Board a 2023 budget that fell under the tax cap, even in a challenging budgetary year. Thank you for your work.

In 2022, the County Clerk was selected as the New York State Clerk of the Year. The Clerk's Office commenced a new domestic partnership registry, expanding the available options and benefits for couples in financially independent relationships. In the recording office, the participation in electronic submission of records has continued to increase, resulting in greater efficiencies.

Records Retention County wide has become more efficient by adhering to the New York State Retention schedule, and consolidating paper records into a new state of the art storage system. The Historian's office continued to document Madison County History, and published his first book, "Honoring World War Casualties of Madison County, New York".

Last year was a banner year in the DMV, aided by expanding hours to the public, the total revenue increased 61% over pre-pandemic level and the retention to Madison County increased 11% to \$1.38 Million. Both are the highest numbers our DMV has ever produced outside of the pandemic years. As a result of taking advantage of the opportunities created by the pandemic, the DMV has also been seeing more transactions from fleet management companies. .

The year ahead has a great deal of financial and economic uncertainty, which will certainly affect the operations in the DMV and Clerk's Office in 2023, but there is no doubt Madison County has the right people in the right positions to lead and serve through the rough waters ahead.

In 2022, the Sheriff's Office did an excellent job in receiving nearly \$1.5 Million in grant funding. This funding helped to cover the costs for our Substance Abuse medical treatment Program, Threat Assessment Management, Body Cameras, Bullet Proof Vests, Traffic Safety, STOP DWI program and more.

The Special Resource Officer Program continues to grow and be successful. In 2022, the Sheriff's Office added 3 SROs and now has SROs in 13 schools across Madison County and more to come. These officers help to keep our children and school staff safe all while fostering positive relationships with our youth.

The Madison County Sheriff's Office also initiated the Madison Threat Advisory Council (MTAC) which is a Threat Assessment and Management (TAM) team. TAM teams are multi-disciplinary groups that help identify, assess, and mitigate potential threats, to include threats of domestic terrorism and/or other acts of targeted violence. The teams work collaboratively to share information to better understand relevant risk factors, and what resources might be available to address individuals displaying concerning behavior.

In 2022, the Corrections Division received their 5th consecutive approval for re-accreditation, which lasts for the next five years. Madison County Sheriff's Office continues to be a tri-accredited agency.

This past year, the road patrol was equipped with body cameras, which will be a useful tool used to generate trust between civilians and deputies. Cameras will add transparency, provide accountability, and give a point-of-view perspective to every police contact.

Also in 2022, The Sheriff's Office established a full time DWI Patrol in Mid-April to help combat impaired driving whether it be alcohol or drug related. Since April, the DWI Patrol has made 29 DWI arrests, 3 DWAI arrests and issued over 700 traffic tickets.

This past year, the Children's Advocacy Center served over 179 families. New windows and fencing were also installed at the facility. The CAC also did a great job in receiving roughly \$300,000 in grant funding from New York State Office of Victims Services and the Office of Children and Family Services.

Thank you all again for your hard work.

It has been almost 10 years since our historic settlement with the Oneida Nation and New York State. We look forward to continuing to strengthen our partnership with the Oneida Nation, as they expand and bring a renewed economic future to our area.

As I mentioned before, these programs and services you provide our residents are top notch. Our employees are always looking at ways to bring in revenue or grant funds to offset property taxes. However, at the rate inflation is going and the mandates coming from Albany, we need to do more. We need to reevaluate how the County is going to continue to pay a competitive wage and afford new equipment and machinery; especially under the State's new Climate Law. At the same time, working to provide our outstanding services that our residents are used to. If we continue down the path we are currently on, no one is going to be able to afford their taxes, that is why some time in the next quarter, I will be creating a Madison County 2030 working group. Bringing local business leaders, tax payers, as well as elected officials onto a panel that will look at our future as a County. This panel will take a look at the trends, efficiencies, draw backs, cost, and more, on how we do currently do business and conduct government, and what that may look like beyond 2030.

After listening to the Governor's State of the State, locally we will have to work hard to protect Home Rule from being taken over. Home Rule was adopted in 1963, in New York and it allows Counties, Towns and Villages zoning power. New York State's own report on Home Rule, says that Home Rule's general purpose is for the specific power to regulate the quality of life in Communities. Home Rule is also part of the 14th Amendment of the United States Constitution, ratified in 1868.

So, how can Governor Hochul say that New York State, under Home Rule, can overrule all Local zoning, codes, and assessment to site an electrical power plant either near or in a residential neighborhood? Or first and foremost, on one of our State's most precious resources, Agriculturally zoned farm land. That is just the siting of Electrical Power Plants, the process of siting housing is next. Our Governor has proposed usurping Home Rule again by placing housing wherever the State would like in the name of equity. So in the name of equity, New York State infringe on one person's rights to balance out another, there has to be a better way.

New York State Climate Action Bill Law is only half thought through. I have always been a proponent of New York City because they are part of our state as a big economic engine. But most of Upstate New York is carbon neutral, New York City is only 10% carbon free. This seems that again, this decision is one sided. New York State is covering vast swaths of farmland with renewable energy sources, to only meet New York City's goals.

Back to equity, infringing on upstate for downstate power. There are two New Yorks, with two very different lifestyles, rural and urban. The urban community needs to figure out their power problems without infringing on the rest of us. There are many, many questions that come out of the CLCPA, acronym for the Climate Law, here in New York State. John Howard, former head of the Public Service Commission, said "who will pay?" It will be you, the electric rate payers, and all municipalities, so don't think that your taxes will not to go up. This is all in the name of green energy.

This will be the fight, this is the hill, New York State vs. the people.

Any new home or garage must have an electric car charger in it. Any new home built after 2028, has to be fossil fuel free, no gas, no propane, no fuel oil. The plan calls for prohibiting replacement of residential equipment that uses combustion of fossil fuels for heating and cooling and hot water after 2030. Commercial equipment follows soon after that and by 2035 replacement of fossil fuel appliances are prohibited. After 2035, which will be upon us very quickly, there will be no more fuel burning cars, pickup trucks or SUVs sold in New York State.

People froze to death on the prairies in the 1800's looking for a better life. Just a few weeks ago in Buffalo, a storm of massive proportion froze everything in its path. Cars were stuck on highways, power outages took days to fix, and many people were left without heat. People froze to death. What happens when we are all on the power grid, there are no gas generators or alternative heat sources? What happens when you are stuck on the highway in your electric vehicle and it dies? People will die.

We need to come up with a better solution that not only addresses reduction of greenhouse gas, but addresses cost and the protection of our land and people.

In conclusion, we need to keep up the never ending work and keep up the fight here in Madison County for all of our citizens.

In the words of President Abraham Lincoln, "The best way to predict the future is to create it." And President John F. Kennedy once said, "Every accomplishment starts with a decision to try!" Thank you, God Bless Madison County.

Resolutions – Regular Agenda

By Supervisor Walrod:

RESOLUTION NO. 23-12

IN RESPECT TO THE DEATH OF GORDON A. HULL

WHEREAS, Gordon A. Hull departed from this life on January 9, 2023; and

WHEREAS, Gordon was a Supervisor for the Town of DeRuyter from 1992 - 2003; and

WHEREAS, Gordon will long be remembered for his years of dedicated service to Madison County and his numerous contributions to our community,

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors hereby expresses our deepest sympathy to his family in their bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the family of Gordon A. Hull.

