



MADISON COUNTY BOARD OF SUPERVISORS

JOHN M. BECKER

Chairman

MARK SCIMONE

County Administrator

EMILY C. BURNS

Clerk

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Wampsville, NY 13163

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MADISON COUNTY BOARD OF SUPERVISORS

Meeting Agenda - Thursday, November 9, 2023

Meeting Schedule

11:15 A.M. Public Hearing - Planning - CDBG Grant

Unfinished Business

UNFINISHED BUSINESS - Resolution No. 23-366 Establishing 2024 Fees for Participating in Madison County's Solid Waste Management Program, as Required by Local Law 3 of 2004 TABLED BY: Supervisor Stokes 2ND BY: Supervisor Jones 10/10/23

UNFINISHED BUSINESS - Resolution No. 23-367 Modify an Agreement for IT Services to Towns, Villages and Cities TABLED BY: Chairman Becker 2ND BY: Supervisor Pinard 10/10/23

Resolution

1. Waiving the Rules for Resolutions
2. Resolution of Appreciation - Retiree Recognition

Resolutions - Preferred Agenda

By Government Operations Committee:

3. Authorizing the Chairman to Enter into an Agreement with L.G. Boucher
4. Authorizing the Chairman to Enter Into an Agreement with OneGroup for Professional Consulting Services (RFP P13-23)
5. Authorizing the Chairman to Renew an Agreement with Humana Group Medicare Advantage Plan for the 2024 Year
6. Authorizing the Chairman to Renew an Agreement with MVP Health Care for the 2024 Year
7. Authorizing the Chairman to Renew an Agreement with Excellus for Medical Administration Services

By Finance, Ways and Means Committee:

8. Accepting Tentative Budget as Filed by the Budget Officer
9. Authorizing a Public Hearing on the Tentative Budget for Cowaselon Watershed District for 2024
10. Authorizing a Public Hearing on the Tentative County Budget for Fiscal Year 2024
11. Authorizing A Public Hearing on the Tentative Budget for the Clockville Water

District for 2024

12. Authorizing Towns, Village and City Municipal Grants
13. Authorizing Special District Grants
14. Appointing a Committee to Review the 2024 Tentative Budget
15. Authorizing the Chairman to Enter into an Agreement with the New York State Division of Homeland Security and Emergency Services - FY2022 State Homeland Security Program (SLETPP) and Modifying the 2023 County Budget
16. Authorizing the Chairman To Enter Into An Agreement With Community Action Partnership (RFP P10-23) and Modifying The 2023 Adopted County Budget (4220 Narcotics Addiction Control)
17. Authorizing The Chairman to Enter into An Agreement With New York Arcadia Publishing and the History Press
18. Authorizing the Modification of the 2023 Adopted County Budget (1170 Assigned Counsel)
19. Authorizing the Modification of the 2023 Adopted County Budget (4320 Mental Health Heritage Farms)
20. Authorizing the Modification of the 2023 Adopted County Budget (6109 PEAFF)
21. Authorizing the Modification of the 2023 Adopted County Budget (6511 Veterans Peer Support)
22. Authorizing the Modification of the 2023 Adopted County Budget (8990 Aquatic Vegetation Project)
23. Authorizing the Modification of the 2023 Adopted County Budget (9901 Contribution to Other Funds)
24. Authorizing the Modification of the 2023 Adopted County Budget (ARPA)
25. Authorizing the Modification of the 2023 Adopted County Budget (Sewer Project)
26. Authorizing the Disbursement GAP Elimination Funds to Madison County Towns and Villages
27. Approval of Mortgage Tax Report Fall 2023

By Criminal Justice, Public Safety and Emergency Communications Committee:

28. Authorizing the Chairman to Enter Into an Extension for an Agreement with New York State Office of Indigent Legal Services for a Three-Year Distribution 2019-2021 (Grant #9)
29. Authorizing the Chairman to Enter Into an Extension for an Agreement with New York State Office of Indigent Legal Services for a Three-Year Distribution 2020-2022 (Grant #10)
30. Authorizing the Chairman to Enter Into an Extension for an Agreement with New York State Office of Indigent Legal Services for a Three-Year Distribution 2020-2022 (CAFA 3 2024)
31. Authorizing the Chairman to Enter Into an Agreement with Wilmac Business Equipment Co., Inc.
32. Authorizing the Chairman to Enter Into an Agreement with AK Associates (Kraus Associates)

