

**MADISON COUNTY BOARD OF SUPERVISORS
Meeting Minutes – Tuesday, August 9, 2022**

The Board convened at 11:00 a.m. in the Supervisors chambers, second floor, County Office Building, Wampsville, New York with all members present except for Supervisor Moses (98 votes) and Supervisor Shwartz (144 votes).

Pledge of Allegiance.

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

Communications, Reports and Reports of Committees

1. Copy of a Resolution from Orleans County – Opposing Recently Enacted NYS Law Regulating Legally Authorized Concealed Carry Gun Permits and Banning Concealed Carry in Public as being an Unconstitutional Attack upon the Rights of Law Abiding Citizens.
2. Town of Brookfield Notice of a Public Hearing on the subdivision tax map application of Kent White.

Vouchers payable report in the amount of \$1,379,203.23.

Resolution of Appreciation

RESOLUTION NO. 22-327

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

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

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

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Chad Chapman upon his retirement.

Chad L. Chapman Sheriff's Office 2009 – 2022

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

Sheriff Todd Hood was present to accept a gift for retiree Chad Chapman, who was unable to attend. Chad was thanked for his 13 years of service to Madison County.

Resolutions – Preferred Agenda

By Government Operations Committee:

RESOLUTION NO. 22-328

**ABOLISHING A REGISTERED PROFESSIONAL NURSE POSITION AND CREATING
A PUBLIC HEALTH NURSE POSITION IN THE PUBLIC HEALTH DEPARTMENT**

WHEREAS, a Registered Professional Nurse in the Public Health Department has recently received a Bachelor of Science in Nursing; and

WHEREAS, the Public Health Director would like to promote the Registered Professional Nurse to Public Health Nurse; and

WHEREAS, in order to accomplish this, the Public Health Director recommends that the full-time Registered Professional Nurse position be abolished and a Public Health Nurse position be created; and

WHEREAS, the Personnel Officer certifies that Public Health Nurse is the appropriate classification based on the description of duties submitted for this position; and

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

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Registered Professional Nurse position be and hereby is abolished effective immediately; and

BE IT FURTHER RESOLVED that one (1) full-time Public Health Nurse position be and hereby is created effective immediately; and

BE IT FURTHER RESOLVED that the Public Health Director be and hereby is authorized to fill said position in accordance with Civil Service Law and Rule and the Agreement between Madison County and the New York State Nurses Association effective immediately.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-329

ABOLISHING A CASEWORKER POSITION AND A CASEWORK ASSISTANT POSITION AND CREATING A SENIOR CASEWORKER POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS the Commissioner of Social Services recommends that a currently unoccupied Casework Assistant position and an occupied Caseworker position both be abolished and upgraded to a single Senior Caseworker position in the Department of Social Services; and

WHEREAS the Personnel Officer certifies that Senior Caseworker is the appropriate classification based on the description of duties for this position; and

WHEREAS, the salary and fringe benefits for the Senior Caseworker will not generate a local cost increase; and

WHEREAS, with the implementation of NY State Family First Legislation in October 2021, the requirements as it related to the placements of Juvenile Delinquents into the custody of DSS requires more of an administrative involvement and oversight outside of the scope of Caseworker duties; and

WHEREAS, the Caseworker currently doing this work has the knowledge and expertise to do the work that meets the Family First requirements of aftercare obligations saving the county \$52.00 per day from the date of placement for every adjudicated Juvenile Delinquent ordered into the custody of the Department of Social Services; and

WHEREAS, the Caseworker currently doing this work has provided supervision to coworkers in learning compliance with the new mandates in conjunction with ongoing collaboration with other agencies; and

NOW, THEREFORE BE IT RESOLVED that one (1) full-time Caseworker position and one (1) full-time Casework Assistant position be and hereby be abolished,

BE IT FURTHER RESOLVED that one (1) full-time Senior Caseworker position be and hereby be created effective immediately,

BE IT FURTHER RESOLVED that the Commissioner of Social Services be and hereby is authorized to fill said position in accordance with Civil Service Law and Rule and the Agreement between Madison County and the CSEA White Collar Unit effective immediately.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-330

APPOINTING A CORPORATE COMPLIANCE OFFICER

WHEREAS, Madison County is committed to conducting the business of local county government in accordance with applicable federal, state, and local laws and regulations, and adhering to the highest ethical standards; and

WHEREAS, the County adopted a Corporate Compliance Plan, effective December 29, 2009, to help ensure that the organization maintains a high level of honesty and ethical behavior in all aspects; and

WHEREAS, the compliance program requires the County to designate an employee vested with responsibility for the day-to-day operation of the compliance program; and

WHEREAS, Resolution No. 449 of 2011 appointed Eric Faisst, Public Health Director as Corporate Compliance Officer; and

WHEREAS, in March 2020, the County hired a full-time Corporate Compliance Officer whose responsibilities include operation of the compliance program and oversight of federal, state and local regulations; and

WHEREAS, the Government Operations Committee recommends that Christina Kennedy be formally appointed as the Corporate Compliance Officer;

NOW, THEREFORE, BE IT RESOLVED, Christina Kennedy be and hereby is appointed Corporate Compliance Officer effective March 2, 2020.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-331

APPOINTING AN AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR

WHEREAS, the Americans with Disabilities Act of 1990 (ADA, or the Act) requires the County to appoint an ADA Coordinator to facilitate and monitor the County's compliance with the Act; and

WHEREAS, Resolution No. 448 of 2011 appointed Eric Faisst, Public Health Director, the County's Corporate Compliance Officer at that time, as the ADA Coordinator; and

WHEREAS, the County now employs full-time Corporate Compliance Officer position responsible for overseeing compliance with the federal, state and county policies, including the Act; and

WHEREAS, the Government Operations Committee recommends that Christina Kennedy, Corporate Compliance Officer, be appointed as the ADA Coordinator;

NOW, THEREFORE, BE IT RESOLVED, Christina Kennedy be and hereby is appointed ADA Coordinator effective March 2, 2020.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-332

AMENDING THE AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE PROCEDURE

WHEREAS, the Americans with Disabilities Act of 1990 (ADA) requires local governments with 50 or more employees to adopt and publish procedures for resolving grievances arising under Title II of the ADA; and

WHEREAS, the contact information listed in the Madison County Americans with Disabilities Act (ADA) Grievance Procedure has been amended to reflect the appointment of Christina Kennedy as the ADA Coordinator; and

WHEREAS, the amendments to this policy have been reviewed and approved by the Government Operations Committee;

NOW, THEREFORE BE IT RESOLVED, the Chairman of the Board of Supervisors approve the amending of the Madison County Americans with Disabilities Act (ADA) Grievance Procedure, making the changes effective immediately.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-333