Supervisor Rex Vosburg took a moment to speak in honor of Gordon Hull and recognize many accomplishments throughout his life. Gordon Hull graduated from DeRuyter Schools and was an Army Veteran who served in the Vietnam War.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-13

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 Janine Spinelli and Armando Yacco upon their retirement.

Janine R. Spinelli	Social Services	2002 – 2023
Armando V. Yacco	Probation Department	2017 - 2023

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

DSS Commissioner Mike Fitzgerald came forward to present a gift to Retiree Janine Spinelli. Janine has been in the Social Services Department for over 20 years in the child support unit.

Resolutions – Preferred Agenda

By Government Operations Committee:

RESOLUTION NO. 23-14

AMENDING THE TRAVEL AND EXPENSE REIMBURSEMENT POLICY

WHEREAS, the Madison County Travel and Expense Reimbursement Policy was reviewed by the Government Operations Committee for the purpose of streamlining requests for travel; and

WHEREAS, the Government Operations Committee reviewed the amendments to the procedures as are attached and recommends same for adoption by the Board of Supervisors,

NOW, THEREFORE BE IT RESOLVED that the Madison County Travel and Expense Reimbursement Policy be and hereby is amended to streamline the travel request procedure; and

BE IT FURTHER RESOLVED, that the Government Operations Committee be and hereby is authorized to amend the procedures in the Travel and Expense Reimbursement Policy and Procedures in the future within existing budget appropriations.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-15

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

WHEREAS, the term of Gair Meres, member of Ethics Advisory Council expires February 10, 2023; and

WHEREAS, the term of Sam Cooper, member of the Ethics Advisory Council expires February 13, 2023; and

WHEREAS, the term of Peter Dunn, Esq., member of the Ethics Board expires February 10, 2023; and

WHEREAS, the Government Operations Committee recommends their re-appointment;

NOW, THEREFORE BE IT RESOLVED, that Gair Meres, of Hamilton, be and hereby is re-appointed to an additional four year term on the Ethics Advisory Council expiring on February 10, 2027; and

BE IT FURTHER RESOLVED, that Sam Cooper, of Hamilton, be and hereby is re-appointed to an additional four year term on the Ethics Advisory Council expiring on February 13, 2027; and

BE IT FURTHER RESOLVED, that Peter Dunn, Esq., of Oneida, be and hereby is re-appointed to an additional four year term on the Ethics Board expiring on February 10, 2027.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-16

ADOPTING A WRITTEN INFORMATION SECURITY POLICY AND ABOLISHING THE HIPAA INFORMATION SECURITY POLICY

WHEREAS, Madison County is committed to protecting the security, confidentiality, integrity, and availability of the confidential information and other sensitive information it collects, creates, uses, and maintains in providing services or for individuals who work at the County; and

WHEREAS, the Director of Information Technology, with assistance from an outside consultant and the Compliance Officer, has developed a comprehensive Written Information Security Policy (WISP); and

WHEREAS, the intent of the WISP is to clearly communicate the requirements necessary for compliance with any applicable regulations, specifically the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and any related regulations or directives; and

WHEREAS, the purpose of the WISP is to establish (1) a comprehensive information security program for Madison County with policies designed to safeguard sensitive data that is maintained by the County, in compliance with federal and state laws and regulations, (2) employee responsibilities in safeguarding data according to its classification level; and (3) administrative, technical and physical safeguards to ensure the security of sensitive data; and

WHEREAS, the following HIPAA Security Rule policies, which have also been reviewed and updated, will be moved from the Madison County HIPAA/HITECH Compliance Policies and Procedures and made part of the WISP;

- Acceptable Encryption
- Acceptable Use
- Assigned Security Responsibility
- Audit Controls
- Authentication and Password Management
- Automatically Forwarded Email
- Breach Notification and Risk Assessment Actions and Response
- Business Associate
- Contingency Plan
- Device and Media Controls
- Dial-In Access
- Email Use
- Facility Access Controls
- Internet DMZ Equipment
- Mobile Devices
- Policy Documentation
- Protection from Malicious Software
- Remote Access
- Risk Analysis and Management
- Router Security
- Sanctions

- Security Awareness and Training
- Security Incident Reporting, Risk Assessment, and Response
- Server Security
- Software Installation
- Transmission Security
- User Access Management
- Virtual Private Network
- Wireless Communication
- Workstation Security; and

WHEREAS, the WISP will supersede and replace the HIPAA Information Security Policy; and

WHEREAS, the Government Operations Committee has reviewed the Written Information Security Policy;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors approve the Written Information Security Policy, making it effective immediately.

BE IT FURTHER RESOLVED that the HIPAA Information Security Policy is hereby abolished.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-17

APPROVING THE RENAMING AND AMENDING OF THE HIPAA/HITECH COMPLIANCE POLICIES AND PROCEDURES MANUAL

WHEREAS, Madison County is a Hybrid Covered Entity subject to the Health Insurance Portability and Accountability Act of 1996 (HIPAA); and

WHEREAS, by Resolution No. 20-525 the Board of Supervisors approved the HIPAA/HITECH Compliance Policies and Procedures Manual to ensure the County's compliance with HIPAA and the privacy and security of protected health information; and

WHEREAS, certain policies contained within the HIPAA/HITECH Compliance Policies and Procedures Manual and related to the HIPAA Security Rule have been recommended for inclusion in a separate comprehensive Written Information Security Policy due to their sensitive nature; and

WHEREAS, by moving those HIPAA Security Rule policies to a WISP, the remainder of the policies and procedures contained within the HIPAA/HITECH Compliance Policies and Procedures Manual will only relate to the HIPAA Privacy Rule; and

WHEREAS, the Compliance Officer recommends the renaming of the HIPAA/HITECH Compliance Policies and Procedures Manual to HIPAA Privacy Policies and Procedures Manual; and

WHEREAS, the Compliance Officer has also reviewed the HIPAA Privacy rule policies and procedures making general updates and amendments in light of the above changes; and

WHEREAS, the Government Operations Committee has reviewed both the moving of the HIPAA Security Rule policies to the WISP and the amendments to the Privacy Rule policies and procedures;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors approve the renaming of the HIPAA/HITECH Compliance Policies and Procedures Manual to HIPAA Privacy Policies and Procedures Manual.

