

MADISON COUNTY BOARD OF SUPERVISORS
Meeting Minutes – 2nd Day Annual Session – November 17, 2022

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 Supervisors Moses, Stokes, and Magliocca (182 Votes)

Pledge of Allegiance.

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

Communications, Reports, Report of Committees

1. Madison County Occupancy Tax Receipts/Expenditures for Quarter 7/1/22-9/30/22.

At 11:05 a.m. Chairman Becker announced the scheduled public hearing on the Cowaselon Watershed District budget for 2023. Supervisor Zupan made the motion to open the hearing, seconded by Supervisor Cavanagh and carried.

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

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

Unfinished Business

Res. No. 22-256 – Authorizing the Establishment and Operation of an Advanced Life Support Transporting Service within Madison County **Tabled** by Supervisor Cunningham, 2nd by Supervisor Pinard on 11/10/22.

RESOLUTION NO. 22-526

**AUTHORIZING THE ESTABLISHMENT AND OPERATION OF AN ADVANCED LIFE
SUPPORT TRANSPORTING SERVICE WITHIN MADISON COUNTY**

WHEREAS, pursuant to the provisions of New York State Public Health Law Article 30, section 3008 (7a), notwithstanding any other provision of law and subject to the provisions of this article, any municipality within the State acting through its local legislative body, is hereby authorized and empowered to adopt a resolution to establish and operate advanced life support first responder services or municipal ambulance services within the municipality, upon meeting or exceeding all standards set by the department for appropriate training, staffing and equipment, and upon filing with the New York State Emergency Medical Services Council, a written request for such authorization; and

WHEREAS, the County of Madison recognizes existing ambulance and EMS resources supported by local jurisdictions and desires to develop resources to further enhance local systems already in place; and

WHEREAS, the Madison County Board of Supervisors has identified the need for a county-operated ambulance service, to ensure sustainable emergency medical service remains available to the County's citizens, businesses and community on a consistent and ongoing basis; and

WHEREAS, Madison County will not infringe upon the primary Certificate of Need territories held by Cazenovia Area Volunteer Ambulance Corps (CAVAC), Smithfield-Eaton Volunteer Ambulance Corp (SEVAC), Greater Lenox Ambulance Service (GLAS), Madison Ambulance, Georgetown Ambulance, Southern Madison Ambulance (SOMAC), Vineall Ambulance, Smith Ambulance, Bridgewater Ambulance and West Winfield Ambulance unless such assistance is requested by the primary service, assistance is requested pursuant to the mutual aid plan as approved by all participating agencies, or in the event that a primary service ceases in its emergency response operations.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of this Board, on behalf of the County of Madison, be and hereby is authorized to sign any and all applications, certifications and other such assurances necessary for the establishment of an ambulance service and to eventually establish and operate such services as may be approved in the County Budget; and

BE IT FURTHER RESOLVED, that this resolution shall take effect upon service to the Secretary of the New York State Emergency Medical Services Council.

Supervisor Cunningham explained that the concept of this resolution makes sense. EMS providers rely on low cost reimbursements of Medicare, Medicaid, and HMOs under the affordable care act. Because of this, large numbers of volunteer EMS providers have succumb to fiscal pressure. Not long ago, the largest EMS provider in New York City, Transcare closed their doors as did the largest National provider. It is clear Madison County Residents need and demand this service, but it is not clear how the County would navigate the dysfunctional funding. This needs to be discussed at a Committee level before going down this road.

Chairman Becker explained that this has been discussed at Criminal Justice, Public Safety Committee level and it has been brought to the Board.

Supervisor Walrod speaks to the urgent need to support our EMS agencies in this County. We cannot push this issue down the road for fear of the cost, if we do it will only become a much larger issue. There are certain things that are out of our hands such as the Medicare and Medicaid reimbursement rates. Supervisor Walrod explains that the tabled resolution references no cost to creating a County wide CON.

Darren Ball, EMS Supervisor for the Village of Madison spoke to his concerns of the expeditious manner that this resolution has taken. Ball further speaks to the issue that Madison experiences is staffing.

