

MADISON COUNTY BOARD OF SUPERVISORS
Board Meeting - Tuesday, August 12, 2025

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 Supervisors Henderson, Shwartz, Stokes and Winn. (259 Votes)

On Motion by Supervisor Wicks, seconded by Supervisor Cavanagh, the July 8 and July 25, 2025 meeting minutes were adopted and filed.

Vouchers Payable Report submitted by Finance Director Lou Anne Randall, in the amount of \$1,469,447.72.

Communications, Reports and Reports of Committees

1. Contract Under 20K Report
2. County Department Grants Report

Chairman Cunningham asked if there was anyone present to speak to the resolutions up for adoption, none were present.

Resolution of Appreciation

RESOLUTION NO. 25-218

RESOLUTION OF APPRECIATION – RETIREE RECOGNITION

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

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

NOW, THEREFORE BE IT RESOLVED that the Madison County Board of Supervisors hereby recognize the dedicated contributions of Paul Lutwak, Susan Barry and Lyle Chafee.

Employee	Department	Years of Service
Paul J. Lutwak	Information Technology	10 Years of Service
Susan K. Barry	911 Communications Center	15 Years of Service
Lyle B. Chafee	Highway	26 Years of Service

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

At this time, County Administrator Mark Scimone stepped forward to recognize IT Director Paul Lutwak and thank him for his 10 years of service to Madison County. Scimone briefly spoke to how far Madison County Technology has come over the past 10 years and the impact Lutwak has had. Government Operations Committee Chair Paul Walrod also took a moment to thank Lutwak for the shared services with the Towns and extended his best wishes in retirement. Lutwak spoke to his experience with Madison County and thanked the Board for their support.

911 Director Frank McFall stepped forward to accept a gift on behalf of Susan Barry and recognize her for 15 years of service. Barry is described as a pillar of the 911 center and will be missed.

Highway Superintendent Joe Wisinski stepped forward to accept a gift on behalf of Lyle Chafee and thank him for his 26 years of service. Chafee served out of the Wampsville garage and described as someone always there to answer the call.

At 11:05 a.m. Chairman Cunningham announced the scheduled public hearing on proposed Local Law No. 3 for 2025 imposing an additional mortgage recording tax in Madison County. Supervisor Vosburg made the motion to open the hearing, seconded by Supervisor Wicks and carried.

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

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

At 11:10 a.m. Chairman Cunningham announced the scheduled public hearing on proposed Local Law No. 4 for 2025 authorizing Madison County to extend a tax on real estate transfers. Supervisor Vosburg made the motion to open the hearing, seconded by Supervisor Jones and carried.

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

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

Resolutions – Preferred Agenda

By Government Operations Committee:

Committee Chairman Paul Walrod provided a quick synopsis of the resolutions being presented by the Government Operations Committee. Walrod took a moment to thank the Public Information Office for all that they do and the efforts they make to increase communication and enhance all the work that we do as a County.

RESOLUTION NO. 25-219

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

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

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

WHEREAS, Sandoz, Inc. has offered to settle the claims of Madison County against it by paying a one-time payment to Madison County, and use of the settlement funds are to be solely for opioid remediation and abatement; and

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

NOW, THEREFORE, BE IT RESOLVED, that the execution and delivery on behalf of and in the name of the Madison County by James J. Cunningham, Chairman of the Madison County Board of Supervisors, of the proposed Agreement is hereby authorized, and James J. Cunningham, on behalf of Madison County, is hereby authorized, subject to Board approval, and directed to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with Sandoz.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-220

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

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

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

WHEREAS, the following small manufacturer companies; Alvogen Inc., Amneal Pharmaceuticals Inc., Apotex Inc., Hikma Pharmaceuticals USA Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries Inc., and Zydus Pharmaceuticals USA Inc.; have offered to settle the claims of Madison County against it by issuing payments over a period between one and ten years to Madison County, and use of the settlement funds are to be solely for opioid remediation, abatement and opioid overdose products such as Naloxone; and

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

NOW, THEREFORE, BE IT RESOLVED, that the execution and delivery on behalf of and in the name of the Madison County by James J. Cunningham, Chairman of the Madison County Board of Supervisors, of the proposed Agreement is hereby authorized, and James J.

Cunningham, on behalf of Madison County, is hereby authorized, subject to Board approval, and directed to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with Sandoz.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-221

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CLEAR BALLOT GROUP, INC.