BE IT FURTHER RESOLVED the HIPAA Privacy Policies & Procedures Manual is hereby approved and effective immediately.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-18

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, Teva Pharmaceutical Industries Ltd. has offered to settle the claims of Madison County against it by paying yearly direct payments to Madison County for eighteen (18) consecutive years, half of this money may be used in an unrestricted manner and the other half must be used in a restricted manner; and

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

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 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 Teva.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-19

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

WHEREAS, the 2023 National Sheriffs' Association Winter Conference is February 3 – 7, 2023 in Washington, D.C.; and

WHEREAS, Todd Hood, Madison County Sheriff, requested to attend this conference; and

WHEREAS, all meals are fully funded through appropriations in the Office of the Sheriff's 2023 budget; and

WHEREAS, since Sheriff Hood is a member of the National Sheriffs' Association and Chairman of the School Safety Committee, the New York State Sheriffs' Association will reimburse the registration, lodging and travel expenses; 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 Todd Hood be and hereby is authorized to attend said conference at a cost not to exceed \$355.50.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-20

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

WHEREAS, The Paws and Stripes College Law Enforcement & Multidiscipline Crimes Against Persons Therapy Dog Course will be held March 4-12th 2023, in Cocoa, FL; and

WHEREAS, Todd Hood, Madison County Sheriff, has requested that Debra George, Child Advocacy Center Director attend this conference; and

WHEREAS, her expenses are fully funded by the Multi-Disciplinary Team Grant received by the Sheriff's Office; and

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

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

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-21

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

WHEREAS, the New York State weekend at the National Fire Academy in Emmitsburg, MD is scheduled for March 31, 2023 to April 2, 2023; and

WHEREAS, Deputy Director/ Emergency Management Planner Michael Sudol has requested to attend said event which includes many professional development opportunities, including Best Practices in Community Risk Reduction; 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 Michael Sudol be and hereby is authorized to attend said New York State Weekend at the National Fire Academy in Emmitsburg, MD from March 31, 2023 to April 2, 2023 at a cost not to exceed \$350.00.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-22

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

WHEREAS, Madison County Office of Emergency Management operates an Emergency Medical Services Certificate of Need and Paramedic Fly-Car units which, among other responsibilities, supports Madison County Sheriff's Office tactical response; and

WHEREAS, Paramedics Benjamin Hance and Jonathan Scherrieble are paying for and attending the Tactical Medical Practitioner training in Concord, NC to better their tactical knowledge and skills from January 22, 2023 through January 28, 2023; and

WHEREAS, while Paramedics Hance and Scherrieble are covering the cost of the course and travel, they have asked that Madison County cover the cost for the hotel while attending said training; 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 the Madison County Office of Emergency Management is authorized to pay for the hotel cost for Paramedics Hance and Scherrieble while they attend the Tactical Medical Practitioner training in Concord, NC from January 22, 2023 through January 28, 2023 at a cost not to exceed \$801.17.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

By Finance, Ways and Means Committee:

RESOLUTION NO. 23-23

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

General Fund**4308 Mental Health-Clinic****Expense**

	<u>From</u>	<u>To</u>
A430840 511000 Personal Services	\$2,029,935	\$2,026,575
A430840 542730 State Crisis Line Expense	<u>2,640</u>	<u>6,000</u>
Control Totals	<u>\$2,032,575</u>	<u>\$2,032,575</u>

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-24**AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET**

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

General Fund**4220 Narcotics Addiction Control****Revenue**

	<u>From</u>	<u>To</u>
A422040 488030 Appropriation of Opioid Reserves-Restricted	<u>\$-0-</u>	<u>\$6,375</u>
Control Total		<u>\$6,375</u>

Expense

A422040 542000 Consultant Expense	<u>\$-0-</u>	<u>\$6,375</u>
Control Total		<u>\$6,375</u>

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-25**AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET**

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

General Fund**4311 Mental Health – School Clinics****Revenue**

	<u>From</u>	<u>To</u>
A431140 444883 Federal Aid Medicaid Admn Claiming	<u>\$ -0-</u>	<u>\$ 1,120</u>
Control Total		<u>\$ 1,120</u>

Expense

A431140 541000 Travel Expense (Mileage)	<u>\$ -0-</u>	<u>\$ 1,120</u>
Control Total		<u>\$ 1,120</u>

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-26

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

General Fund

3150 Sheriff-Correctional Facility

Expense

	<u>From</u>	<u>To</u>
A315030 547165 Inmate Hair Cuts	\$-0-	\$3,000

Control Total		\$3,000
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Revenue

A315030 427709 Inmate Commissary Account	\$-0-	\$3,000
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Control Total		\$3,000
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ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-27

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

General Fund

3410 Office of Emergency Management

Revenue

	<u>From</u>	<u>To</u>
A341030 427051 Gifts & Donations	\$-0-	\$7,000

Control Total		\$7,000
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Expense

A341030 540826 Fire Prevention Equipment	\$-0-	\$7,000
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Control Total		\$7,000
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ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-28

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED BUDGET

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

General Fund

6010 Social Services Administration

Expense

	<u>From</u>	<u>To</u>
A601060 540705 Safe Harbor Expense	\$-0-	\$16,604

Control Total		\$16,604
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Revenue

A601060 436100 SA Social Services Administration	<u>\$2,650,091</u>	<u>\$2,666,695</u>
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Control Total		<u>\$16,604</u>
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ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-29

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BONADIO & CO. FOR AUDITING SERVICES

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

WHEREAS, the County is required to engage an independent auditor for the purpose of annually auditing the County Basic Financial Statements; and

WHEREAS, the County is required to engage an independent auditor for the purpose of annually performing agreed-upon procedures relative to financial assurance requirements for the County's municipal Solid Waste Landfill; and

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

WHEREAS, the County is required to engage an independent auditor for the purpose of performing a New York State Department of Mental Hygiene Consolidated Fiscal report (CFR); and

WHEREAS, Bonadio & Co, LLP has successfully provided the County with various consulting services over the past several years; and

WHEREAS, Bonadio & Co, LLP has experience performing financial audits for various other New York State county governments and the County has received positive recommendations from other counties who utilize this firm for their annual financial audit services; and

WHEREAS, Bonadio & Co, LLP has provided a proposal for the aforementioned auditing service for the County's fiscal year ending 2022, for a fee of \$66,900.

NOW, THEREFORE, BE IT RESOLVED , that the Chairman of the Board of Supervisors be, and hereby is, authorized to enter into an agreement with Bonadio & Co, LLP as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO.23-30

AUTHORIZATION FOR THE OFFICIALS DESIGNATED TO APPROVE THE NEW YORK STATE REAL PROPERTY TAX LAW CORRECTION OF ERRORS LESS THAN \$2,500

WHEREAS, Chapter 515, Laws of 1997, Section 554 & 556 of the NYS Real Property Tax Law, have been amended to permit a tax levying body to authorize designated officials to approve correcting the tax roll and tax bill, and to authorize the payments or refunds that are less than \$2,500 for corrections of errors appearing on assessment and tax rolls; and

WHEREAS, Madison County annually processes in excess of 20 corrections of error causing related administrative effort and legislative action which can be minimized, resulting in time and cost savings; and

WHEREAS, the Madison County Treasurer and/or Deputy County Treasurer and the Director of Real Property Tax Services recommend that this resolution be adopted in order to make such corrections and refunds to the taxpayer erroneously assessed in a timely and efficient manner;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Treasurer and/or Deputy County Treasurer and the Director of Real Property Tax Services are hereby designated pursuant to the provisions of Chapter 515, NYS Real Property Tax Law for the fiscal year of 2023;

BE IT FURTHER RESOLVED, also pursuant to Chapter 515, that during the last meeting of the fiscal year, the Madison County Treasurer and/or Deputy County Treasurer shall submit a report to the Madison County Board of Supervisors of the corrections and refunds processed during the fiscal year, including the name of each recipient, the location of the property, and the amount of the correction or refund.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

By Health and Human Services Committee:

RESOLUTION NO. 23-31

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MADISON COUNTY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE, INC. (BRIDGES) AND MODIFY THE 2023 ADOPTED COUNTY BUDGET

WHEREAS, Madison County issued a RFP for programs related to Opioid Settlement Funding;

WHEREAS, Madison County Council on Alcoholism & Substance Abuse, Inc. (BRIDGES) has been selected as an award recipient;

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

General Fund

4220 Narcotics Addiction Control

From

To

Expense

A422040 542728 BRiDGES Program Expense	\$ -0-	\$80,000
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Control Total		\$80,000
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Revenue

A422040 488030 Appropriation of Opioid Reserves-Restricted	\$6,375	\$86,375
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Control Total		\$80,000
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BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute an agreement, a copy of which is on file with the Clerk of this Board, for the period from February 1, 2023 through December 31, 2024 with Madison County Council on Alcoholism & Substance Abuse, Inc. (BRiDGES).