ADOPTING THE NYS ARCHIVES RETENTION SCHEDULE LGS-1 AS MADISON COUNTY'S CURRENT LIST BY SUBJECT MATTER

WHEREAS, on November 5, 2020, the Board of Supervisors of Madison County resolved to adopt the retention and disposition schedule for New York Local Government Records (LGS-1) through Resolution No. 20-457 effective; and

WHEREAS, effective January 1, 2021, Madison County adopted the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records; and

WHEREAS, in accordance with Article 57-A, only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein; and

WHEREAS, only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods;

WHEREAS, additionally, Public Officers Law Article 6§87(3)c requires a reasonably detailed current list by subject matter of all records in the possession of the agency;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors adopts the Retention and Disposition Schedule for New York Local Government Records (LGS-1) as Madison County's detailed current list by subject matter as required by Public Officers Law Article 6§87(3)c.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

By Finance, Ways and Means Committee:

RESOLUTION NO. 22-334

AUTHORIZING THE MODIFICATION OF THE 2022 ADOPTED COUNTY BUDGET

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

General Fund

4308 Mental Health Clinic

Expense

	<u>From</u>	<u>To</u>
A430840 540400 Office Equipment/Furniture	\$ <u>120,783</u>	\$ <u>123,136</u>

Control Total		\$ <u>2,353</u>
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Revenue

A430840 444883 FA Medicaid ADM Claiming	\$ <u>259,967</u>	\$ <u>262,320</u>
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Control Total		\$ <u>2,353</u>
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ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-335

AUTHORIZING THE MODIFICATION OF THE 2022 ADOPTED COUNTY BUDGET

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

County Road Fund
5112 Construction Projects
Expense

	<u>From</u>	<u>To</u>
D511250 529062 Water Street Superstructure	\$250,000	\$190,000
D511250 547340 Asphalt Paving	<u>200,000</u>	<u>260,000</u>
Control Totals	<u>\$450,000</u>	<u>\$450,000</u>

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-336

AUTHORIZING THE MODIFICATION OF THE 2022 ADOPTED COUNTY BUDGET

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

General Fund

1620 Public Facilities
Expense

	<u>From</u>	<u>To</u>
A162010 540364 Wayfinding Signage Expense	\$-0-	\$48,780

1990 Contingent Fund

Expense

A199010 544440 Contingent Fund	<u>697,169</u>	<u>648,389</u>
Control Totals	<u>\$697,169</u>	<u>\$697,169</u>

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-337

AUTHORIZING THE MODIFICATION OF THE 2022 ADOPTED COUNTY BUDGET

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

General Fund

1930 Liability and Fleet Insurance
Revenue

	<u>From</u>	<u>To</u>
A193010 426800 Insurance Recoveries	<u>\$-0-</u>	<u>\$3,436</u>
Control Total		<u>\$3,436</u>

1930 Liability and Fleet Insurance

Expense

A193010 544002 Excess Insurance Premiums	<u>\$617,025</u>	<u>\$620,461</u>
Control Total		<u>\$3,436</u>

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-338

**AUTHORIZING TREASURER TO COLLECT UNCLAIMED FUNDS
ON BEHALF OF MADISON COUNTY, NEW YORK**

WHEREAS, many states have abandoned property laws that require holders of funds to report and remit dormant or unclaimed funds to the appropriate state agency responsible for administering these types of funds; and

WHEREAS, Madison County is occasionally listed as a possible owner of funds being held by these state agencies; and

WHEREAS, the state agencies perform due diligence to ensure that they are providing information and accepting claim forms signed by an individual who is authorized to collect on behalf of the entity listed as a possible owner of the funds; and

WHEREAS, the Madison County Treasurer, as the custodian of public funds in the name of Madison County, NY, is the appropriate individual to make inquiries and execute forms requested by state agencies in order to research and claim funds that may belong to Madison County.

NOW, THEREFORE, BE IT RESOLVED that the Madison County Treasurer be, and hereby is, authorized to make inquiries and collect unclaimed funds on behalf of Madison County, New York.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-339

ESTABLISHING YEAR-END BUDGET TRANSFER POLICY AND PROCEDURES

WHEREAS, the current procedures for reviewing and approving budget modifications during the fiscal year-end closing process were discussed with the Finance, Ways and Means Committee; and

WHEREAS, it was recommended that these procedures be revised to improve efficiency and provide consolidated records of all of the year-end budget modifications; and

WHEREAS, the Madison County Year-End Budget Transfer Policy and Procedures was created to streamline the procedures and provide transparency of all year-end budget modifications; and

WHEREAS, the Madison County Year-End Budget Transfer Policy and Procedures has been reviewed and approved by the Finance, Way and Means Committee.

NOW, THEREFORE, BE IT RESOLVED that the Madison County Year-End Budget Transfer Policy and Procedures is hereby adopted, as is on file with the Clerk of the Board of Supervisors.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22- 340

**ACKNOWLEDGING INTRODUCTION OF PROPOSED LOCAL LAW NO. 4 FOR THE
YEAR 2022 AND CALLING FOR A PUBLIC HEARING**

WHEREAS, Supervisor Cavanagh has duly introduced proposed Local Law No. 4 for the year 2022, entitled “A LOCAL LAW ADOPTING A DOMESTIC PARTNERSHIP REGISTRY”; and

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

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held on the proposed Local Law in the Chambers of the Board of Supervisors at the Madison County Office Building on September 13, 2022 at 11:15 a.m.; and

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

LOCAL LAW NO. 4 OF 2022

A LOCAL LAW ADOPTING A DOMESTIC PARTNERSHIP REGISTRY

BE IT ENACTED by the Madison County Board of Supervisors as follows:

SECTION 1. Title.

This Local Law shall be known as “A Local Law Adopting a Domestic Partnership Registry.”

SECTION 2. Purpose and Declaration of Policy.

Significant changes in our society have resulted in the creation of diverse living arrangements and the emergence of an expanded concept of the family unit. Many persons today live as families in enduring, committed relationship other than marriages. The County of Madison has an interest in supporting all caring, committed and responsible family units. The County also recognizes that it is in the public interest for persons in committed relationships and who share common households to be able to register those relationships formally.

SECTION 3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

- I. Affidavit Of Domestic Partnership- An affidavit prepared by the Office of the County Clerk with regard to such affidavits shall be adopted by the effective date of the legislation
- II. Domestic Partner-
 - a. For purposes of this chapter, a domestic partner shall be:
 - i. An unmarried person 18 years of age or older and competent to contract
 - ii. Unrelated by blood to their domestic partner in a manner that would bar their marriage in New York State; and

- iii. Sharing a common household with a partner in a close and committed, financially interdependent personal relationship.
 - b. In addition, such person shall have:
 - i. Elected to execute with their domestic partner an affidavit of domestic partnership attesting to the foregoing requirements and further attesting to their present intention to remain in that relationship; and
 - 1. Attested that the domestic partnership has not been terminated.
- III. Marriage-As used in the chapter shall mean a marriage as defined in §10 of the New York State Domestic Relations Law.