WHEREAS, the agreement between Clear Ballot Group Inc., and Madison County for ClearCount/ClearAudit software licensing and ballot programming support for ballot definition files expired on May 25, 2025; and

WHEREAS, the Madison County Board of Elections entered into an agreement with Clear Ballot Group, Inc. to purchase and provide service, support, and licensing for an electronic scanner and related equipment in 2020, and Clear Ballot Group, Inc. is contracted with New York State Office of General Services for procurement contract services; and

WHEREAS, Clear Ballot Inc. is the entire legal and beneficial owner of the Central Count Voting System for absentee ballots and is used for post election audits of the Dominion voting system, installed and in use for Madison County elections, and is needed to provide continuing licensing, service, and support to Madison County Board of Elections; and

WHEREAS, Clear Ballot Group Inc. will provide these services and licensing, provided that Madison County Board of Elections enters into a three-year agreement, May 26, 2025- May 25, 2028, with renewal options mutually agreed upon; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors is hereby authorized to enter into the agreement with Clear Ballot Group Inc. in the form as is on file with the Clerk of the Madison County Board of Supervisors.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-222

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN ENTERPRISE AGREEMENT WITH DAY AUTOMATION

WHEREAS, Visual notification for the county duress system is needed in four locations; and

WHEREAS, Day Automation is one of the security companies that the county utilizes for security; and

WHEREAS, the Information Technology Department recommends using Day Automation as the installers and integrators of this system at a cost not to exceed \$29,000; and

WHEREAS, Funds for this project are in the 2025 budget;

NOW, THEREFORE BE IT RESOLVED, that the Chairman be and hereby is authorized to execute the contracts with Day Automation on behalf of the County, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-223

RESOLUTION APPROVING SETTLEMENT AGREEMENT

WHEREAS, an employment dispute has arisen between the County of Madison and a former employee; and

WHEREAS, the parties have chosen to enter into a settlement agreement in the interest of avoiding the expense, inconvenience, and uncertainty of further legal proceedings in connection with said dispute;

NOW, THEREFORE BE IT RESOLVED, that this Board of Supervisors has reviewed and hereby approves the aforesaid settlement agreement;

BE IT FURTHER RESOLVED, that the Chairman of this Board of Supervisors be and hereby is authorized to execute said agreement on behalf of the County.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-224

ADOPTING A FREEDOM OF INFORMATION LAW (FOIL) POLICY

WHEREAS, the Freedom of Information Law (FOIL), originally enacted in 1977 under Article 6 of the New York State Public Officers Law, establishes the public's right to access records of government bodies to promote transparency, accountability, and trust in government; and

WHEREAS, Madison County recognizes its obligation to comply with FOIL and to ensure that access to records is provided in a lawful, equitable, and timely manner; and

WHEREAS, it is necessary for Madison County to establish consistent methods and procedures for implementing FOIL, including designation of a Records Access Officer and Appeals Officer, maintaining a subject matter list of records, and setting fees for copies of records in accordance with law; and

WHEREAS, by Resolution No. 19-347, the Board of Supervisors appointed the Public Information Officer as the Records Access Officer; and

WHEREAS, by Resolution No. 22-333, the Board of Supervisors adopted the New York State Archives' LGS-1 Retention and Disposition Schedule, which shall serve as the County's subject matter list for purposes of compliance with the Freedom of Information Law; and

WHEREAS, the Government Operations Committee has reviewed and recommends adoption of a formal FOIL Policy that aligns with Public Officers Law §§ 86-89 and the regulations at 21 NYCRR Part 1401;

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby adopts the Freedom of Information Law (FOIL) Policy, effective August 12, 2025, as attached hereto and made a part of this resolution; and

BE IT FURTHER RESOLVED, that the Board of Supervisors designates the Chairperson of the Board of Supervisors as the Appeals Officer, consistent with the policy; and

BE IT FURTHER RESOLVED, that the Records Access Officer shall ensure that the County's subject matter list, fees, procedures, and notices are maintained and made available to the public in accordance with the policy and applicable law; and

BE IT FURTHER RESOLVED, that a copy of this resolution and the adopted FOIL Policy shall be posted on the Madison County website and in a conspicuous location at the Madison County Board of Supervisors' Office.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-225

RECLASSIFYING AN OFFICE ASSISTANT II TO AN ACCOUNTANT POSITION IN THE FINANCE DEPARTMENT

WHEREAS, the Finance Department continues to go through structural changes and believes that a reclassification of a title is necessary for the Finance Department; and