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-32

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH COMMUNITY ACTION PROGRAM FOR MADISON COUNTY, INC. AND TO MODIFY THE 2023 ADOPTED COUNTY BUDGET

WHEREAS, studies have shown that positive adult role models can have significant impact on the lives of youth, and in particular at-risk youth, and in the 2018 Madison County Youth Bureau Teen Assessment Project Survey, 26% of youth answered that they worry no one loves or cares about them, up from 21% in the 2014 Survey; and

WHEREAS, the above statistic is a worrisome number that is also evidenced in the ever present waitlist of Community Action Program for Madison County, Inc.'s Volunteer Mentoring Program which the end of 2022, was at 13 children; and

WHEREAS, the referrals of the children describe a variety of needs including but not limited to peer relations, family concerns, self-esteem, communication and social skills, and lack of a role model; and

WHEREAS, through the Volunteer Mentoring Program, adults in the community have provided youth with a positive, supportive, and caring adult role model and opportunities for positive adult interactions since 2002; and

WHEREAS, each one-on-one match has a duration of at least 12 months and is based on interests, geography, and personalities of both the mentor and mentee, demonstrated by the strong relationships developed over time, and youth's improved confidence and caring, as measured through Positive Youth Development informed surveys; and

WHEREAS, the Madison County Youth Board evaluated the proposal on December 6, 2022, and has recommended the allocation of \$23,573 in county funding to operate the proposed program during the period of January 1, 2023, to December 31, 2023, and the Health and Human Services Committee has approved the allocation;

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 Community Action Program for Madison County, Inc. in the form as is on file with the Clerk of the Board; and

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

GENERAL FUND

7146 Youth Programs - Agencies

Expense	From	To
A714670 541007 Anticipated Agency Allocation	\$ 112,750	\$ 89,177
A714670 542783 CAP Volunteer Mentoring Program	\$ <u>0</u>	\$ <u>23,573</u>
Control Total	\$ <u>112,750</u>	\$ <u>112,750</u>

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-33

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH SYRACUSE UNIVERSITY

WHEREAS, the Madison County continues to combat the issue of substance abuse and;

WHEREAS, monitoring concentrations of Opioids, Cannabis and other lifestyle-related substances through wastewater sampling and testing can provide a platform for communities to identifying increased prevalence of such substances; and

WHEREAS, Syracuse University has the expertise and ability to accurately analyze samples for these substances prevalence in wastewater samples; and

WHEREAS, the Health and Human Service Committee believes it is appropriate and in the best interest of Madison County to again enter into an agreement with Syracuse University at a cost of \$447 per sample not to exceed \$37,548 and;

WHEREAS, the cost of said testing is covered by existing ARPA funds,

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter an agreement with Syracuse University effective February 7 through March 15 2023, as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-34

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENT WITH CAYUGA CENTERS

WHEREAS the Commissioner of Social Services of the County of Madison is charged with the responsibility for the administration of all child welfare services in the County of Madison at public expense pursuant to Section 395 et seq. of the Social Services Law; and

WHEREAS the Department of Social Services is mandated to provide preventive services to at-risk children and families designed to prevent foster care placements and to reduce the lengths of costly foster care and residential placements; and

WHEREAS, Cayuga Centers, a private not-for-profit agency, was one of two agencies who responded to a request for proposal (RFP) issued by Madison County in 2022 and was chosen by an RFP review committee to be the most appropriate provider of these preventive services; and

WHEREAS this intensive preventive service program is based on sound evidence-based practices and is effective in other counties around New York State; and is in compliance with newly adopted Family First Legislation; and

WHEREAS, with the Raise the Age and Raise the Lower Age legislation going into effect it will be more important now, more than ever, to have services available for youth who have received JD appearance tickets or present with PINS behaviors; and

WHEREAS Cayuga Centers, has the recognized capacity to provide these services and has offered to do so for an amount not to exceed \$345,563 for the period January 1, 2023, to December 31, 2023, and

WHEREAS these funds are reimbursed at an approximate rate of 62 percent through federal and/or state funding; and

WHEREAS this agreement has been reviewed and approved by the Health and Human Services 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 Cayuga Centers, Inc., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-35

**RESOLUTION CALLING ON THE GOVERNOR TO COMPLETE AFFORDABLE CARE
ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE
RECONCILIATIONS THAT ARE YEARS OVERDUE AND IMMEDIATELY RELEASE
THE FEDERAL FUNDS OWED TO COUNTIES AND NEW YORK CITY**

WHEREAS, the funding to support the Medicaid program is provided by a combination of *federal*, state and local resources; and

WHEREAS, the state requires the counties and New York City to contribute \$7.6 billion annually to pay for the federal and state defined and controlled program; and

WHEREAS, the locally required share of Medicaid funding paid in New York is the highest of any state in the country; and

WHEREAS, this large local funding share for Medicaid and other state programs is a major contributor to New York's high local tax burden compared to other states; and

WHEREAS, under the Affordable Care Act (ACA), the federal government provided an enhanced Medicaid matching share (eFMAP), which has saved New York State billions of dollars; and

WHEREAS, the state is required under federal law to share these savings with counties and New York City based on the proportionate share localities pay of the nonfederal match; and

WHEREAS, the state has utilized a methodology that provides 80 percent of these estimated federal savings to counties in the year the costs accrue; and

WHEREAS, the balance of savings owed to counties is required to be reconciled annually to ensure the withheld savings are transferred to county budgets and local taxpayers, as well as meeting the intent of federal law; and

WHEREAS, the last completed reconciliation and transfer of the full federal savings owed to counties was for state fiscal year 2015-16; and

WHEREAS, individual counties and NYSAC have made numerous requests, over multiple years, regarding the status of outstanding Medicaid ACA eFMAP reconciliations and the federal funds withheld from counties; and

WHEREAS, due to the lack of a meaningful response from state officials, dozens of counties have submitted Freedom of Information Law (FOIL) requests to the New York State Department of Health (DOH); and

WHEREAS, DOH has been providing detailed responses to county FOIL inquiries and initial responses indicate, if current trends continue, that hundreds of millions of federal ACA eFMAP savings are still owed to counties and New York City for SFYs 2017, 2018, 2019, 2020, and 2021, because reconciliations have not been completed; and