33. Authorizing the Chairman to Amend an Agreement with Tyler Technologies, Inc.

By Highway, Buildings and Grounds Committee:

34. Authorizing the Implementation, and Funding in the First Instance 100% of the Federal-Aid and State Program-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore
35. Authorizing the Chairman to Enter into Agreement with GP Flooring Solutions
36. Authorizing the Chairman to Enter Into an Agreement with Erie Mechanical Contractors, Inc.
37. Authorizing the Chairman to Modify an Agreement with Barton & Loguidice, D.P.C.

Resolutions – Regular Agenda

38. Authorizing the Chairman to Enter into an Agreement with Community Action Program, Inc.
39. Authorizing the Chairman to Enter into an Agreement with New York State Office of Children and Family Services for October 2023 to September 2024 Youth Program Funds for Disbursement by the Madison County Youth Bureau
40. Authorizing the Chairman to Enter into a Modification and Extension Agreement with Egan Excavating and Equipment Co., Inc.
41. Terminating a Development Agreement with Savarino Companies
42. Authorizing the Modification of the 2023 Adopted County Budget (1010 Legislative Board)

PUBLIC COMMENT PERIOD

ANY OTHER BUSINESS

Emily C. Burns, Clerk

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Click on Departments - Board of Supervisors

For Public Comment please contact the Madison County Board of Supervisors by email at publiccomment@madisoncounty.ny.gov

RESOLUTION NO. 23-__

**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 # 686HR310-21, from the New York State Office of Community Renewal that is funding a \$350,000 countywide Home Rehabilitation 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 November 9th @ 11:15 a.m. or as soon thereafter as possible; and

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

Dated: November 9, 2023

Joseph J. Pinard, Chairman

Joseph J. Pinard, Chairman
Planning, Economic Development,
Environmental and Intergovernmental
Affairs Committee

RESOLUTION NO. 23- 3646

ESTABLISHING FEES FOR PARTICIPATING IN MADISON COUNTY'S SOLID WASTE MANAGEMENT PROGRAM, AS REQUIRED BY LOCAL LAW #3 OF 2004

WHEREAS, Local Law #3 of 2004 created a process by which the list of fees may be amended without the need to amend the Law itself; and

WHEREAS, the County finds that it will be more reasonable and efficient to maintain and amend the list in accordance with the requirements of the proposed Local Law, rather than to amend the Local Law each time the list of fees must be amended; and

NOW, THEREFORE BE IT RESOLVED, that the following corrected fees shall apply to activities undertaken pursuant to the Local Law:

Type of Fee	Amount	Local Law Provision
Commercial Waste Permit	\$50 plus \$20 per vehicle	III.1.c.
Renewal of CWP	Same as original permit fee	III.1.g.
Lost permit fee	\$5	III.1.h.
<u>Commercial tipping fees/ton</u>	<u>\$95.00/ton</u> Contract rate / All Towns, Villages and the City of Oneida <u>\$120.00/ton</u> without Contract <u>\$140.00/ton</u> Day Use Permits • Minimum scale charge \$25.00 • Vehicle weighing charge \$10.00	III.5.a., III.6.a.
Tire Disposal Fee	\$250.00 per ton	III.5.a., III.6.a.
Commercial Yard Waste & Brush Fee	\$30 per ton	III.5.a., III.6.a.
Stumps and Oversize Tree Waste Fee	\$50 per ton	
Refrigeration Units	\$20 each	III.5.a., III.6.a.
Propane Cylinders	\$5 each	
Landfill Unacceptable Waste Fee	\$25.00 per item	III.5.a., III.6.a.
Landfill Dig-Out Fee	\$25.00 each	III.5.a., III.6.a.
Contaminated Recycling Fee	\$150.00 per ton	III.5.a, III.6.a., III.8.i.
Insufficient Funds (Bounced Check) Charge (Residential and Commercial)	\$20.00 each	III.5.e
Penalty for Late Tipping Fee Payments	Municipalities shall pay 1.5 % per month on unpaid balance after 60 days All others shall pay 1.5 % per month on unpaid balance after 30 days	III.5.d.
Day Use Permit Fee (Special Use)	No Charge	III.2.a.