WHEREAS, the Director of Finance has requested the reclassification of one (1) full-time Office Assistant II position to one (1) Accountant position; and

WHEREAS, the County Administrator, County Treasurer, Director of Finance and Director of Human Resources believe this is appropriate for long-term strategic planning purposes; and

WHEREAS, the Director of Human Resources has reviewed this reclassification request and approves the requested title modification based on the duties and qualification required for the position; 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 Office Assistant II position be reclassified to (1) full-time Accountant;

BE IT FURTHER RESOLVED that the Director of Finance be and hereby is authorized to fill said positions in accordance with Civil Service Law and Rule and the contract between the County and the Civil Service Employees' Association, Inc. White Collar Unit effective immediately.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

By Finance, Ways and Means Committee:

Committee Chairman Matt Roberts spoke briefly to the resolutions being presented to the Board. Roberts touched on the status of Sales Tax and how we are currently 8% ahead of 2024. Budget hearings are scheduled and will take place September 15 – 17, 2025 for the 2026 Budget.

RESOLUTION NO. 25-226

AUTHORIZING THE MODIFICATION OF THE 2025 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2025 Adopted County Budget be modified as follows:

General Fund

3118 Office of Victim Services Grant

Expense

	<u>From</u>	<u>To</u>
A311830 512000 Personal Services OVS	\$66,532	\$63,348
A311830 540042 Equipment Expense OVS	0	500
A311830 540261 Other Expense OVS	4,643	6,038
A311830 541195 Travel Expense OVS	4,493	12,031
A311830 580001 Fringe Benefits OVS	<u>30,968</u>	<u>24,719</u>
Control Total	<u>\$106,636</u>	<u>\$106,636</u>

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-227

AUTHORIZING THE MODIFICATION OF THE 2025 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2025 Adopted County Budget be modified as follows:

General Fund

1990 Contingent Fund

Expense

	<u>From</u>	<u>To</u>
A199010 544440 Contingent Fund	\$301,312	\$286,312

6510 Veterans Agency

Expense

A651060 541097 Burial Expense	<u>\$20,000</u>	<u>\$35,000</u>
Control Totals	<u>\$321,312</u>	<u>\$321,312</u>

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-228

AUTHORIZING THE MODIFICATION OF THE 2025 ADOPTED COUNTY BUDGET

BE IT RESOLVED that the 2025 Adopted County Budget be modified as follows:

General Fund

1620 County Buildings

Expense

	<u>From</u>	<u>To</u>
A162010 529210 Purchase Real Property (Cazenovia)	\$-0-	\$1,826,500
Control Total		\$1,826,500

Fund Balance

A 300599 Budgetary Fund Balance Unreserved	\$10,363,103	\$12,189,603
Control Total		\$1,826,500

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-229

**AUTHORIZING THE APPROVAL OF REFUND OF REAL PROPERTY TAXES IN
ACCORDANCE WITH COURT ORDER**

WHEREAS, there is a parcel of land located in the City of Oneida identified by tax map #37.-1-28.132 and owned by Oneida Company LTD.; and

WHEREAS, the Madison County Treasurer has received an executed Consent Order and Judgement regarding said parcel, dated July 1, 2025; and

WHEREAS, the Consent Order and Judgement grants a reduction of assessment from \$1,600,000.00 to \$1,300,000.00 for the 2025 assessment roll; and

WHEREAS, Madison County has been court-ordered to issue a refund for the difference in County taxes, only, within 60 days of the date of the Consent Order and Judgement.

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Treasurer be and is hereby authorized to refund the 2025 County taxes for tax map #37.-1-28.132, in the amount of \$3,236.69, to Oneida Company Ltd.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

At this time, Health and Human Services Committee Chairwoman Mary Cavanagh provided Committee updates and provided an overview on the resolutions to be voted on in regular agenda. Cavanagh explained that while New York State had previously expanded eligibility for daycare assistance without increasing funding, they have recently provided notice of additional funding to address this. Veterans First BBQ event was held at Delphi Falls with a great turnout this year.

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

Planning Committee Vice Chairman Joe Wicks took a moment to provide an overview of the resolutions being voted on as well as a brief committee update.

RESOLUTION NO. 25-230

AUTHORIZING THE EXTENSION OF A PUBLIC TRANSIT AGREEMENT WITH BIRNIE TRANSIT, INC. AND A COORDINATED SERVICE MEMORANDUM OF UNDERSTANDING WITH BIRNIE TRANSIT, INC., MADISON COUNTY, AND HERITAGE FARM INC.