SECTION 4. Domestic partnership registration.

- I. Persons may register as domestic partners if, on the date of the initial registration, they are residents of Madison County.
- II. In order to register as domestic partners, persons shall execute an affidavit of domestic partnership before a notary public and file the affidavit in the Office of the County Clerk. Persons submitting an affidavit of domestic partnership must declare under penalty of perjury that:
 - a. The persons are residents of Madison County;
 - b. Neither person is married;
 - c. The persons are 18 years of age or older;
 - d. The persons are competent to enter into a contract;
 - e. The persons are unrelated by blood to their domestic partner in a manner that would bar marriage in New York State;
 - f. The persons share a common household;
 - g. The persons are in a close and committed, financially interdependent personal relationship and intend to remain in the relationship;
 - h. The persons are each other's sole domestic partner, each has no other domestic partner and the persons intend to remain each other's sole domestic partner;
 - i. Neither person has terminated a previous domestic partnership within the 60 calendar days immediately prior to the filing of the affidavit of domestic partnership; and
 - j. The persons agree to file an affidavit of termination in the event that the domestic partnership is terminated.
- III. A domestic partnership shall be established and effective upon the filing of an executed affidavit of domestic partnership with the Office of the County Clerk.
- IV. No person shall be eligible to register in the Office of the County Clerk as a domestic partner if such person has terminated a previous domestic partnership during the 60 calendar days prior to the filing of the affidavit of domestic partnership. The sixty-day waiting period shall not apply if the domestic partnership ended as a result of death or marriage of one of the domestic partners.

SECTION 5. Form of Declaration.

All affidavits relating to the domestic partnership shall be executed on a form provided by the Office of the County Clerk. The affidavit of domestic partnership shall contain the following information and shall be in substantially the following form:

We the undersigned, do hereby declare ourselves to be domestic partners. We reside in the County of Madison. We are both 18 years of age or older, unmarried and competent to enter into a contract. We are not related by blood in a manner that would bar marriage under the laws of the State of New York. We share a common household. We are in a close and committed, financially interdependent personal relationship and intend to remain in the relationship. We are each other's sole domestic partner, have no other domestic partner and intend to remain each other's sole domestic partner. Neither of us has terminated another domestic partnership within the last 60 days. We agree to file a termination statement in the event that the domestic partnership is terminated.

SECTION 6. Amendment of Domestic Partnership.

Either domestic partner may, on a form provided by the County Clerk, amend an affidavit of domestic partnership filed with the Office of the County Clerk at any time to reflect a change in the information previously provided to the County Clerk.

SECTION 7. Termination of Domestic Partnership.

- I. The domestic partnership shall end a) as of the date that either of the domestic partners dies; b) as of the date that either of the domestic partners marries; or c) as of 30 days after either or both domestic partners file an executed affidavit of termination, except that the death of a domestic partner shall not automatically terminate any benefits extended by third parties.
- II. Either or both domestic partners may terminate a registered domestic partnership by filing in the Office of the County Clerk a notarized statement declaring, under the penalty of perjury, that the domestic partnership is terminated, on a form provided by the County Clerk. In the event that only one of the partners executes the affidavit of termination, the terminating partner shall attest upon filing that they has sent a written notice that they is terminating the partnership to the other partner at the other partner's last known address, by means of registered mail, return receipt requested. Any domestic partnership so terminated shall be effective 30 days from the date of the filing of the executed affidavit of termination with the Office of the County Clerk.
- III. Upon the filing of the affidavit of termination, a former partner may cancel a declaration given to any third party by giving such third party a certified copy of the affidavit of termination.

SECTION 8. New domestic partnerships.

When a domestic partnership has been terminated pursuant to § of this chapter, no new affidavit of domestic partnership involving either of the parties to the

terminated domestic partnership shall be valid under this chapter until 60 calendar days after the effective date of the executed affidavit of termination. This sixty-day waiting period shall not apply where the domestic partnership terminated as a result of the death or marriage of one of the domestic partners.

SECTION 9. Fees.

The County Clerk shall set reasonable fees of not more than \$100.00 to be charged for the 1) filing, 2) amendment to, or 3) termination of, a domestic partnership registration. Upon payment of the aforesaid fee, the individual(s) shall receive two certified copies of the applicable document. The fee for obtaining additional certified copies of the applicable document shall be the fee customarily charged by the County Clerk for obtaining additional certified copies of documents filed with the Office of the County Clerk.

SECTION 10. Obligations of domestic partners.

- I. When a domestic partnership has ended, at least one of the partners to the domestic relationship shall file an affidavit within 30 days of the domestic partnership termination with the Office of the County Clerk.
- II. Any person registered as a domestic partner shall, within 30 days of any change in that status, give notice to any party who, in order to qualify the domestic partner for a benefit or right, was originally given a copy of the certificate of domestic partnership.

SECTION 11. Records.

- I. The County Clerk shall maintain a log of registrations, amendments and terminations of domestic partnerships by name of each individual and date of filing in a format designed to facilitate access to such statements. The log shall be a public record pursuant to the New York State Freedom of Information Law. The County Clerk shall treat any other information of a personally identifying nature relating to any individual as a matter of personal privacy exempt from disclosure under the New York State Freedom of Information Law (Article 6 of the Public Officers Law.)
- II. Nothing herein shall be construed to prohibit the publication of statistics pertaining to domestic partnership that have been registered with the Office of the County Clerk.

SECTION 12. Visitation rights in correctional facilities, hospitals, nursing homes and other health care facilities.

- I. Upon the proper filing of the documents required by this law, the County Clerk shall issue to each registering domestic partner a certified copy of a certificate of domestic partnership and may additionally provide them with a copy of the law and information about available counseling for AIDS and sexually transmitted diseases in the same manner as is required for marriage license.

- II. The certificate of domestic partnership shall constitute sufficient and conclusive evidence of a registered domestic partnership when persons apply for rights and benefits available to domestic partners.
- III. No domestic partner who holds a valid certificate of domestic partnership shall be denied any rights of visitation of their domestic partner which are accorded to spouses, next of kin or family members at any correctional facility, hospital, nursing home or health care facility located within Madison County.
- IV. Nothing contained in this chapter shall be construed to require any hospital, nursing home or health care facility that is operated or controlled by any religious institution or organization to provide visitation rights to an individual based solely upon their relationship as a domestic partner.

SECTION 13. Limited effect.

Nothing in this chapter shall be deemed to supersede, alter, affect or conflict with any state or federal laws or rules.

SECTION 14. Severability.

If any section of this chapter or the application thereof to any individual, partnership or circumstance shall be adjudged invalid or unconstitutional by any court of competent jurisdiction, such order of judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the controversy in which such order of judgment was rendered.