WHEREAS, the federal government also enacted a temporary COVID eFMAP where the state also provides 80 percent of the estimated savings to counties, with the final amount to be reconciled in the following year; and

WHEREAS, the state has failed to reconcile any of the COVID eFMAP savings as well for the three years they have been provided; and

WHEREAS, Madison County is owed over \$2.4 million just through 2019 and additional funds for 2020 and 2021; and

WHEREAS, County taxpayers should not be responsible for a tax burden that is being caused by New York State's inability to do the reconciliations timely; and

WHEREAS, the New York State Association of Counties estimates that hundreds of millions of federal savings are still owed to counties from the COVID eFMAP reconciliations that have not yet occurred; and

WHEREAS, because the state is withholding these federal funds, it requires counties and New York City to reserve funds locally to make up for the loss, meaning local taxes have been kept higher than they need to be over multiple years, or local services are scaled back or eliminated; and

WHEREAS, in the years leading up to the last completed ACA eFMAP reconciliation, counties were provided an estimate of their coming year Medicaid costs by September, in time to incorporate the savings in their budgets, which ceased when regular reconciliations ended; now, therefore, be it

RESOLVED, that Madison County urges the Governor to complete these unfinished reconciliations as soon as possible and to provide counties and New York City a full accounting of the federal funds owed, and to take immediate steps to release the funds to localities; and, be it further

RESOLVED, the state should also renew its practice of providing timely notice to counties of coming year Medicaid costs so they can appropriately budget those savings for local taxpayers and to preserve highly desired local quality of life services provided in our communities; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Kathy Hochul, Senator Charles E. Schumer, Senator Kirsten E. Gillibrand, Congressman Brandon Williams, Senator Joe Griffo, Assemblyman Brian Maher, Assemblyman Joe Angelino, Assemblyman Brian Miller, Assemblyman Al Stirpe, Assemblyman Jeff Gallahan, and the New York State Association of Counties.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-36

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BRIDGES,
CORNELL COOPERATIVE EXTENSION MADISON COUNTY AND THE MADISON COUNTY
YOUTH BUREAU FOR THE CONTINUATION OF THE MADISON COUNTY YOUTH
COUNCIL**

WHEREAS, the vision of the Madison County Youth Council is to empower youth to form a stronger connection to their communities through service, outreach, advocacy, and education; and

WHEREAS, the Madison County Youth Council will give youth across the county a platform to share, develop, and execute their ideas to create a healthier Madison County; to start building foundations and forming connections to have a more active role in their communities; and

WHEREAS, the missions of the three entities involved, BRiDGES, Madison County Council on Alcoholism and Substance Abuse, Inc., Cornell Cooperative Extension of Madison County (CCE) and the Madison County Youth Bureau (MCYB) align, allowing each entity to provide a supportive role to youth through a mentor, to work toward the maintenance of the Madison County Youth Council; and

WHEREAS, an Interagency Agreement will be entered into among BRiDGES, CCE and the MCYB during the period of January 1, 2023, through December 31, 2023; and

WHEREAS, this agreement illustrates and solidifies the partnership of the three entities, with costs of staffing associated with operation of the program in 2023 being absorbed by each entity or outside funding source as jointly applied for, and other agreed upon costs for youth being reimbursed through remaining miscellaneous funds through the MCYB budget; and

WHEREAS, this agreement has been reviewed and approved by the Youth Bureau Youth Board and the Health and Human Services 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 BRiDGES, CCE and the MCYB in form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

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

RESOLUTION NO. 23-37

**APPOINTING A BOARD OF SUPERVISORS REPRESENTATIVE TO
MADISON COUNTY COOPERATIVE EXTENSION BOARD**

BE IT RESOLVED, that Dave Jones, Supervisor for the Town of Fenner, of 4879 Nelson Road, Cazenovia, NY 13035 be and is hereby re-reappointed to the Madison County Cooperative Extension Board, as the Board of Supervisors representative, for a term of two years, commencing on January 1, 2023 and expiring on December 31, 2024.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-38

**AUTHORIZING CHAIRMAN TO ENTER INTO AN AGREEMENT BETWEEN
AMBER WATER PROS AND MADISON COUNTY**

WHEREAS, Madison County has been undertaking a project to design a new building at Delphi Falls County Park; and

WHEREAS, due to the Park's location, a well will have to be tested and drilled to determine design parameters for the facilities water treatment system; and

WHEREAS, Amber Water Pros have submitted pricing and details on services that will meet the needs of the Architects designing the building; and

WHEREAS, the cost for these services is covered within the Delphi Falls County Park capital budget and shall not exceed \$40,000;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman to enter into an agreement with Amber Water Pros, a copy of which is on file with the Clerk of this Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-39

AUTHORIZING THE CHAIRMAN TO ENTER INTO POLE ATTACHMENT AGREEMENTS FOR AERIAL FIBEROPTIC CABLE INSTALLATION

WHEREAS, Madison County was awarded a \$10,156,160 grant (toward a total project cost of \$13,541,547) from the United States Department of Agriculture's (USDA) Rural Utilities Service ReConnect Program; and

WHEREAS, the grant funds are to provide reliable and affordable high speed internet to underserved rural areas of Madison County as defined by the USDA; and

WHEREAS, Madison County is moving this project forward and presently has agreements with Empire Access for network operation and NYES for network design, and has ordered hundreds of miles of fiber optic cable; and

WHEREAS, next steps in the process involve the signing of Pole Attachment Agreements with various pole owners in Madison County (NYSEG, National Grid, Verizon, Frontier, Charter Communications, Windstream, etc.); and

WHEREAS, these pole attachment agreements have been reviewed by the County's Attorney's Office and our broadband consultants, ECC Technologies; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute pole attachment agreements with the above mentioned companies, copies of which are on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-40

AUTHORIZATION TO SIGN A CONTRACT WITH H. SICHERMAN & COMPANY, INC. D/B/A THE HARRISON STUDIO

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

WHEREAS, The Madison County Planning Department in partnership with the Madison County Industrial Development Agency will use the grant to make available CARES funds to prevent, prepare for, and respond to the effects of the coronavirus pandemic; and

WHEREAS, this grant is designed to help small businesses (typically less than 25 employees) with reopening and restarting to help bolster Madison County's economy; and

WHEREAS, the County's grant award includes \$80,000 for program delivery and \$30,000 for administrative costs, and

WHEREAS, Madison County has undertaken RFP 18-22 and has selected H. Sicherman & Company, Inc. D/B/A The Harrison Studio to administer this project on behalf of the County; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an Agreement with H. Sicherman & Company, Inc. D/B/A The Harrison Studio, to administer this project for Madison County, for a sum not to exceed \$110,000 as outlined in our grant award.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-41

AUTHORIZING CHAIRMAN TO MODIFY AN AGREEMENT WITH ENVIRONMENTAL DESIGN AND RESEARCH, D.P.C.