WHEREAS, the State of New York has enacted Transportation Law, Section 18-b which provides for the New York State Mass Transportation Operating Assistance Program ("STOA"); and

WHEREAS, Section 119-r of the General Municipal Law of the State of New York authorizes the County to enter into a contract with a privately owned or operated mass transportation facility for mass transportation services to be rendered to the people of Madison County; and

WHEREAS, Birnie Transit, Inc. represents that it is such a privately owned or operated mass transportation facility described in Section 119-r of the General Municipal Law and that it holds certificates of public convenience and necessity issued by the New York State Department of Transportation necessary and appropriate for the rendition of the services to be performed by it hereunder; and

WHEREAS, the County seeks management, operation and maintenance services for the public transportation system and for the coordination and providing of transportation services for the general public in Madison County; and

WHEREAS, while Madison County undergoes a RFP/BID process to competitively select a transit provider in the 2nd half of 2025, we would like the program to continue uninterrupted as is until 12/31/2025; and

WHEREAS, Birnie Transit, Inc. is presently under contract with Heritage Farm, Inc. to provide transportation services to their clientele within the County of Madison and Birnie Transit, Inc. is willing to expand those transportation services and to make them available to all members of the public under the terms and conditions of this Agreement; and

WHEREAS, Madison County extend its three way Memorandum of Understanding with Heritage Farms Inc. and Birnie Transit, Inc. to indicate its approval of the expansion and coordination of specified transportation services, and

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors authorizes the Chairman to enter into an Extension Agreement with Birnie Transit, Inc. and a coinciding MOU with Heritage Farms Inc. for the provision of public transit services in Madison County, copies of which are on file with the Clerk of this Board; and

BE IT FURTHER RESOLVED that the Madison County Treasurer is authorized to make the necessary arrangements to receive and disburse the funds for the operation of the Madison Transit System.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25 -231

**MOVING FUNDS IN MADISON COUNTY’S AGRICULTURAL REVOLVING LOAN FUND
INTO OUR EXISTING REVOLVING LOAN FUND**

WHEREAS, Madison County was awarded an USDA Agricultural Revolving Loan Fund (RLF) Grant for \$99,980 in 2009 with the intent of creating a fund to loan money to farm business in Madison County; and

WHEREAS, numerous loans have been made over the years, but recent activity has waned, resulting in account inactivity; and

WHEREAS, to avoid inactivity issues with our Bank, the County wishes to move these loan funds into our existing revolving loan fund account, which has more regular payment and debit activity, satisfying banking requirements; and

WHEREAS, these revolving loan funds (plus the additional \$13,173.31 from the prior Resolution) will continue to be used to lend to Madison County Farms using the same parameters as set up by the original loan program; and

NOW, THEREFORE BE IT RESOLVED, that the full balance in the Agricultural Revolving Loan Fund be moved into Madison County’s existing Revolving Loan Fund, with funds to be used under the same guidelines as the original Ag RLF program.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-232

WRITE-OFF THE BALANCE OF A USDA RURAL BUSINESS ENTERPRISE GRANT

WHEREAS, Madison County was awarded an USDA Rural Business Enterprise Grant (RBEG) in 2011, with proceeds used to purchase a butter filling machine for Kriemhild Dairy; and

WHEREAS, required loan payments were collected by Madison County over a period of 7 years in the amount of \$13,173.31; and

WHEREAS, the remaining loan payments from years 8-10 were never collected, leaving an uncollected balance of \$5,559.99; and

WHEREAS, the grant has long past its timeline and efforts to collect remaining funds have been unsuccessful for many years; and

WHEREAS, Madison County wishes to write off the remaining balance of \$5,559.99 and move the collected \$13,173.31 into our Agricultural Revolving Loan Fund to be used to loan money to qualifying farm businesses in Madison County; and

NOW, THEREFORE BE IT RESOLVED, that said balance of \$5,559.99 be written off as uncollectible and the remaining \$13,173.31 be moved to the County's existing Agricultural Revolving Loan Fund.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-233

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

WHEREAS, Madison County wishes to have a public hearing on the implementation of Community Development Block Grant ("CDBG"), Project # 686ME552-24, from New York State Homes and Community Renewal that is funding a \$200,000 Countywide Microenterprise Program;