SECTION 15. Effective Date.

This Local Law shall be effective upon its filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

By Administration and Oversight Committee:

RESOLUTION NO. 22-341

APPROVING TRADE-IN OF 1998 INGERSOLL RAND ROLLER

WHEREAS, in accordance with Madison County Purchasing Policy and Procedures, Article 13, certain County equipment must be approved for trade-in by the Board of Supervisors; and

WHEREAS, Alta Construction Equipment NY LLC has provided a trade-in value of \$17,000 for Madison County Highway department's 1998 Ingersoll Rand SD100DPR Roller (#MOR093); and

WHEREAS, Alta Construction Equipment NY LLC has provided a trade difference cost of \$127,429 that would allow Madison County Highway department to trade #MOR093 for a new Volvo SD115B Roller; and

WHEREAS, the cost of the trade-in equipment has been appropriated in the 2022 Road Machinery Fund Budget; and

WHEREAS, the Highway, Buildings and Grounds committee met on July 27, 2022, to review and recommend the trade-in of equipment;

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors approves the trade-in of the above piece of equipment.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-342

DESIGNATING DISPOSAL OF SURPLUS COUNTY PERSONAL PROPERTY

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

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

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

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

ITEM	DEPARTMENT	MILEAGE	CONDITION	COMMENT
EM6740 – 2017 Chevrolet 2500	Emergency Mgmt	96,674	Good	Enterprise Replace
SS4561 – 2016 Dodge Caravan	Social Services	32,220	Good	Enterprise Replace

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-343

AMENDING PURCHASING POLICY AND PROCEDURES

WHEREAS, the Madison County Board of Supervisors has previously adopted a revised Purchasing Policy and Procedure; and

WHEREAS, the current policy requires amendments to comply with procedural changes; and

WHEREAS, the amendments will also increase efficiencies countywide; and

WHEREAS, the Administration and Oversight Committee has reviewed the amendments to the procedures and recommends adoption by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby adopts Madison County's Purchasing Policy and Procedures as amended.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

By Health and Human Services Committee:

RESOLUTION NO. 22-344

APPOINTING A MEMBER TO MADISON COUNTY BOARD OF HEALTH

WHEREAS, pursuant to Section 340 of the Public Health Law, the Madison County Board of Supervisors, January 1, 1994 established a Public Health District and appointed a Board of Health for said County Health District; and

WHEREAS, there is a vacant position on the Board of Health; and

WHEREAS, Dr. Kurt Gormley, DDS is interested in becoming a Board of Health member; and

WHEREAS, upon review, both the Board of Health and the Health and Human Services Committee feel it appropriate to appoint Dr. Kurt Gormley, DDS. to the Madison County Board of Health; and

NOW, THEREFORE BE IT RESOLVED that Dr. Kurt Gormley, DDS. is appointed to the Board of Health effective August 9, 2022 through December 31, 2024.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-345

FOSTER BOARDING HOME RATES

(Regular, Therapeutic, Special Needs and Emergency Foster Boarding Homes)

WHEREAS, when children are in need of care outside of their family home, it is best for them to be cared for by a foster family within their home community rather than in an institution or foster care by agencies outside of Madison County; and

WHEREAS, the foster and adoptive families certified by Madison County Department of Social Services have done an excellent job caring for our children over the past several years, helping the Department to exceed many of the outcome guidelines set by New York State Office of Children and Family Services (OCFS); and

WHEREAS, the cost of caring for a child has increased steadily over the past year due to the increase in costs for such items such as food and fuel; and

WHEREAS, the rate of payments made to foster parents and adoptive parents in Madison County is below the maximum rate set by OCFS; and

WHEREAS, Social Services law §398-a (2-c) mandates local districts to pay the OCFS established maximum state aid rates for children in regular, therapeutic, special needs and emergency foster boarding homes as follows, and

WHEREAS, Districts paying less than 100% of the MSAR as of July 1, 2022, the current rate must be increased by no less than one half of the difference between their current rate and the maximum state aid rates

WHEREAS, foster parent and adoptive parent payments are included as part of the state reimbursement methodology; and

NOW, THEREFORE, BE IT RESOLVED that effective July 1, 2022, the foster care boarding home payment rates be and are hereby established as follows:

Infants-through-five years of age:	\$26.60 per day
Six-through-eleven years:	\$29.86 per day
Twelve years and over:	\$32.07 per day
Special:	\$53.25 per day
Exceptional:	\$82.23 per day

So long as these rates do not result in a decrease in payment for any adoptive parent already approved at a higher rate.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-346

FOSTER BOARDING HOME RATES (Foster Parents, Adoptive Parents or KinGap Guardians)

WHEREAS, when children are in need of care outside of their family home, it is best for them to be cared for by a foster family within their home community rather than in an institution or foster care by agencies outside of Madison County; and

WHEREAS, the foster and adoptive families certified by Madison County Department of Social Services have done an excellent job caring for our children over the past several years, helping the Department to exceed many of the outcome guidelines set by New York State Office of Children and Family Services (OCFS); and

WHEREAS, the cost of caring for a child has increased steadily over the past year due to the increase in costs for such items such as food and fuel; and

WHEREAS, the rate of payments made to foster parents and adoptive parents in Madison County is below the average paid by neighboring counties and below the maximum rate set by OCFS; and

WHEREAS, per 22-OCFS-ADM-15, the maximum state aid rates for replacement clothing and diapers paid to foster parents or adoptive parents or KinGAP guardians, have been discontinued; and

WHEREAS, Counties are required to increase their foster care or adoptive parents or KinGAP guardians room and board rates by 5.4%; and

WHEREAS, foster parent and adoptive parent payments are included as part of the state reimbursement methodology; and

NOW, THEREFORE, BE IT RESOLVED that effective April 1, 2022, the foster care boarding home payment rates be and are hereby established as follows:

Infants-through-five years of age:	\$23.81 per day
Six-through-eleven years:	\$24.70 per day
Twelve years and over:	\$28.73 per day
Special:	\$43.05 per day
Exceptional:	\$66.67 per day

So long as these rates do not result in a decrease in payment for any adoptive parent already approved at a higher rate.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-347

**AUTHORIZING THE MODIFICATION OF THE 2022 ADOPTED COUNTY BUDGET
(Rental Supplement Program)**

WHEREAS, the New York State Office of Temporary and Disability Assistance has allocated monies to counties related to the New York State Rental Supplement Program (RSP) per 21-LCM-24; and

WHEREAS, these monies are to be used to provide vital rental assistance to individuals and families who are experiencing homelessness or are facing an imminent loss of housing. Households must earn no more than 50% of the area median income (AMI) with initial priority given to households who earn no more than 30% of AMI. Rental supplements will be set at 85% of the Fair Market Rent (FMR); and

WHEREAS, these funds being 100% state reimbursed through the New York State Office of Temporary and Disability Assistance.