FURTHER RESOLVED, that this list of fees shall remain in effect until amended or deleted by the procedure designated in Local Law #3 of 2004 or by or amendment of the Local Law; and it is

FURTHER RESOLVED, that this Resolution takes effect January 1, 2024.

Dated: October 10, 2023

James J. Cunningham, Chairman

James J. Cunningham, Chairman
Solid Waste and Recycling Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO MODIFY AGREEMENTS WITH MADISON
COUNTY MUNICIPALITIES FOR INFORMATION TECHNOLOGY SERVICES**

WHEREAS, Madison County Information Technology department can provide Information technology services to municipalities in Madison County; and

WHEREAS, the following municipalities are receiving and or wish to receive Information Technology services;

City of Oneida	Town of Madison
Town of Brookfield	Town of Nelson
Town of Cazenovia	Town of Smithfield
Town of DeRuyter	Town of Stockbridge
Town of Eaton	Town of Sullivan
Town of Fenner	Village of Wampsville
Town of Georgetown	Village of Morrisville
Town of Hamilton	Village of Canastota
Town of Lebanon	Village of Cazenovia
Town of Lenox	Village of Chittenango
Town of Lincoln	Village of Hamilton
Canastota Police	Chittenango Police
City of Oneida Police	Hamilton Police
Cazenovia Police	Morrisville College Police

WHEREAS, an Inter-Municipal Agreement Resolution 23-71 was to be signed by each interested municipality for the 2023 calendar year; and

WHEREAS, the County shall then have the option to renew the Agreement(s) for four one year periods; and

WHEREAS, the cost of said service is revised from \$100.00/computer/month up to 10 computers and \$150.00/computer/month for 11-20 computers to the updated service cost of \$50.00/computer/month up to 10 computers and \$75.00/computer/month for 11-20 computers;

WHEREAS, a Modification Agreement to update service cost has been reviewed and approved by the Government Operations Committee, and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby authorizes the Chairman to modify an agreement on behalf of Madison County with each of the various municipal agencies as listed as is on file with the Clerk of the Board.

Dated: October 10, 2023

Paul H. Walrod, Chairman

Paul H. Walrod Chairman
Government Operations Committee

RESOLUTION NO. 23-_____

WAIVING THE RULES FOR RESOLUTIONS

RESOLVED, that Rule 24 and Rule 24-A of the Madison County Board of Supervisors, to the extent requiring that all resolutions intended to be moved for adoption be filed with the Clerk not less than seven calendar days prior to the meeting, and copies mailed/emailed to all members with the meeting agenda; and to the extent providing that resolutions be filed with the Chairman of the appropriate legislative committee at least ten days prior to the meeting at which its introduction will be sought, be waived during this annual session so that all resolutions may be acted upon immediately. Nothing herein shall be construed to limit the ability to table resolutions until the next succeeding meeting pursuant to Rule 17.

Dated: November 9, 2023

Paul H. Walrod, Chairman

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. 23-_____

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 recognize the dedicated contributions of Rebecca Marsala upon her retirement.

Rebecca S. Marsala

Treasurer's Office

36 Years of Service

Dated: November 9, 2023

Paul H. Walrod, Chairman

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH L.G. BOUCHER

WHEREAS, on January 1, 2014, Madison County changed insurance carriers from Trident to Houston Casualty; and

WHEREAS, that with Houston Casualty the County now has a Third Party Administrator of our claims; and

WHEREAS, L.G. Boucher has, among other things, investigated all tort claims made against the County; provided reports on claims to the County, vigorously pursued any subrogation and loss recoveries and made recommendations regarding payment/adjustment of claims or settlement of claims;

WHEREAS, L.G. Boucher will provide the services of the Third Party Claims at a cost of \$36,000.00 per year, to be paid at a rate of \$3,000.00 per month;

WHEREAS, the term of this contract will be from January 1, 2024 through December 31, 2024;

WHEREAS, this agreement has been reviewed and approved by the Government Operations 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 Madison County with L.G. Boucher, a copy of which is on file with the Clerk of the Board.