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

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held regarding the project's implementation in the Madison County Board of Supervisors chambers, County Office Building #4, Wampsville, New York on September 11th at 11:05 a.m. or as soon thereafter as possible; and

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

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-234

**ACCEPTING A GRANT FROM THE NEW YORK STATE CONNECTALL OFFICE MUNICIPAL
INFRASTRUCTURE PROGRAM**

WHEREAS, Madison County applied for a Municipal Infrastructure (MIP) grant from the New York State ConnectALL Office in April, 2025 to further expand broadband access to County residents to piggyback off of its USDA ReConnect network as part of the larger Madison County Connect project; and

WHEREAS, Madison County has been awarded a \$9,998,562 grant award for this project, which aims to connect many unserved and underserved locations in the southern part of the County and expand broadband offerings to a total of over 2,600 households; and

WHEREAS, existing contracts with consultants, engineers, and contractors will be extended to make for a fast and efficient rollout of this grant award to meet the program deadline of December 31, 2026; and

NOW, THEREFORE BE IT RESOLVED, the Madison County Board of Supervisors hereby authorizes James Cunningham, Chairman of the Board, to sign the MIP contract and

Incentive Proposal, (a copy of which is on file with the Clerk of the Board) to accept and implement this Madison County Connect project.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-235

AUTHORIZING MADISON COUNTY TO ENTER INTO AN AGREEMENT WITH ECC TECHNOLOGIES FOR NETWORK ENGINEERING AND PROGRAM OVERSIGHT FOR THE IMPLEMENTATION OF THE MUNICIPAL INFRASTRUCTURE GRANT

WHEREAS, Madison County has conducted a county-wide inventory and mapping of critical broadband assets including the location and ownership of fiber optic networks; and

WHEREAS, a community survey also was conducted using a Broadband Availability and Adoption Tool ("BAAT") that identified unserved and underserved portions of the County, evaluated market conditions and the likelihood of adoption, as well as other critical metrics; and

WHEREAS, the County has also participated in local and regional efforts to help identify unserved and underserved addresses in conjunction with New York State ConnectALL and the FCC; and

WHEREAS, though our current USDA ReConnect grant will make significant strides in serving residents and businesses with broadband fiber internet service, the USDA program rules didn't allow us to reach everyone; and

WHEREAS, Madison County applied for and was awarded a \$9,998,562 through the New York State ConnectALL Office's Municipal Infrastructure Program (MIP) Round 5 grant; and

WHEREAS, Madison County has assembled a team, including County Departments, ECC Technologies, Empire Access, and other contactors in a collaborative effort to implement this project that will place approximately 120 miles of fiber and serve approximately 2,600 households; and

WHEREAS, ECC Technologies has a proven track record of broadband network buildout and expansion, and has the special skills and ability necessary to implement the network engineering and project oversight for this latest project as part of Madison County Connect; and

NOW, THEREFORE, BE IT RESOLVED, the Madison County Board of Supervisors hereby authorizes James Cunningham, Chairman of the Board, to sign an Agreement, (a copy of which is on file with the Clerk of the Board) with ECC Technologies to design and implement this MIP network as part of Madison County Connect.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

By Criminal Justice, Public Safety and Emergency Communications Committee:

Committee Chairman Rex Vosburg provided an overview on the resolutions being voted on and a brief committee update.

RESOLUTION NO. 25-236

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE MORRISVILLE-EATON CENTRAL SCHOOL DISTRICT FOR THE USE OF SPECIAL PATROL OFFICERS

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

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

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

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

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

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-237

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE CANASTOTA CENTRAL SCHOOL DISTRICT FOR THE USE OF SPECIAL PATROL OFFICERS

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

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

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

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

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

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-238

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE MADISON CENTRAL SCHOOL DISTRICT FOR THE USE OF SPECIAL PATROL OFFICERS

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

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

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

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

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

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-239

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF DERUYTER FOR BUILDING RENOVATIONS FOR EMS/AMBULANCE SERVICES

WHEREAS, the Village of DeRuyter and Madison County have previously entered into an inter-municipal agreement for the purpose of utilizing the DeRuyter Fire Department Building to house Madison County Emergency Medical Service vehicles and crews; and

WHEREAS, the Village and County seek to renovate a portion of the building to build larger bedroom and living quarters for the EMS crews; and

WHEREAS, the Village will conduct said renovations and the County will reimburse the Village for costs associated with the renovations up to Fifty Thousand dollars (\$50,000); 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 the Village of DeRuyter, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

By Highway, Buildings and Grounds Committee:

Committee Chairman Loren Corbin spoke to the resolutions being voted on and provided a committee update. Both the Highway and Facilities Departments are working on a multitude of projects.