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

General Fund

6010 Social Services Administration

Expense

	<u>From</u>	<u>To</u>
A601060 541184 Rental Supplement Program Expense	<u>\$-0-</u>	<u>\$102,032</u>

Control Total		<u>\$102,032</u>
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Revenue

A601060 436100 SA Social Services Administration	<u>\$2,417,910</u>	<u>\$2,519,942</u>
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Control Total		<u>\$102,032</u>
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ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-348

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
CHITTENANGO CENTRAL SCHOOL DISTRICT FOR A SATELLITE
MENTAL HEALTH CLINIC**

WHEREAS, there is a need for additional mental health services to school aged children; and

WHEREAS, the Chittenango Central School District desires to establish a School Satellite Mental Health Clinic with clinical mental health services provided by the County; and

WHEREAS, the District requires the services of the Clinic to address mental health needs and both parties have agreed that the Clinic will establish school-based mental health clinic for the District's students at certain Chittenango Schools; and

WHEREAS, the County desires and has the capacity to provide clinical mental health service to the District through its employment of Staff Social Workers as authorized by Resolution No. 22-237; and

WHEREAS, Madison County Mental Health will generate revenue through insurance billing/patient fees for these services; and

WHEREAS, the County and the 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 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 the Chittenango Central School District, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-349

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AFFILIATE AGREEMENT WITH HEALTHY ALLIANCE IPA, LLC

WHEREAS, Healthy Alliance IPA, LLC ("IPA") is an independent practice association approved the State of New York to arrange for the provision of health and health related services; and

WHEREAS, IPA has contracted with Unite Us to issue unlimited web-based licenses for the Unite Us Referral Technology Service Software (the "Service Software") throughout New York State; and

WHEREAS, IPA has established a Network which utilizes the Service Software, which includes social service organizations primarily providing non-clinical services, and primary and specialty care medical care providers, behavioral health providers, pharmacies, federally qualified health centers, health systems, hospitals, school, and government agencies to address social, behavioral and medical needs while also capturing and analyzing referral data; and

WHEREAS, IPA has established standards for Social Determinants of Health screenings and referrals across the Network; and

WHEREAS, IPA seeks to promote the Network and engage the Madison County Department of Health (“Affiliate”) to make and receive referrals in accordance with Network Standards to improve health and lower the total cost of care for vulnerable individuals through a focus on the social determinants of health; and

WHEREAS, the Madison County Department of Health both accepts referrals for Department services and refers individuals to needed services, and that this agreement would enhance the Department’s ability to connect our residents to needed services; and

WHEREAS, there are no fees or payments exchanged between the Parties as part of this agreement; and

WHEREAS, upon review, both the Board of Health and the Health and Human Services Committee feel it appropriate to enter in an affiliate agreement with the Health Alliance IPA;

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 Health Alliance IPA, LLC, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

By Criminal Justice, Public Safety and Emergency Communications Committee:

RESOLUTION NO. 22-350

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH THOMSON REUTERS ENTERPRISE - WEST PUBLISHING CORPORATION
ON BEHALF OF THE MADISON COUNTY ASSIGNED COUNSEL PROGRAM**

WHEREAS, the Madison County Assigned Counsel wishes to provide legal research subscriptions and research materials to our panel attorneys, who subscribe to provided research services in subject areas related to the provisions of Article 18-B services; and

WHEREAS, Thomson Reuters Enterprise - West Publishing Corporation offers a subscription based legal program, hereinafter referred to as “West Proflex,” which would improve the quality legal representation from our attorneys to our indigent clients; and

WHEREAS, the West Proflex online service would cover a 36-month period of time to start August 12, 2022 to run through September 1, 2025; and

WHEREAS, Dist. #12 funding will allow us to subscribe to West Proflex and related research packets, including document search and public records access for a 3-year period at a monthly rate of \$2,357.88. It will allow access to 23 separate attorney panel memberships, plus complimentary membership for each of their staff. This will decrease out of pocket costs for our panelists and also serve as a strong incentive for attorney retention; 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 Thomson Reuters Enterprise - West Publishing Corporation, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-351

AUTHORIZING PARTICIPATION IN A FEDERAL TRAFFIC SAFETY GRANT AND MODIFYING THE 2022 COUNTY BUDGET

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

WHEREAS, the Federal awards grant is identified as follows:

Awarding Agency: National Highway Safety Administration
Pass-through Agency: New York State Governor's Traffic Safety Committee
Catalog of Federal Domestic Assistance: #20.600
Program Name: Madison County Traffic Safety Plan
Award Year: October 1, 2022 through September 30, 2023
Federal Funds Percentage: 100%
Total Grant Amount: \$26,763.00, and

WHEREAS, the funding agencies have approved the following budget for this project during the project year 10/1/22– 9/30/23:

General Fund

3111 Sheriff's Office -Traffic Safety Coordinator Grant

Expense

		<u>From</u>	<u>To</u>
A311130 512000	Personal Services Grants	\$14,825	\$34,985
A311130 541181	Commodities 2022-23	0	1,700
A311130 541182	Travel-Conference & Seminar Expense 2022-23	0	700
A311130 544233	Equipment	0	2,600
A311130 581001	Allocation of Fringe Benefits	<u>1,173</u>	<u>2,776</u>
	Totals	<u>\$15,998</u>	<u>\$42,761</u>
	Control Total		<u>\$26,763</u>

Revenue

A311130 443930	Federal Aid Distracted Driving 2022-23	<u>\$0</u>	<u>\$26,763</u>
	Control Total		<u>\$26,763</u>

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

BE IT FURTHER RESOLVED, that the adopted 2022 County Budget be modified in accordance with this grant.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-352

**AUTHORIZING ACCEPTANCE OF A REIMBURSEMENT GRANT AWARD FROM
NEW YORK STATE SHERIFF'S ASSOCIATION TO MADISON COUNTY SHERIFF'S
OFFICE AND MODIFYING THE 2022 ADOPTED COUNTY BUDGET**

WHEREAS, the New York State Sheriff's Association (NYSSA) has been awarded a grant/contract with the Center Disease Control Prevention; and

WHEREAS, Madison County Sheriff's Office is requesting to purchase qualified and approved materials and/or services for the Detection and Mitigation of COVID-19 in the facility; and

WHEREAS, the NYSSA will reimburse for said materials and/or services through said grant; and

WHEREAS, the NYSSA has awarded Madison County \$81,943 for the three year contract period commencing August 1, 2021 and ending July 31, 2024; and

WHEREAS, this request has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee and the Finance, Ways and Means Committee;

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

BE IT FURTHER RESOLVED, that the 2022 Adopted County budget be modified as follows:

General Fund

3150 Sheriff's Correctional Facility

Expense

	<u>From</u>	<u>To</u>
A315030 540780 NYSSA COVID19 Grant-Supplies	\$-0-	<u>\$81,943</u>