Dated: November 9, 2023

Paul H. Walrod, Chairman

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO: 23-_____

AUTHORIZING THE CHAIRMAN TO AUTHORIZE AN AGREEMENT WITH ONEGROUP FOR PROFESSIONAL CONSULTING SERVICES (RFP P13-23- EMPLOYEE HEALTHCARE BENEFITS CONSULTANT)

WHEREAS, OneGroup has provided the County with professional consulting services for the employee and retiree health plans and related benefit matters for the past several years; and

WHEREAS, due to the complexity of health plan administration and the increasing costs of providing health insurance coverage, it is necessary to retain the services of professional health benefit consultants; and

WHEREAS, a request for proposal was issued and OneGroup was the organization chosen from amongst the number of interested consulting firms; and

WHEREAS, the agreement is for professional consulting services for 2024 at the maximum cost of \$5,834.00 per month, and

WHEREAS, the actual monthly expenses will vary, depending on the amount of commissions applied each month; and

WHEREAS, these commissions are built into one of the County's fully insured healthcare plans and the premium amounts for that plan will not change regardless of whether the commissions are allocated to the County's health benefit consultants; and

WHEREAS, the proposal made by OneGroup has been reviewed and approved by the Health Plan Administrator and the Government Operations Committee.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be, and hereby is authorized to execute an agreement with OneGroup, as is on file with the Clerk of the Board of Supervisors.

Dated: November 9, 2023

Paul H. Walrod, Chairman

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO: 23-_____

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH THE HUMANA
GROUP MEDICARE ADVANTAGE PLAN FOR THE 2024 YEAR**

WHEREAS, the county offers a health care plan for its Medicare–eligible retirees and dependents; and

WHEREAS, beginning with plan year 2015, the County has elected to provide its Medicare-eligible population with Humana Medicare Advantage with Prescription Drug Program; and

WHEREAS, Humana has provided the County with a proposal for the Humana Medicare Advantage with Prescription Drug Program for plan year 2024 with annualized premium rates as follows: Single - \$ 4,281.60 and 2 - Person - \$8,563.20; and

WHEREAS, these premium rates reflect an increase of 6.5% as compared with the 2023 base rate; and

WHEREAS, the proposal made by Humana has been approved by the Health Plan Administrator and the Government Operations Committee.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board be, and hereby is, authorized to execute the Humana Group Medicare Advantage Plan Renewal, as is on the file with the Clerk to Board of Supervisors.

Dated: November 9, 2023

Paul H. Walrod, Chairman

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO 23- _____

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH MVP HEALTH CARE
FOR THE 2024 YEAR**

WHEREAS, Madison County offers Health Maintenance Organization (HMO) option for health insurance coverage for its eligible employees; and

WHEREAS, MVP Health Care has developed premium rates for the HMO portion of the County's Health Insurance program for fiscal year 2024; and

WHEREAS, the 2024 annualized rates, reflecting an increase of 5.1% from the 2023 plan year, are as follows:

Single -	\$14,267.04
2 - Person -	\$32,814.24
Family -	\$33,266.04

WHEREAS, this is a community-rated plan and the rate increases are primarily due to the experience of the overall claims pool.

NOW, THEREFORE, BE IT RESOLVED, that the County's agreement with MVP Health Care be, and hereby is, renewed for the period of January 1, 2024 through December 31, 2024.

Dated: November 9, 2023

Paul H. Walrod, Chairman

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO RENEW AN AGREEMENT WITH EXCELLUS FOR
MEDICAL ADMINISTRATION SERVICES**

WHEREAS, the County provides medical insurance for its eligible employees and their eligible dependents; and

WHEREAS, the employee medical program is self-funded program; and

WHEREAS, Excellus has proposed to provide these services for 2024 at a cost of \$36.52 per subscriber per month, 2025 at a cost of \$34.07 per subscriber per month and 2026 at a cost of \$35.09 per subscriber per month; and

WHEREAS, the Health Plan Administrator and Government Operations Committee recommend continuing to partner with Excellus for third party administrators services,

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors is authorized to renew an agreement with Excellus, as is on file with the Clerk of the Board of Supervisors, for the period of January 1, 2024 through December 31, 2026.