RESOLUTION NO. 25-240

AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH DIRECT ENERGY BUSINESS FOR NATURAL GAS SUPPLY

WHEREAS, Madison County seeks to procure utility supplies for natural gas at the lowest possible cost; and

WHEREAS, Madison County has reviewed the group procurement process of the Municipal Electric and Gas Alliance (MEGA) for its member agencies and municipalities; and

WHEREAS, Madison County is an eligible member of MEGA and participates in its Program Agreements; and

WHEREAS, MEGA has issued Invitations to Bid for natural gas supply, opened and reviewed such bids and executed a Program Agreement on behalf of its participants with Direct Energy Business as the lowest responsible bidder for natural gas; and

WHEREAS, Madison County has received and reviewed proposals for natural gas from Direct Energy Business under the terms of the Program Agreement with MEGA; and

WHEREAS, the intent of this purchasing action is to achieve savings in the cost of energy delivered to Madison County over the distribution lines of National Grid; and

WHEREAS, said utility will continue to provide energy delivery services in conformance with the regulations of the New York State Public Service Commission; and

WHEREAS, the County Building and Grounds Committee recommends renewing an agreement with Direct Energy Business for the Nymex Plus Purchase Price;

NOW, THEREFORE, BE IT RESOLVED, that Board of Supervisors authorizes participation in MEGA with respect to its procurement process for natural gas supply; and

BE IT FURTHER RESOLVED, that Madison County agrees to accept the renewal offer and agreement presented by Direct Energy Business effective July 31, 2025, for natural supply in accordance with the terms and conditions of Direct Energy Business's executed Program Agreement with MEGA; and

BE IT FURTHER RESOLVED, that the Chairman of the Madison County Board of Supervisors be and hereby is authorized to enter into an agreement with Direct Energy Business, a copy of which is on file with the Clerk of the Board.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-241

DESIGNATING DISPOSAL OF SURPLUS COUNTY PERSONAL PROPERTY

WHEREAS, in accordance with Madison County Purchasing Policy, 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 Highway, Buildings, and Grounds committee met on July 23, 2025, to review and recommend the list of items be declared surplus; and

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

Item	Department	Mileage	Condition	Comment
BE850 – 2008 Ford E350 Van	Elections	25,759	Good	Enterprise

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-242

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CHEMUNG SUPPLY CORPORATION

WHEREAS, Madison County Highway Department has need of guiderail installation services; and

WHEREAS, Putnam County awarded Bid 26-24, Repair, Replacement and Supply of Guiderail, to Chemung Supply Corp.; and

WHEREAS, Putnam County Bid 26-24 is available for piggybacking by local governments; and

WHEREAS, Madison County Highway Department would like to enter into an agreement with Chemung Supply Corp. for a cost of \$369.00 per hour for Item 10E Guiderail Installation Equipment Rental with two operators; and

WHEREAS, the cost for services has been appropriated in the 2025 County Road Fund Budget; and

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 Chemung Supply Corporation in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-243

CONTROL OF SNOW AND ICE ON COUNTY ROADS

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

WHEREAS, the Highway, Buildings and Grounds Committee met on July 23, 2025 and recommended no adjustment to the payment cost per lane mile to the Towns; and

WHEREAS, the reimbursement payment will remain the same at the amount of \$22.30 per lane mile starting October 1, 2025 and ending April 30, 2026; and

WHEREAS, the reimbursement payment will remain the same at the amount of \$15.71 per lane mile for regular salt brine applications and \$16.96 per lane mile for salt brine with 5% magnesium chloride applications starting October 1, 2025 and ending April 30, 2026; and

WHEREAS, the Agreement also includes a loader rate of \$78.13 per hour for snow bank removal under certain circumstances; and

WHEREAS, the Agreement for payment has been included in the County Road Fund Budget for 2025 and 2026;

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

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

Solid Waste and Recycling Committee Chairwoman Melissa During provided an overview on the resolutions being voted on in the Regular Agenda for the Committee. During spoke to various Committee updates and made note of the upcoming Solid Waste Open House Event to be held on Saturday September 27th, 2025 to be held in conjunction with the Town of Lincoln Fall Fest. Also, the Solid Waste Technical Committee will be presenting their recommendations for the Landfill at the September 11th Board Meeting.