Control Total		<u>\$81,943</u>
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Revenue

A315030 433931 SA NYSSA Grant – COVID19	\$-0-	<u>\$81,943</u>
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Control Total		<u>\$81,943</u>
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ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-353

**AUTHORIZING ACCEPTANCE OF GRANT AWARD FROM NYS OFFICE OF
CHILDREN AND FAMILY SERVICES TO MADISON COUNTY SHERIFF'S OFFICE
FOR MADISON COUNTY CHILDREN'S ADVOCACY CENTER AND MODIFICATION
OF THE 2022 ADOPTED COUNTY BUDGET**

WHEREAS, Madison County has been the recipient of a state grant through the Office of Child and Family Services (“OCFS”) since 2003 for the creation and maintenance of a Multi-disciplinary Team/Children’s Advocacy Center program; and

WHEREAS, said grant was a straight, state-funded grant with no federal funds passing through; and

WHEREAS, the original grant period has been amended and extended continuously to the present time, the most recent grant period ending on September 30, 2022; and

WHEREAS, OCFS has awarded Madison County a further grant of \$485,721 for the three year contract period commencing on October 1, 2022, each year being awarded \$161,907. Said monies to be used to cover program costs, including staff positions, operational expenses and training of team members, and to be allocated as set forth below; and

WHEREAS, this request to have said monies accepted by the County has been reviewed and approved by the Criminal Justice, Public Safety and Emergency Communications Committee and the Finance, Ways and Means Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to accept the \$485,721 from the NYS OCFS and execute an agreement with the State of New York permitting the County’s continued participation in this grant; and

BE IT FURTHER RESOLVED, that the 2022 Adopted County budget be modified as follows:

General Fund

3114 Grant-Multidisciplinary Teams

<u>Expense</u>	<u>From</u>	<u>To</u>
A311430 512000 Personal Services Grants	\$139,083	\$212,622
A311430 540040 Equipment Expense	-0-	12,681
A311430 540200 Miscellaneous Expense	26,993	48,293
A311430 541000 Travel Expense	1,200	5,200
A311430 542340 Contracted Services	2,641	3,641
A311430 549110 Supplies Expense	14,195	32,695
A311430 581001 Allocation of Fringe Benefits	<u>57,585</u>	<u>88,472</u>

Totals	<u>\$241,697</u>	<u>\$403,604</u>
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Control Total		<u>\$161,907</u>
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Revenue

A311430 433899 SA Multidisciplinary Team	<u>\$133,458</u>	<u>\$295,365</u>
Control Total		<u>\$161,907</u>

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-354

**AUTHORIZING PARTICIPATION IN A FEDERAL GRANT AND
MODIFYING THE 2022 ADOPTED COUNTY BUDGET**

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

WHEREAS, the Federal awards grant is identified as follows:

Awarding Agency:	National Highway Safety Administration
Pass-through Agency:	New York State Governor's Traffic Safety Committee
Catalog #:	20.600
Program Name:	Police Traffic Services (PTS)
Award Year:	October 1, 2022 through September 30, 2023
Federal Funds Percentage:	100%
Total Grant Amount:	\$13,000; and

WHEREAS, the funding agencies have approved the following budget for this project during the project year 10/1/2022 – 9/30/2023:

General Fund

3113 Sheriff's Office - "PTS" Federal Grant

		<u>From</u>	<u>To</u>
<u>Revenue</u>			
A311330 443983	Federal Aid "PTS" Grant 2022-23	\$ <u>-0-</u>	<u>\$13,000</u>
Control Total			<u>\$13,000</u>

Expense

A311330 514000	Overtime	<u>\$12,579</u>	<u>\$25,579</u>
Control Total			<u>\$13,000</u>

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

BE IT FURTHER RESOLVED, that the 2022 Adopted County Budget be modified in accordance with this grant.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-355

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

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

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

WHEREAS, Madison-Oneida BOCES possesses experienced personnel with special skills and training required to perform the necessary services pursuant to the

terms of the contract by providing a staff person to the Madison County Jail; and

WHEREAS, the term of this contract shall be from July 1, 2022 through June 30, 2023. This contract may be terminated without cause by either party hereto at any time upon thirty (30) days written notice of the intention to so terminate. The County reserves the right to terminate this Agreement for cause at anytime; and

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

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

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

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

By Highway, Buildings and Grounds Committee:

RESOLUTION NO. 22-356

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BARTON AND LOGUIDICE, D.P.C. FOR THE DESIGN AND CONSTRUCTION SUPPORT OF LARKIN ROAD BRIDGE REPLACEMENT

WHEREAS, RFPs were submitted for design and construction support for Larkin Road Bridge Replacement, BIN 3308580, in the Town of Hamilton, Madison County, P9-22, and;

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

Barton & Loguidice, D.P.C. Lump Sum of \$54,950.00

WHEREAS, the cost for services has been appropriated in the 2022 County Road Fund Budget;

WHEREAS, this agreement was reviewed and approved by the Highway, Buildings and Grounds Committee on July 27, 2022,

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

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-357

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

WHEREAS, sealed bids were opened in Jefferson County on February 9, 2021 for Shotcrete Supply and Application and awarded to the lowest responsive/responsible bidder who meet all the terms of the Bid specifications; and

WHEREAS, Jefferson County reserves the right to allow all municipal and not for profit organizations authorized under the General Municipal Laws of the State of New York ("GML"), to purchase any goods and/or services awarded as a result of this bid in accordance with the latest amendments to GML based on the following; and

WHEREAS, the Highway Buildings and Grounds Committee met on July 27, 2022 and approved entering into an agreement based on Jefferson County Bid #2021H-8 as follows;

Town & County Bridge and Rail, Inc. – Shotcrete Supply and Application for a cost of \$284.00 per applied bag;

WHEREAS, the cost for services has been appropriated in the 2022 County Road Fund Budget;

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

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-358

**AUTHORIZING THE CHAIRMAN TO AWARD BID 22-10 AND ENTER INTO AN
AGREEMENT WITH ATLANTIC CONTRACTING PARTNERS, LLC**

WHEREAS, sealed bids were received and opened on July 19, 2022 for the Cedar St. Highway Garage Demobilization project (BID 22-10); and

WHEREAS, all bids have been canvassed and reviewed by design engineer Barton & Loguidice, D.P.C., 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 Barton & Loguidice, D.P.C. 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. 22-10- Cedar St. Highway Garage Demobilization Project

Atlantic Contracting Partners, LLC

375 Colvin Avenue, Unit 27
Buffalo, NY 14216

1-6 Total or Gross Bid (Sum of items 1 through 6)	\$ 1,062,000.00
9a Alternate Add: New Electrical Service Entrance	\$ 149,000.00
9b Alternate Add: Salt Dome Conveyor System Removal	\$ 16,000.00
TOTAL	\$ 1,227,000.00