Dated: November 9, 2023

Paul H. Walrod, Chairman

Paul H. Walrod, Chairman
Government Operations Committee

RESOLUTION NO. 23-_____

ACCEPTING TENTATIVE BUDGET AS FILED BY THE BUDGET OFFICER

WHEREAS, Cindy J. Edick, Madison County Budget Officer has on November 9, 2023, filed the fiscal year 2024 budget with the Clerk to the Board of Supervisors; and

WHEREAS, said 2024 tentative budget contains several amounts recommended for the conduct of fiscal year 2024 County Government;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby acknowledge receipt of said budget; and

BE IT FURTHER RESOLVED, that in the event the Board of Supervisors fails to adopt by December 20, 2023, a budget for fiscal year 2024, the tentative budget with such changes, alterations, revisions, as shall have been made by resolutions of the Board of Supervisors, shall constitute the budget for fiscal year 2024 in accordance with Section 361 of the County Law.

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

**AUTHORIZING PUBLIC HEARING ON THE TENTATIVE BUDGET FOR
COWASELON WATERSHED DISTRICT FOR 2024**

RESOLVED, that the public hearing on the tentative budget for the Cowaselon Watershed District will be held at 11:05 a.m. on Thursday, November 16, 2023; and

BE IT FURTHER RESOLVED, that the annexed detailed statement of the estimated expenditures and revisions and the assessment roll heretofore submitted by the administrative agency heretofore appointed pursuant to Section 299-p of the County Law, which has been filed in the office of the Clerk to the Board of Supervisors and a summary of the entire budget is available for public inspection.

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

**AUTHORIZING PUBLIC HEARING ON THE TENTATIVE COUNTY BUDGET
FOR FISCAL YEAR 2024**

RESOLVED, pursuant to the provisions set forth in Section 359 of the County Law, public hearing on the tentative county budget for fiscal year 2024 will be held on Thursday, November 16, 2023 at the following times and location:

11:10 a.m. Supervisors Chambers, Second floor, County Office Building #4,
North Court Street, Wampsville, New York

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways & Means Committee

RESOLUTION NO. 23-_____

**AUTHORIZING A PUBLIC HEARING ON THE TENTATIVE BUDGET
FOR CLOCKVILLE WATER DISTRICT FOR 2024**

RESOLVED, that the public hearing on the tentative budget for the Clockville Water District will be held at 11:15 a.m. on Thursday, November 16, 2023; and

BE IT FURTHER RESOLVED, that pursuant to Section 271 of the County Law providing for the cost of improvements which will benefit each lot or parcel of land; the assessment roll has been filed in the office of the Clerk to the Board of Supervisors and is available for public inspection.

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING TOWNS, VILLAGE AND CITY MUNICIPAL GRANTS

WHEREAS, New York State negotiated and structured a settlement of various Oneida Indian Nation of New York ("OIN") related litigation and contested matters, which settlement has taken the form of a Settlement Agreement among the OIN, the State of New York, the County of Madison, & the County of Oneida ("Settlement Agreement") as approved by Resolution No. 157-13 of the Madison County Board of Supervisors on May 30, 2013, and as approved by the other parties to that Agreement, with Madison County acting pursuant to the related state legislation implementing the Settlement Agreement (Chapters 174 and 175 of the Laws of 2013, Executive Law Section 11 and Indian Law Section 16).

WHEREAS, Section V(E) of the Settlement Agreement, labeled "Nation Land Not Taxable," provides in subsection (1), in pertinent part, as follows:

Without regard to whether land has been (or has not been) and is now (or is not now) exempt from property taxation or otherwise non-taxable, Nation Land shall be non-taxable, and the Nation shall not be liable to the State or any municipal subdivision of the State for any past, present or future property tax payment with regard to Nation Land, and no bill for such tax shall be issued....

WHEREAS, the Settlement Agreement and implementing state legislation have effected a change in the taxable status of Nation Land (as defined in the Settlement Agreement), rendering the properties not subject to property tax retroactively and prospectively.