Resolutions – Regular Agenda

By Supervisor Cavanagh:

RESOLUTION NO. 25-244

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH DERUYTER
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 DeRuyter 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 their middle school and high school buildings; 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; 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 DeRuyter Central School District, in the form as is on file with the Clerk of the Board.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION 25-245

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT TO
CONDUCT AERIAL SPRAYING**

WHEREAS, Madison County Health Department conducts surveillance activities
for mosquito-borne viruses that pose a risk to human health.

WHEREAS, Various mosquito-borne viruses can cause a significant risk to public
health; and

WHEREAS, in the event that surveillance identifies the presence of mosquito-borne viruses that pose a risk to human health to be present and an imminent public health threat is identified by Madison County Department of Health and declared by NYSDOH pursuant to authorities contained in 10 N.Y.C.R.R part 44, Madison County Health Department is then enabled to undertake activities to control mosquito populations, including aerial spraying; and

WHEREAS, DUFLO Spray Chemical, Inc. has the expertise and capability to conduct aerial spraying; and

WHEREAS, the Health Department has recommended entering into an agreement with DUFLO Spray Chemical, Inc. of 8369 State Route 812, Lowville, New York to conduct aerial spraying of mosquito adulticide at a cost of \$4.08 per acre if needed and requested by the Health Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors, hereby authorized to enter into an agreement with DUFLO Spray Chemical, Inc., a copy of which is on file with the Clerk of the Board;

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

By Supervisor During:

RESOLUTION NO. 25-246

AUTHORIZING THE CHAIRMAN TO ACCEPT A GRANT AWARD FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO MADISON COUNTY DEPARTMENT OF SOLID WASTE

WHEREAS, Madison County has been a recipient of a state grant through the Department of Environmental Conservation (DEC) for several years for the support of municipal waste reduction and recycling education, promotion, planning and coordination projects; and

WHEREAS, said grant is an annual state-funded grant provided through the Environmental Protection Fund; and

WHEREAS, DEC has awarded Madison County a grant of up to \$70,899.50 for projects completed and invoiced within a contract period of 01/01/2025 - 12/31/2025. Said monies is to be used for personnel services for an employee who is responsible for the recycling coordination, education, promotion and outreach, waste reduction and recycling education and outreach efforts, reasonable costs for consultant services necessary for recycling education, and costs for supplies and materials to be used as part of the municipal waste reduction and recycling education, promotion, planning and coordination project; and

WHEREAS, this request to have said monies accepted by the County has been reviewed and approved by the Solid Waste and Recycling Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board be and hereby is authorized to accept up to \$70,899.50 from NYS DEC and execute an agreement with the State of New York permitting the County's continued participation in this grant award

and is authorized to submit this annual grant application for municipal waste reduction and recycling education, promotion, planning and coordination projects moving forward.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

By Supervisor Roberts:

RESOLUTION NO. 25-247

ADOPTING LOCAL LAW NO. 3 FOR THE YEAR 2025

WHEREAS, there has been duly introduced Local Law No. 3 for the year 2025, entitled “A Local Law Imposing an Additional Mortgage Recording Tax in Madison County”; and

WHEREAS, a public hearing on said Local Law was duly held by the Board of Supervisors of Madison County on August 12, 2025; and

NOW, THEREFORE BE IT RESOLVED, that Local Law No. 3 for the year 2025 be and the same is hereby adopted.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

RESOLUTION NO. 25-248

ADOPTING LOCAL LAW NO. 4 FOR THE YEAR 2025

WHEREAS, there has been duly introduced Local Law No. 4 for the year 2025 entitled “A LOCAL LAW AUTHORIZING THE COUNTY OF MADISON TO EXTEND A TAX ON REAL ESTATE TRANSFERS”; and

WHEREAS, a public hearing on said local law was duly held by the Board of Supervisors of the County of Madison on August 12, 2025;

NOW, THEREFORE BE IT RESOLVED, that Local Law No. 4 for the year 2025 be and the same is hereby adopted.