Supervisor Vosburg states that this resolution is the first step to allow the County to get the process started.

Supervisor Walrod made a motion to amend this resolution to include language that Madison County will not infringe on the primary Certificate of Need territories

held by existing agencies in the County. Supervisor Vosburg seconded the motion and the following vote was taken:

ADOPTED: AYES 1,376 NAYS – 0 ABSENT – 124 (Moses, Stokes, Magliocca)

A final vote was then taken:

ADOPTED: AYES – 1,184 NAYS – 134 (Corbin, Jones, Cunningham) ABSENT – 182 (Moses, Stokes, Magliocca)

At 11:27 a.m. Chairman Becker announced the next scheduled public hearing on the 2023 Tentative County Budget. Supervisor Pinard made the motion to open the hearing, seconded by Supervisor Stepanski and carried.

Chairman Becker then called for speakers.

Larkin Podsiedlik, Executive Director of Cornell Cooperative Extension of Madison County spoke to the educational programs and technical assistance to help build the farms within Madison County. Last year CCE Madison's Agricultural and AED program reached over 6,200 people and brought over 1.3 million dollars in economic impact to the agricultural community. Podsiedlik is requesting a 2.5% increase on behalf of CCE Madison.

Lilly Mills, 4-H Youth Member stepped forward to express all that 4-H has done for her and the opportunities that CCE Madison has provided her.

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

At 11:40 a.m. Chairman Becker announced the third scheduled public hearing on the Clockville Water District No. 1 Budget for 2023. Supervisor Reuter made the motion to open the hearing, seconded by Supervisor Shwartz and carried.

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

Motion by Supervisor Cavanagh then made the motion to close the hearing, seconded by Supervisor Stepanski and carried.

Resolutions – Preferred Agenda

By Government Operations Committee:

RESOLUTION NO. 22-527

AUTHORIZING ATTENDANCE AT AN OUT-OF-STATE CONFERENCE (NACo for PIO)

WHEREAS, the 2023 NACo Legislative Conference will be held in Washington D.C. from February 11 - 14, 2023; and

WHEREAS, the 2023 NACo Legislative Conference provides education and communication among all Counties throughout New York State and is beneficial for members of the Madison County Government to be in attendance; and

WHEREAS, Mark Scimone, County Administrator has requested that Samantha Field, Public Information Officer attend said conference; and

WHEREAS, this request has been approved by the Government Operations Committee;

NOW, THEREFORE, BE IT RESOLVED, that Samantha Field be and hereby is authorized to attend said conference at a cost not to exceed \$ 3,000.00.

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

RESOLUTION NO. 22-528

CREATING AN ASSIGNED COUNSEL ATTORNEY IN THE OFFICE OF ASSIGNED COUNSEL

WHEREAS, the Assigned Counsel Administrator has reviewed the staffing structure of the office and has been determined the need for an Assigned Counsel Attorney; and

WHEREAS, this position is fully funded by New York State Indigent Legal Services; and

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

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Assigned Counsel Attorney position be and hereby is created in the Office of Assigned Counsel,

BE IT FURTHER RESOLVED that the title of Assigned Counsel Attorney be allocated to Grade G of the Management Compensation Plan,

BE IT FURTHER RESOLVED, the Assigned Counsel Administrator be and hereby is authorized to fill said position in accordance with the Civil Service Law and Rule and the Madison County Management Salary Plan effective immediately.

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

RESOLUTION NO. 22-529

AUTHORIZING THE MODIFICATION OF THE 2022 ADOPTED COUNTY BUDGET (American Rescue Plan Act of 2021)

BE IT RESOLVED that the 2022 Adopted County Budget be modified as follows:

General Fund

1631 County Buildings (ARPA)**Expense**

	<u>From</u>	<u>To</u>
A163110 540224 Exterior Building Cleaning	\$150,000	\$-0-
A163110 540357 Mental Health Phase II-IT	-0-	70,000
A163110 540366 Veteran's Building Basement-Sheriff's	-0-	80,000
Control Totals	<u>\$150,000</u>	<u>\$150,000</u>

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

Resolutions – Regular Agenda

By Supervisor Roberts:

RESOLUTION NO. 22-530**AUTHORIZING THE CANCELLATION OF 2022 COUNTY, TOWN AND SPECIAL DISTRICT TAXES AND 2021-22 RELEVIED CAZENOVIA SCHOOL TAXES**

WHEREAS, there is a parcel of land located in the Town of Nelson identified by MAP# 108.-1-37.2 which has a delinquent 2022 Town and County tax and includes a 2021-22 school relevy; and

WHEREAS, this property is 75.49 acres and is located on Lyon Road and was purchased by the NYS Department of Environmental Conservation and is now part of their Nelson Swamp area; and

WHEREAS, this property was purchased by NYS DEC on February 12, 2021, prior to taxable status date, and any purchase of land by NYS becomes wholly exempt immediately; and

WHEREAS, the prior Nelson Assessor did not transfer the property to Roll Section 8 in time to avoid the 2021-22 Cazenovia School taxes and the 2022 Town and County tax bill;

WHEREAS, the new assessor has the parcel in Roll Section 8 currently so no other tax bills will be generated;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Treasurer be and is hereby directed to cancel all 2021-22 school taxes and all 2022 Town and County taxes on the parcel and chargeback the amounts for town taxes (\$222.73), CAVAC taxes (\$18.22), and Nelson Fire taxes (\$107.92) to the Town of Nelson. The amount of unenforceable taxes for Madison County is \$719.33, and

BE IT FURTHER RESOLVED, that the 2021-22 Cazenovia school taxes (\$1,632.20 and \$49.79 for library) along with the corresponding interest (\$50.46) be charged back to the Cazenovia School District.

ADOPTED: AYES – 1,030 NAYS – 288 (Becker) ABSENT – 182 (Moses, Stokes, Magliocca)

RESOLUTION NO. 22-531

AUTHORIZING THE MODIFICATION OF THE 2023 TENTATIVE COUNTY BUDGET

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

Water Fund

8340 Clockville Water District #1

Expense

	<u>From</u>	<u>To</u>
FX834080 575065 Interest Expense-BAN	\$ <u>107,000</u>	\$ <u>120,600</u>

Control Total-Appropriations		\$ <u>13,600</u>
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Revenue

FX834080 410300 Special Assessments	\$ <u>112,000</u>	\$ <u>111,000</u>
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Sub Total Revenue		(\$ <u>1,000</u>)
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Fund Balance

Appropriated Fund Balance	\$ <u>33,000</u>	\$ <u>47,600</u>
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Sub Total Fund Balance		\$ <u>14,600</u>
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Control Total-Revenue & Fund Balance		\$ <u>13,600</u>
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ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

By Supervisor Stepanski:

RESOLUTION NO. 22-532

**AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH
CHITTENANGO CENTRAL SCHOOL DISTRICT**

WHEREAS, Madison County entered into an Agreement with Chittenango Central School District on August 9, 2022; and

WHEREAS, the Office of Mental Health has requested clarification of the site locations and the staffing patterns to be established in the District; and

WHEREAS, the Parties now wish to amend the Agreement to include Appendix D with the location and staffing detail; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend the Agreement with Chittenango School District in the form that is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

RESOLUTION NO. 22-533

**AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT WITH
CAZENOVIA CENTRAL SCHOOL DISTRICT**

WHEREAS, Madison County entered into an Agreement with Cazenovia Central School District on July 12, 2022; and

WHEREAS, the Office of Mental Health has requested clarification of the site locations and the staffing patterns to be established in the District; and

WHEREAS, the Parties now wish to amend the Agreement to include Appendix D with the location and staffing detail; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend the Agreement with Cazenovia School District in the form that is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

By Supervisor Walrod:

RESOLUTION NO. 22-534

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
ABRAHAM MASARA, N.P.**

WHEREAS, the Madison County Correctional Facility is in need of psycho-diagnostic evaluations and performances of therapeutic and corrective measures of inmates; and

WHEREAS, Abraham Masara, N.P. represents that he has the skills, expertise, education, training and licensing required to perform the required clinical services; and

WHEREAS, the term of this agreement shall be from September 1, 2022 until December 31, 2023; and