WHEREAS, Madison County is working to develop Delphi Falls County Park into a user friendly, accessible, and attractive outdoor destination; and

WHEREAS, developing a trail system for viewing the upper and lower falls is a top priority in the Park's development; and

WHEREAS, that after an RFP selection process, Madison County had determined that Environmental Design and Research (EDR) D.P.C. has the skills and expertise necessary to design parking, trails, and related features at Delphi Falls County Park; and

WHEREAS, Madison County has an existing contract with EDR DPC for construction and stormwater management; and

WHEREAS, both parties are desirous of a no-cost time extension until July 31, 2023 to allow for the completion of the project; and

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby authorizes John M. Becker, Chairman of the Board, to enter into a contract modification (a copy of which is on file with the Clerk of this Board) with EDR D.P.C.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

By Criminal Justice, Public Safety and Emergency Communications Committee:

RESOLUTION NO. 23-42

RE-APPOINTING A SUPERVISOR TO THE JURY BOARD

WHEREAS, Section 652 of the Judiciary Law states that there shall be established for each County, except Albany, Westchester, Suffolk and Nassau, a County Jury Board consisting of the Justice of the Supreme Court, the Senior County Judge and any member of the Board of Supervisors who shall be designated for that purpose by the Board of Supervisors; and

WHEREAS, Alexander Stepanski, Supervisor from the Town of Stockbridge, has served on this Board and wishes to be re-appointed for a new term;

NOW, THEREFORE BE IT RESOLVED, that Alex Stepanski, Supervisor from the Town of Stockbridge be and is hereby re-appointed to serve on the Jury Board for a one year term, commencing on January 1, 2023 and expiring on December 31, 2023.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-43

**ADOPTING THE 2022 MADISON COUNTY MULTI-JURISDICTIONAL
HAZARD MITIGATION PLAN**

WHEREAS, the Madison County Board of Supervisors recognizes the threat that natural hazards pose to people and property within Madison County; and

WHEREAS, Madison County has prepared a multi-hazard mitigation plan, hereby known as the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Madison County from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Madison County Board of Supervisors demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan;

NOW, THEREFORE, BE IT RESOLVED, that the County of Madison, State of New York, Board of Supervisors adopt the 2022 Madison County Multi-Jurisdictional Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in five (5) years.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-44

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH

TRAFFIC SAFETY RESEARCH, LLC

WHEREAS, the Madison County Sheriff is in need of assistance with the administration of the STOP-DWI Community Education and Outreach Program; and

WHEREAS, Traffic Safety Research, LLC has the skills, expertise, education, training and licensing required to perform the required services; and

WHEREAS, the term of this agreement shall be from January 1, 2023 until December 31, 2023; and

WHEREAS, the County will compensate Traffic Safety Research, LLC with a total of Forty Four Thousand Dollars (\$44,000) which is 100% program funded; 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 Traffic Safety Research, LLC in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-45

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

WHEREAS, the Central New York Society for the Prevention of Cruelty to Animals, the “CNY SPCA”, provides animal cruelty services and investigations on an as-needed basis for Madison County; and

WHEREAS, the compensation for rendering of the CNY SPCA’s services shall be made in quarterly amounts of Eighteen Thousand Seven Hundred and Fifty Dollars (\$18,750), not to exceed Seventy Five Thousand Dollars (\$75,000) for 12-month time periods; and

WHEREAS, the term of this two year agreement shall begin on January 1, 2023 and end December 31, 2024; 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 agreement on behalf of the County of Madison with the CNY SPCA, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-46

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE CENTRAL
NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS**

WHEREAS, the Central New York Society for the Prevention of Cruelty to Animals, the “CNY SPCA”, provides animal cruelty services and investigations on an as-needed basis for Madison County; and

WHEREAS, the compensation for rendering of the CNY SPCA’s services shall be made in quarterly amounts of Eighteen Thousand Seven Hundred and Fifty Dollars (\$18,750), not to exceed Seventy Five Thousand Dollars (\$75,000) for 12-month time periods; and

WHEREAS, the term of this two year agreement shall begin on January 1, 2023 and end December 31, 2024; 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 agreement on behalf of the County of Madison with the CNY SPCA, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-47

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE
MORRISVILLE-EATON CENTRAL 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 Morrisville-Eaton Central 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 Morrisville-Eaton Central 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 Morrisville-Eaton Central 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 on behalf of the County of Madison with the Morrisville-Eaton Central School District for the utilization of Special Patrol Officers, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-48

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE
HAMILTON CENTRAL 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 Hamilton Central 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 Hamilton Central School 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 Hamilton Central 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 on behalf of the County of Madison with the Hamilton Central School District for the utilization of Special Patrol Officers, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-49

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NYS OFFICE OF
INDIGENT LEGAL SERVICES ON BEHALF OF THE MADISON COUNTY
ASSIGNED COUNSEL PROGRAM**

WHEREAS, Madison County Assigned Counsel wishes to provide our panel attorneys with an increase in compensation for their appearance at the Family Treatment Program through a stipend increase to provide for the continued payment of experts, investigators, social workers, transcriptions and forensic pathologist services to benefit the clients of the Madison County Assigned Counsel Program to provide coverage for the cost of client transportation to required Court appearances and to provide for reimbursement for and to host CLE and other trainings for our panel members at no cost to them; and

WHEREAS, NYS Office of Indigent Legal Services, hereinafter referred to as "ILS," is a division of the New York State government which provides for grants to local governmental agencies to assist in the assurance of competent legal services for the public based upon their financial eligibility; and

WHEREAS, the maximum amount of funds available and payable to the County under this three-year distribution for 2023-2025 shall not exceed \$113,838.00; 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 be processed upon submission by the County and approved by the NYS Office of Indigent Legal Services of appropriate statements and vouchers; and

WHEREAS, the contract with ILS would cover a 36-month period of time to start January 1, 2023 to run through December 31, 2025; and

WHEREAS, Dist. #13 funding will provide sufficient funds for Madison County Assigned Counsel to provide additional benefits to our attorneys by providing an increased stipend for their appearance at Family Treatment Programs and by providing reimbursement and access to no cost CLE and other trainings and will also provide for the benefits to our clients by providing reimbursement for expenses for transportation to required Court appearances and by providing compensation for any expert services that their assigned counsel may deem appropriate for their case; 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 NYS Indigent Legal Services, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-50

AUTHORIZING THE CHAIRMAN TO ACCEPT GRANT FUNDS WITH THE US DEPARTMENT OF JUSTICE – SMALL, RURAL, AND TRIBAL BODY WORN CAMERA PROGRAM GRANT AND MODIFYING THE 2023 COUNTY BUDGET

WHEREAS, Madison County was awarded a grant for \$30,750 by the US Department of Justice – Supporting Small, Rural, and Tribal Law Enforcement Agency Body-Worn Camera Policy and Implementation Program, as stated on Resolution 22-228; and

WHEREAS, the County requested an increase in the original award amount and since no funds have been yet reimbursed to the County, the course of action is to void the original award agreement and execute a new agreement with the increased award request for a grand total of \$74,000; and

WHEREAS, these funds will provide 50% match federal reimbursement of eligible costs in the effort to support Madison County; and this grant program is described as follows:

Awarding Agency:	US Department of Justice
Pass-Thru:	Small, Rural and Tribal Body-Worn Camera Program
Project ID #:	2020-BC-BX-K001
Program Name:	Supporting Small, Rural, and Tribal Law Enforcement Agency Body-Worn Camera Policy and Implementation Program