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

The following resolution was adopted by a 2/3rds vote:

By Supervisor Walrod:

RESOLUTION NO. 25-249

REQUESTING THE WAIVER OF RULE NO. 24 AND NO. 24-A

WHEREAS, Rule No. 24 requires that all resolutions intended to be moved for adoption at a regular meeting shall be filed with the Clerk not less than seven (7) calendar days prior to the meeting; and

WHEREAS, Rule No 24-A requires that all such resolutions be introduced by the Chairman of the Legislative Board having jurisdiction after having been filed with the Chairman at least ten (10) days prior to the meeting at which time it is to be introduced;

NOW, THEREFORE BE IT RESOLVED, that Rule No. 24 and 24-A are hereby waived only for the purpose of Calling for Public Hearing Regarding the Authorization of the Chairman to enter into an agreement to sell Real Property owned by Madison County.

ADOPTED: AYES – 1,256 NAYS – 0 ABSENT – 244 (Henderson, Shwartz, Stokes, Winn)

By Supervisor Wicks:

RESOLUTION NO. 25-250

CALLING FOR A PUBLIC HEARING REGARDING THE AUTHORIZATION OF THE CHAIRMAN TO ENTER INTO AN AGREEMENT TO SELL REAL PROPERTY OWNED BY MADISON COUNTY

WHEREAS, Madison County wishes to have a public hearing on the authorization of an Agreement to sell real property at 160 Center Street, Town of Lenox, New York to the Madison Grant Facilitation Corporation (hereinafter “MGFC”) or any other applicable local development corporation as advised by the Madison County Industrial Development Agency, who shall in turn transfer said real property to Housing Visions Consultants, Inc.; and

WHEREAS, said real property is surplus and is not required for use by the County; and

WHEREAS, the County is required to hold a public hearing pursuant to N.Y. Not-For-Profit Corporation Law § 1411 to consider citizen comments regarding the authorization of said real estate transfers; and

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held regarding the aforementioned transfers in the Madison County Board of Supervisors chambers, County Office Building #4, Wampsville, New York on August 26, 2025 at 10:30 a.m.; and

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

ADOPTED: AYES – 1,241 NAYS – 0 ABSENT – 259 (Henderson, Shwartz, Stokes, Winn)

Chairman Cunningham asked if there was anyone signed up to speak in the Public Comment period.

Owen Tallman, resident of Smith Rd in Hamilton, expressed his concerns regarding the agreement signed into place by the Sheriff and the Immigration and Customs Enforcement (ICE). Tallman explained that there does not seem to be a benefit to Local Law Enforcement Agencies. Tallman further expressed his concerns with methods and tactics being used by ICE.

Dawn Weleski, resident of Earlville Rd in Hamilton, spoke to her working experience since COVID. Weleski explained that many people she has worked alongside in recent years are migrants, both documented and undocumented. The question that Weleski encouraged the Board to evaluate is whether the 287 (g) agreement is increasing safety and further encouraged the Sheriff to rescind this agreement.

Bruce Mosely, resident of Williams Rd in Hamilton, briefly expressed that he would like to see the 287 (g) agreement rescinded and sited that this agreement erodes the trust within our communities.

Laura McGrew, resident of Hall Rd in Erieville, read aloud a letter she submitted to the Board of Supervisors regarding Sheriff Hood's decision to sign the 287 (g) agreement with ICE.

Chuck Fox, resident of Hillside Rd in Hamilton, read aloud a letter provided to the Board of Supervisors expressing his concerns with the 287 (g) agreement between Sheriff Hood and ICE.

Liz Brackett, resident of Johnnycake Hill Rd in Hamilton, stepped forward and thanked the Board and staff for the orderly way that business is conducted in Madison County. Brackett shared her concerns on the agreement being discussed and is worried for the migrant workers we have in the Madison County community. Brackett advocated for fair treatment of these individuals.

Roberta Millert, resident of Nichols Point Rd in Bridgeport, expressed her shared concern along with prior speakers. Millert expressed that our public safety should be focused on our road safety on route 31 rather than this federal issue.

Chris Rossi, resident of Forbes Rd in Canastota, thanked all the Board Members for their hard work and dedication to the community. Rossi echoed many of the other speakers and encouraged kindness to others.

Reverend Brooks Cato, resident of Madison St in Hamilton, read aloud a letter submitted to the Board Members and Sheriff Hood.

Mandy John, resident of Runners Rd in Oneida, stepped forward to speak to her concerns regarding the agreement in place with ICE. John spoke to the indigenous population and her concerns with racial profiling, if she in fact would be safe through this process.

Maureen Fox, resident of Hillside Rd in Hamilton, read aloud a public comment she submitted to the Board of Supervisors.

There being no further business, Supervisor Vosburg made motion to adjourn, seconded by Supervisor Kinville and carried.