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 – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22- 359

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

WHEREAS, Madison County is in need of professional engineer design services with regards to the County Office Building Bathrooms; and

WHEREAS, King & King Architects, LLP has served previously as the design engineer for the County Office Building possess the special skills and training to perform the services required, and

WHEREAS, King & King Architects, LLP., has agreed to perform these professional engineering services for a total cost of \$31,800 with services to commence August 9, 2022 and ending December 31, 2023; and

WHEREAS, the costs of these services have been allocated within the 2022 adopted county budget; and

WHEREAS, this agreement has been reviewed and approved by the Highway, Buildings and Grounds 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 King & King Architects, LLP, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-360

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH LABELLA ASSOCIATES, D.P.C.**

WHEREAS, Madison County is in need of professional engineer design services with regards to the County Office Building Complex exterior and interior wayfinding and signage; and

WHEREAS, LaBella Associates, D.P.C. has previously performed design engineer services for the County satisfactorily and possess the special skills and training to perform the services required, and

WHEREAS, LaBella Associates, D.P.C., has agreed to perform these professional engineering services for a total cost of \$48,780 with services to commence August 9, 2022 and ending August 8, 2023; and

WHEREAS, this agreement has been reviewed and approved by the Highway, Buildings and Grounds 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 LaBella Associates, D.P.C., in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

By Solid Waste and Recycling Committee:

RESOLUTION NO. 22-361

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that Madison County enter into Solid Waste Disposal Agreements and Business Convenience Agreements with Commercial Solid Waste Permittees that are approved by the Solid Waste Committee and that agree

to abide by the provisions of the Agreements, copies of which are on file with the Clerk of the Board; and

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

Ritter & Paratore Contracting, Inc.
Oneida ANY AM, LLC
Marshmill Ranch, LLC
Rasmussen Excavation, LLC

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-362

**INCREASING THE NOT-TO-EXCEED LIMIT OF AN AGREEMENT WITH
CORNERSTONE ENGINEERING AND GEOLOGY, PLLC FOR PROFESSIONAL
ENGINEERING SERVICES**

WHEREAS, pursuant to Resolution No. 21-632, Madison County entered into an agreement with Cornerstone Engineering and Geology, PLLC for Professional Engineering Services to comprehensively analyze the components of the current solid waste management system and make recommendations to improve the long term system sustainability, for a one year term beginning January 1, 2022 and a not-to-exceed limit of \$75,000; and

WHEREAS, Cornerstone Engineering and Geology, PLLC has completed Phase I of the scope of work, as well as several components of Phase II, and continues to work towards completion of the summary report, however additional funds will be necessary to complete the project; and

WHEREAS, the County allocated \$75,000 of its American Rescue Plan Act of 2021 (ARPA) funds to this project (the original \$75,000 came out of the Solid Waste Department's budgeted funds) and the Solid Waste Committee recommends increasing the not-to-exceed limit to \$150,000 with the addition of these funds;

NOW, THEREFORE, BE IT RESOLVED, that the not-to-exceed limit of the agreement with Cornerstone Engineering and Geology, PLLC be increased to \$150,000. This resolution shall take effect immediately.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-363

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

WHEREAS, the Madison County Department of Solid Waste requires vacuum truck services to properly maintain infrastructure at the Madison County Landfill; and

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

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

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

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

Resolutions – Regular Agenda

By Supervisors Cavanagh and Walrod:

RESOLUTION NO. 22-364

MADISON COUNTY BOARD OF SUPERVISORS OPPOSE LEGISLATION S.51001/A.41001 OR ANY FURTHER REGULATIONS TO BE IMPOSED ON RESPONSIBLE AND LEGAL GUN OWNERS

WHEREAS, on July 1, 2022, New York State Legislature enacted Senate Bill S.51001 and Assembly Bill A.41001, which among other things, makes obtaining and retaining a concealed carry gun permit an overly involved and lengthy burdensome process; and

WHEREAS, the Madison County Board of Supervisors is responsible for over 67,000 Residents in Madison County, many of whom are conceal carry permit holders and have been for many years; and

WHEREAS, many Madison County Residents also enjoy the sport of hunting and target shooting; and

WHEREAS, the New York State Legislature rolled through legislation in two days with no public input or discussion on new pistol, gun and ammunition restrictions, making it harder to obtain and retain gun and pistol permits, and ammunition for law abiding citizens; and

WHEREAS, among the most onerous of its provisions, it makes it a felony for any individual who has a valid concealed carry permit to bring a handgun to ANY New York State Park, house of worship and restaurants, where residents, businesses and municipalities operate, live, work, socialize, worship and pay taxes; and

WHEREAS, this legislation makes the public less safe by expanding and advertising the number of gun free zones and in doing so further penalizes valid concealed carry permit holders who abide by existing rules and regulations; and

WHEREAS, the Madison County Board of Supervisors consider this law to be an unconstitutional infringement upon our Second Amendment right for law abiding citizen's to bear arms and an overt infringement upon freedom and liberty in New York State, which will not resolve the problems of crime and illegal firearms; and

WHEREAS, Mental Health has become a concern in everyday life and has played a significant role in the recent increase in mass shootings and gun violence; and

WHEREAS, New York State Bail Reform has also played a significant role in recent gun violence and public safety; and

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors is strongly against any new or current gun control legislation that punishes, or is punitive in nature to current pistol permit holders, legal Madison County firearms dealers as well as legal Madison County gun owners; and

BE IT FURTHER RESOLVED that the Madison County Board of Supervisors recognizes that Mental Health plays a significant role in gun safety as well as public safety and supports better mental health screening of any new pistol permit applicants.

BE IT FURTHER RESOLVED that the Clerk to the Madison County Board of Supervisors shall forward copies of this resolution to New York State Governor Kathy Hochul, the New York State Legislature, and all others deemed necessary and proper.
Dated: August 9, 2022

ADOPTED: AYES – 1048 NAYS – 210 (Zupan, Magliocca) ABSENT – 242 (Moses, Shwartz)

At 11:15 a.m. Chairman Becker announced and called for a motion to open the scheduled public hearing on a Community Development Block Grant Application for PELCO. Supervisor Cunningham made the motion to open the public hearing, seconded by Supervisor Cavanagh and carried.

Kipp Hicks, Madison County IDA, stepped forward and explained the need for the public hearing and what this CDBG Grant entails.

There being no other speakers present, Supervisor Reuter made the motion to close the public hearing, seconded by Supervisor Walrod and carried.