WHEREAS, the County will compensate Abraham Masara N.P. at an hourly rate of One Hundred Seven Dollars (\$107.00) for 10 to 12 hours per week, the total amount of compensation will not exceed \$21,828 for 2022 and \$66,768 for 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 enter into an agreement on behalf of the County of Madison with Abraham Masara, N.P., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

By Supervisor Moses:

RESOLUTION NO. 22-535

**AUTHORIZING THE CHAIRMAN TO SIGN A GRANT DISBURSEMENT AGREEMENT
WITH THE DORMITORY AUTHORITY OF NEW YORK STATE (DASNY) FOR THE
DELPHI FALLS COUNTY PARK PROJECT**

WHEREAS, Madison County applied for and was awarded financial assistance from State Senator Rachel May through the State's SAM program, for the purpose of funding the Delphi Falls County Park Project; and

WHEREAS, Madison County is very appreciative of the grant funding that has been awarded for the Delphi Falls Project that will provide enhanced recreational opportunities for the citizens of Madison County and the Central New York region; and

NOW, THEREFORE, BE IT RESOLVED, that Madison County is authorized and directed to accept these funds in an amount not to exceed \$500,000 for the project described in the Grant Disbursement Agreement (GDA) with DASNY; and

BE IT FURTHER RESOLVED, that Madison County is authorized and directed to agree to the terms and conditions of the Grant Disbursement Agreement for the Delphi Falls County Park Project; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is authorized to act on behalf of the County of Madison to sign the Grant Disbursement Agreement, between the County of Madison and the State of New York for the above-named project.

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

By Supervisor Walrod:

RESOLUTION NO. 22-536__

**ACKNOWLEDGING A REQUEST OF FINANCIAL SUPPORT FOR EMS
AGENCIES AND COMMITTING TO DEVELOP A PLAN THEREFORE**

WHEREAS, the County of Madison recognizes existing ambulance and EMS resources supported by local jurisdictions and desires to develop resources to further enhance local systems already in place, and

WHEREAS, a working group comprised of leaders from Madison County's EMS agencies and Madison County Emergency Management staff have requested migrating financial support away from town and village budgets, and instead receive financial support from the county; and

WHEREAS, the working group believes that this change will provide equity throughout the county EMS system, a reliable revenue stream for budgetary stability, and ultimately provide increased sustainability for EMS agencies; and

WHEREAS, the County of Madison recognizes the need to develop details of a new funding plan prior to final approval; and

WHEREAS, the working group is committed to working with the County of Madison to further develop details of a county-based funding plan to include criteria for disbursement of funds.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors acknowledges the request of EMS agencies to consider replacing financial support from the towns and villages with financial support from the county; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby confirms the county's commitment to work with the EMS agencies to further develop a funding plan that is equitable, reliable, and sustainable.

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

By Supervisor Cavanagh:

RESOLUTION NO. 22-537

**AUTHORIZING THE MODIFICATION OF THE 2022 ADOPTED COUNTY BUDGET
(ARPA)**

BE IT RESOLVED that the 2022 Adopted County Budget be modified as follows:

General Fund			
<u>4989 County EMS Program (ARPA)</u>		<u>From</u>	<u>To</u>
	<u>Expense</u>		
A498940 513000 Personal Services Part Time		\$394,736	\$144,736
A498940 522130 Ambulance		-0-	270,000
A498940 581100 State Retirement Expense		39,475	38,850
A498940 582100 Social Security Expense		30,198	11,073
A498940 583100 Workers Compensation Expense		<u>15,870</u>	<u>15,620</u>
Control Totals		<u>\$480,279</u>	<u>\$480,279</u>

Madison County Treasurer Cindy Edick explained that this is a reallocation of ARPA funds that the Office of Emergency Management was previously allotted. Discussion continued on the way that funds were moved around.

ADOPTED: AYES – 1,318 NAYS – 0 ABSENT – 182 (Moses, Stokes, Magliocca)

There being no further business, the Board stands recessed until Thursday, December 1, 2022 at 11:00 a.m., that being Day 3 of Annual Session for 2022.