Grant Period: 01/01/2022 to 12/31/2024
 CFDA #: 16.835
 Award #: 28909595
 Federal Funds: 50% Match
 Grant Total: \$74,000

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 US Department of Justice, in the form as is on file with the Clerk of the Board; and

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

General Fund

3110 Sheriff's Office

Expense

	<u>From</u>	<u>To</u>
A311030 540845 Body-Worn Cameras	\$ <u>32,500</u>	\$ <u>74,000</u>

Control Total		\$ <u>41,500</u>
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Revenue

A311030 443913 Fed Aid Body-Worn Cameras Grant	\$ <u>-0-</u>	\$ <u>41,500</u>
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Control Total		\$ <u>41,500</u>
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ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

By Solid Waste and Recycling Committee:

RESOLUTION NO. 23-51

**EXPRESSING THE COUNTY'S INTENT TO PARTICIPATE IN LOCAL COMMUNITY
CLEAN-UP PROGRAMS IN THE YEAR 2023**

WHEREAS, Madison County's fifteen Towns and the City of Oneida are interested in conducting community clean-up programs during the year 2023; and

WHEREAS, the Solid Waste Committee approves issuing each Town and the City a total of 10 free tons for community clean-up programs in 2023; and

WHEREAS, this free tonnage shall be utilized explicitly for community clean-up programs, roadside litter, and litter prevention initiatives for County residents; and

WHEREAS, other municipalities (such as Villages in the County) or community organizations expressing interest in participating in this program shall work through the Towns and the Towns shall provide the Solid Waste Department written authorization for utilization of their free tonnage; and

WHEREAS, the Towns and City shall notify the Solid Waste Department of the clean-up dates in advance and shall directly deliver the clean-up program materials to the Madison County Landfill; and

WHEREAS, the Towns and City shall follow the Solid Waste Department's specific requirements regarding the separation of waste streams and prohibition of unacceptable items; and

WHEREAS, pursuant to this resolution, the Solid Waste Committee also approves the free acceptance of roadkill at the Madison County Landfill that is routinely collected along Madison County roads by the State Department of Transportation and municipal Highway Departments;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby supports providing this free tonnage for community clean-up programs.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-52

AUTHORIZING THE CHAIRMAN TO ENTER INTO A MODIFICATION AND EXTENSION AGREEMENT WITH ALPHA ANALYTICAL, INC. FOR PROFESSIONAL LABORATORY ANALYTICAL SERVICES

WHEREAS, the Madison County Department of Solid Waste requires the professional services of a New York State Department of Health certified laboratory in support of its groundwater monitoring program for its east and west side landfills located in the Town of Lincoln; and

WHEREAS, Madison County issued a Request for Proposals (P419) in 2019 for Analytical Testing Services and received four proposals in response; and

WHEREAS, in 2019, Madison County established a contract with TestAmerica Laboratories, Inc. (the proposer receiving the highest composite score); and

WHEREAS, in 2020 Madison County terminated its contract with TestAmerica Laboratories, Inc. and established an agreement with Alpha Analytical, the laboratory that had the second highest composite score; and

WHEREAS, Alpha Analytical possesses all of the required New York State Department of Health certifications required to perform the required laboratory and analytical services; and

WHEREAS, Alpha Analytical provided the required services at the costs specified in their proposal for the initial agreement term (through March 12, 2021); and

WHEREAS, the terms of the agreement included optional renewals under the same terms and conditions for three (3) additional one (1) year periods upon written consent of both parties; and

WHEREAS, both parties previously extended the agreement for two one-year terms through March 12, 2023 (Resolutions 21-130 and 22-116) and now would like to extend the agreement for the third and last extension option, through March 12, 2024;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into a modification and extension agreement on behalf of Madison County with Alpha Analytical, Inc. in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

RESOLUTION NO. 23-53

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CLIFTON
RECYCLING FOR YARD WASTE GRINDING SERVICES**

WHEREAS, the Madison County Solid Waste Department accepts wood waste from Madison County residents, businesses, and municipalities and such material requires proper processing and management; and

WHEREAS, Madison County previously contracted with Cayuga County Soil and Water Conservation District for tub grinder services to properly process the wood waste, however the Cayuga County Soil and Water Conservation District no longer has their tub grinder; and

WHEREAS, Madison County has the ability to utilize Clifton Recycling for tub grinder services pursuant to Onondaga County Bid No. 0010694; and

WHEREAS, the cost of these services are included in the 2023 Solid Waste Department budget; and

WHEREAS, this agreement has been reviewed and approved by the Solid Waste and Recycling 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 Clifton Recycling, Inc. in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

Resolutions – Regular Agenda

By Supervisor Zupan:

RESOLUTION NO. 23-54

**AUTHORIZING THE CHAIRMAN TO AWARD BID 22-37 AND ENTER INTO AN
AGREEMENT WITH O'CONNELL ELECTRIC COMPANY, INC**

WHEREAS, sealed bids were received and opened on December 19, 2022 for the PSB Fire Alarm Upgrade Project (BID 22-37); and

WHEREAS, all bids have been canvassed and reviewed by design engineer C&S Companies, who made their recommendation to award the bid to the lowest responsible bidder; and

WHEREAS, the Highway, Buildings and Grounds Committee has reviewed and recommends moving forward with entering into the agreement as recommended by C&S Companies for the performance of this work;

NOW, THEREFORE, BE IT RESOLVED, that the County accept the following bid for the work heretofore described, to wit:

Bid Ref No. 22-37 PSB Fire Alarm Upgrade

**O'Connell Electric Company, Inc.
7001 Performance Drive
North Syracuse, NY 13212**

TOTAL

\$ 244,000.00

BE IT FURTHER 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 Atlantic Contracting Partners, LLC, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

By Supervisor Walrod:

RESOLUTION NO. 23-55

**OPPOSING GOVERNOR HOCHUL'S
BAN OF GAS STOVES AND OTHER NEW FOSSIL FUEL HEATING EQUIPMENT**

WHEREAS, Governor Hochul's State-of-the-State address contained a proposal to prohibit the sale of new fossil fuel powered heating systems by 2030 for smaller buildings and by 2035 for larger buildings, and

WHEREAS, Governor Hochul is further calling for zero-emission new construction, with no on-site fossil fuel combustion by 2025 for smaller buildings and by 2028 for larger buildings, and

WHEREAS, President Biden and the White House have come out against any prohibition of gas stoves, and

WHEREAS, the Governor's ban is intended to help address climate change, but this government mandate is more of a burden on our region's working-class residents and will have a devastating effect on restaurants, businesses and manufacturing facilities when they have to convert to all electric, and

WHEREAS, the cost to convert a house to electric will result in a cost between \$20,000 - \$50,000 per household and would not include any kind of backup system in the event of a power outage, and

WHEREAS, the conversion to electric will create unnecessary financial burden and hardship for businesses that compete on a national or global level, and

WHEREAS, the ban will push a lot of businesses out of state and will contribute to accelerated population loss for those that are fed up with high taxes, the high cost of living, unreasonable government mandates, reckless spending by the government, and unrealistic environmental mandates not consistent with our geographic region, and

WHEREAS, a ban on natural gas appliances and water heaters is not feasible for Central New York with harsh winter weather and an exposed electrical infrastructure; appliances used to heat water and cook food need to work during power outages especially during times of inclement weather, and