By Supervisor Cavanagh:

RESOLUTION NO. 22-365

AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT (New York State Nurses Association)

WHEREAS, the Legislature of the State of New York enacted Article 14 of the Civil Service Law, which is known as the Taylor Law; and

WHEREAS, pursuant to Section 202 of the Civil Service Law, employees licensed or otherwise lawfully entitled to practice as a Registered Nurse are represented by the New York State Nurses Association; and

WHEREAS, the Board of Supervisors has recognized said employees' organization for the purpose of negotiating collectively in accordance with Section 204 of the Civil Service Law,

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors be and hereby is authorized and empowered to enter into the negotiated

agreement with New York State Nurses Association for the period January 1, 2022 to January 1, 2024 and to execute on behalf of the County such Agreement and such other and further documents as are required thereby.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

By Supervisor Stokes:

RESOLUTION NO. 22-366

**APPOINTING A MEMBER TO THE REGION 7 DEPARTMENT OF ENVIRONMENTAL
CONSERVATION REGIONAL ADVISORY COMMITTEE ON OPEN SPACE**

WHEREAS, Article 49 of the Environmental Conservation Law established Regional Advisory Committees to provide the Department of Environmental Conservation and Office of Parks, Recreation and Historic Preservation with advice on preparation and implementation of an open space conservation program; and

NOW, THEREFORE BE IT RESOLVED, that Jamie Kowalczyk, Assistant Planning Director, be and is hereby appointed to represent Madison County on the Regional Advisory Committee for a term commencing on August 9, 2022 and to continue to serve at the pleasure of the Board.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

RESOLUTION NO. 22-367

**APPOINTING MEMBERS TO THE REGION 7 FISH & WILDLIFE
MANAGEMENT BOARD**

WHEREAS, each of the nine counties comprising the Region 7 Fish & Wildlife Management Board (FWMB) may have three voting members, a landowner representative, a sportsmen's representative, and a legislative representative as well as an alternate for each position; and

NOW THEREFORE, BE IT RESOLVED, that Pete Walrod, Supervisor of the Town of Georgetown be appointed to the FWMB as the Madison County Legislative Representative's for a two year term, which expires on December 31, 2023, and Dave Wood, a Madison County landowner, be appointed as the Landowner Representative for a two year term, also expiring on December 31, 2023.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

Chairman Becker explained that recently a press conference was held in Morrisville at Cornell Cooperative Extension for a Buy Madison campaign. This campaign is being put in place to help our Madison County Farms and encourage residents to buy local. More information can be found at <https://www.buymadisoncountyny.com/grown-local/>

At 11:20 a.m. Chairman Becker announced and called for a motion to open the scheduled public hearing on Local Law No. 3 of 2022 "Amend NYS Open Meetings

Law to Expand use of Video Conferencing”. Supervisor Reuter made the motion to open the public hearing, seconded by Supervisor Cunningham and carried.

There being no speakers present, Supervisor Walrod made the motion to close the public hearing, seconded by Supervisor Roberts and carried.

By Supervisor Jones:

RESOLUTION NO. 22-368

ADOPTING LOCAL LAW NO. 3 FOR THE YEAR 2022

WHEREAS, there has been duly introduced Local Law No. 3 for the year 2022 entitled “A LOCAL LAW TO ADOPT AMENDMENTS TO THE NEW YORK STATE OPEN MEETINGS LAW FOR THE EXPANDED USE OF VIDEOCONFERENCING IN THE COUNTY OF MADISON”; and

WHEREAS, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on August 9, 2022;

NOW, THEREFORE BE IT RESOLVED, that Local Law No.3 for the year 2022 be and the same is hereby adopted.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

Chairman Becker takes a moment to recognize and thank Cindy Urtz, Clerk to the Board of Supervisors for her 46 years of service to the County. Cindy has always been there for all of the Supervisors over the years with anything that they may need. Her dedication and commitment to this County is something to be noted, Madison County is losing a wealth of knowledge and she will be missed dearly.

A short video was played in her honor.

Cindy took a moment to speak in regards of her retirement and thank those who she worked with closely by speaking the following:

“Thank you to all the Supervisors, past and present. You have always treated me with kindness and respect and I take away with me many fun times and fond memories!

Thank you to the department heads and employees. I’ve had the pleasure of working with many of you throughout the years, some more than others, and with you doing such a great job on your end, made my job much easier!

Thank you to the County Attorney’s office for all of your help, assistance, and guidance through the years. I could always count on you when a last minute “State issue” would come up and they needed something yesterday, we would scramble a bit but we always got it done!!!

Thank you to our Public Information Officer Sam Field and Ryan Coe, along with our PAC 99 man Bruce Burke. You are always giving us great coverage on Madison County issues. And a special thank you to Matt Urtz for being such a wealth of information and knowledge on Madison County History. You all go above and beyond in your job duties!

A “BIG THANK YOU” to Chairman Becker, County Administrator Mark Scimone, Executive Assistant to the County Administrator Christine Coe and our newest Confidential Secretary staff member, Emily Burns. You all have been a great group to work with, always getting along, always helping and teaching each other, through good times and bad, but most of all always supporting each other! You are like my second family

(My work family)! You are all amazing people and I am blessed to have had the opportunity to work with you all and I will truly miss you!

Lastly, I’ve been working with Emily Burns over the last couple of years, and with no hesitation Emily jumped right into the job, learning all of the many office duties and the role of Clerk to the Board of Supervisors. She is a hard worker, always professional, very kind and pleasant, very knowledgeable, and skilled when it comes to computers and learning new computer programs. I am totally confident that she will successfully take on the role of Clerk to the Board and do a great job!

So, now on to the next chapter in my life, spending more time with my family, hopefully some traveling south and lots of house projects!

I sincerely appreciate having had the opportunity to work for Madison County Government for so many years and I wish everyone good health, happiness and peace in this crazy world we live in! Thank you!”

Madison County and the entire Board of Supervisors wish Cindy all of the best in her retirement.

By Supervisor Cavanagh:

RESOLUTION NO. 22-369

**APPOINTING A CLERK TO THE BOARD OF SUPERVISORS AND
ESTABLISHING THE 2022 SALARY**

WHEREAS, the office of the Clerk to the Board of Supervisors will be vacant effective August 10, 2022,

WHEREAS, Cindy Urtz will resign from her position of Clerk to the Board of Supervisors after forty-six years of dedicated County service; and

THEREFORE BE IT RESOLVED, pursuant to Section 47 of the County Law, that Emily Burns be and is hereby appointed as Clerk to this Board of Supervisors effective August 11, 2022, to serve for the life of this Board and until her successor is appointed and shall have qualified.

BE IT FURTHER RESOLVED that the 2022 salary of \$68,422 be and hereby is established in accordance with the Madison County Management Salary Plan.

ADOPTED: AYES – 1258 NAYS – 0 ABSENT – 242 (Moses, Shwartz)

Chairman Becker invites Deputy Clerk Emily Burns with her family up as she is sworn in as Clerk to the Board of Supervisors by Madison County Clerk Michael Keville.

The next Board meeting is scheduled for September 13, 2022.

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