WHEREAS, this past December saw a blizzard rip through the Buffalo Metro Area leaving tens of thousands of residents stuck in their home without power, many for several days; gas appliances, fed by a more resilient infrastructure, allowed those residents to heat their homes, boil water, and safely cook their food during the days needed to clear the roads and restore electricity; more than 40 people died during this storm - some froze to death; many more would have suffered if they had to rely on a power grid for cooking and emergency heating, and

WHEREAS, current technology, that is expected to replace gas appliances, such as space heating, does not work well in our climate; this fact was noted in the recent Climate Action Council's report which proposed requiring two heating sources for New York Residents who live in areas that are frequently too cold, and

WHEREAS, electrical appliances have more moving parts and are expensive to maintain and repair, and

WHEREAS, all electric appliances have been shown to be less efficient and therefore cost more to generate the same amount of heat than natural gas fed appliances, and

WHEREAS, mandating the purchase of electrical appliances is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth, and

WHEREAS, with the higher costs, energy bills will go through the roof for residents, further exacerbating the recent price spikes in food, transportation, and general merchandise, and

WHEREAS, as we have seen with California's recent push to make everything electric, this government mandate will likely lead to an increased strain on our state's electrical grid leading to black outs and rationing, which is especially dangerous with the winter weather we routinely experience, and

WHEREAS, the costs to bury power lines, increase renewable energy infrastructure, and increase the capacity of transformers will be passed on directly to consumers in the form of increased energy costs, and

WHEREAS, individual homes, especially those in older housing stock, will be forced to conduct costly in-home electrical panel upgrades to accommodate the increased demand from their appliances, and

WHEREAS, the ban on fossil-fuel powered heating equipment and appliances will cause severe hardship on the residents and businesses within Madison County and Central New York, and

WHEREAS, the Madison County Board of Supervisors condemns the New York State Legislature and Governor Hochul for continuing to pass hypocritical and nonsensical environmental laws which burden the working-class citizens of this county and state all the while ignoring the largest source of pollution - China, a country that has virtually no environmental protections and continues to be irresponsible and indefensible with environmental policies which ultimately end up subsidized by United States consumers through the purchase of hundreds-of-billions of imports much of which are brought to market through New York City ports,

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby vehemently opposes the Governor's plan to ban natural gas heating and appliances as not feasible or warranted for Madison County and much of Central New York, and be it further

RESOLVED, that the Madison County Board of Supervisors hereby strongly urges Governor Hochul and the New York State Legislature to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Hochul, the Central New York Delegation to the New York State Senate and Assembly, New York State Association of Counties, and any other party deemed necessary and proper.

Discussion transpired among the Supervisors expressing concerns about what would happen in severe weather conditions as recently seen in Buffalo, NY and how people could effectively heat their homes with no power. Supervisor Shwartz expressed that she agrees with this resolution with the exception of the final whereas. Supervisor Roberts states that if you truly want to make an effect on climate change, you need to go after the biggest polluters. Throughout the world, New York is not that. Discussion continued with concerns about the cost of being mandated to convert everything to electric. Snow Plows will be roughly \$1.2 million each, Buses will be roughly \$425,000 each, everything is going to be exponentially more expensive and many municipalities are not going to be able to make that change.

ADOPTED: AYES- 1,306 NAYS – 144 (Shwartz) ABSENT – 58 (Magliocca)

Rule number 24 of the Madison County Board of Supervisors states that “All Resolutions Intended to be moved for adoption at a regular calendar meeting shall be filed with the Clerk not less than seven calendar days prior to the meeting, and copies emailed to all members unless the member has provided written instructions to the Clerk to mail said agenda”. Per rule 24, a two-thirds majority of the weighted vote of the Board may waive this rule.

A motion was made by Supervisor Zupan, Seconded by Supervisor Pinard and approved (1,449 Ayes, 0 Nays, 51 Absent) to waive Rule 24 of the Board of Supervisors to present the following resolutions to the Board of Supervisors. Those of which were not included in the Agenda packet.

By Supervisor Cavanagh:

DSS Commissioner steps forward to speak on the Federal Medicaid Program shares and the two resolutions being presented to the Board today. Resolution 23-25 explains that New York State currently owes the County \$4.6 Million Dollars in eFMAP funds. The following resolution is a result of the Governor's executive budget that not only does not reconcile the amount mentioned in Resolution 23-25, but it will also take the funding that the County is owed. Commissioner Fitzgerald further explains the impact on the County Budget if that revenue is lost.

RESOLUTION NO. 23-56

RESOLUTION CALLING ON THE STATE OF NEW YORK TO CONTINUE TO PASS-THRU FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE FUNDS

WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City; and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers, neither of which Madison County or its taxpayers have any say in; and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require Madison County to spend an additional \$833,000 in 2023, and starting in 2024, more than \$1.5 million; and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, it is the strong view of Madison County and NYSAC that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, since 2003, the state has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced federal Medicaid match was enacted by Congress; and

WHEREAS, enacted in 2011, the Medicaid statutory cap for Madison County is \$11.4 million, all 62 counties is \$7.6 billion and the Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion.; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties and the savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program and through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, Madison County strongly disagrees with the need to cut county funding, forcing the County to raise taxes above the statutory tax cap limits, when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule by depositing \$5.4 billion

into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years; and

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

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

By Supervisor Roberts:

RESOLUTION NO. 23-57

**DIRECTING THE COUNTY ATTORNEY’S OFFICE TO
DRAFT LEGISLATION TO CREATE A COUNTY TAX DISTRICT FOR MADISON COUNTY**

WHEREAS, Madison County is providing ambulance service to its citizens beginning in 2023; and

WHEREAS, there is a need for funding in order to be able to provide this service as well as funding other EMS agencies contracting with the County to provide ambulance service; and

WHEREAS, given the current fiscal environment and this need, Madison County has determined that the creation of a County Tax District would most equitably distribute the cost of this service among its citizens; and

WHEREAS, the Board of Supervisors recognize that it is the New York State Department of Taxation that will write the legislation necessary to allow Madison County to create a county tax district;

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors directs the County Attorney’s office to work with the New York State Department of Taxation and Finance to draft legislation to allow Madison County to create a County Tax District for purposes of funding Emergency Medical Services.

ADOPTED: AYES- 1,442 NAYS – 0 ABSENT – 58 (Magliocca)

At this time, Deputy Treasurer Rebecca Marsala steps forward to explain how proposed legislation from the Governor’s Office will negatively affect the County’s current process on foreclosures. Currently, the County retains any proceeds made from the Madison County Foreclosure Auction. Recently, the Governor expressed the want to write New York State Real Property Law, Section 989, entitled “Distribution of Surplus and Tax Enforcement Proceedings”. If anyone has questions in regards to this proposed legislation, please contact Rebecca at Rebecca.marsala@madisoncounty.ny.gov.

County Administrator Mark Scimone, further explains that this legislation proposes that any proceeds from a foreclosure after paying back taxes and fees, will then be returned to the individual who foreclosed on their parcel whether that be a business or a resident.

The next Board meeting is scheduled for March 14, 2023 at 11:00 a.m.

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