WHEREAS, pursuant to the Settlement Agreement Madison County is to receive certain annual payments from the State of New York, the Settlement Agreement Section III (B) providing in part as follows:

The Counties share of all these payments is...in full satisfaction of tax revenues of any kind that the *Counties* will not receive from the Nation... [*emphasis added*]

WHEREAS, nevertheless, it is the desire of this Board of Supervisors to provide a share of such payments for the affected towns' and city's 2023 and Village's 2023-2024 fiscal years, to mitigate the impact on such municipalities of the tax exempt status of certain properties owned by the OIN.

WHEREAS, to that end Madison County intends to make grants, namely a one-time payment essentially equal to the lost property taxes for certain OIN titled parcels in each municipality (calculated based on the assessed value of the parcels at the tax rate in effect on the Effective Date of the Settlement Agreement, March 4, 2014), more specifically as provided in the attached Schedule of Parcels and Payments.

WHEREAS, a one-time payment will be made on or about November 9, 2023; and will be intended to mitigate the above referenced current fiscal years only and is to be used solely to support the infrastructure of and the municipal services provided to the taxpayers of such municipalities.

WHEREAS, the Board does not commit to payments in future years and it presently intends to evaluate the prospect of future payments annually.

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby authorizes the Madison County Treasurer to disburse as a grant the sums set forth and described on the attached Schedule of Parcels and Payments to each of the municipalities set forth therein totaling \$253,056.14.

Dated: November 9, 2023

Matthew A. Roberts Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

Madison County
2023 City, 2023 Town, and 2023-2024 Village Municipal Grants
Schedule of Parcels and Payments

Municipality/ Tax Map #	2014 Assessment	City Rate	City Amount
<u>City of Oneida</u>			
30.47-1-1.1	\$326,000	\$7.812760	\$2,546.96
30.81-1-69	90,000	7.812760	703.15
30.81-1-70	241,000	7.812760	1,882.88
37.44-1-1	48,000	7.812760	375.01
37.44-1-1.1	12,400	7.812760	96.88
37.44-1-3	310,400	7.812760	2,425.08
37.44-2-1	3,800	3.952130	15.02
37.44-2-2	466,000	3.952130	1,841.69
38.29-1-2	46,500	7.812760	363.29
38.29-1-3	140,800	7.812760	1,100.04
38.29-1-36	10,500	7.812760	82.03
38.49-1-65	23,100	7.812760	180.47
38.49-1-67	161,700	7.812760	1,263.32
38.49-1-69	106,100	7.812760	828.93
38.57-1-15	445,000	7.812760	3,476.68
38.57-1-15.2	158,900	7.812760	1,241.45
38.57-1-15.3	211,000	7.812760	1,648.49
38.57-1-19	268,300	7.812760	2,096.16
38.62-1-3	162,800	7.812760	1,271.92
38.64-1-9	4,152,099	7.812760	32,439.35
38.65-1-14	508,000	7.812760	3,968.88
46.-1-4.1	15,900	3.952130	62.84
46.-1-5.11	94,800	3.952130	374.66
46.-2-62.2	72,100	3.952130	284.95
47.-2-43	101,300	3.952130	400.35
47.-2-44	99,800	3.952130	394.42
47.-2-46	5,800	3.952130	22.92
47.-2-50	7,141,500	3.952130	28,224.14
47.-2-50.1	10,743,400	3.952130	42,459.31
47.-2-50.2	182,000	3.952130	719.29
47.-2-51	10,000	3.952130	39.52
47.-2-61	60,600	3.952130	239.50
47.-2-63	126,500	3.952130	499.94
54.-1-14.2	19,100	3.952130	75.49
54.-1-21.11	18,900	3.952130	74.70
54.-1-29	74,600	3.952130	294.83
54.-1-29.1	94,000	3.952130	371.50
54.-1-30	84,600	3.952130	334.35
54.-1-31	72,600	3.952130	286.92
54.-1-32.1	161,000	3.952130	636.29
54.-1-32.2	103,400	3.952130	408.65
54.-1-33	2,900	3.952130	11.46
55.-1-3	516,000	3.952130	2,039.30
55.-1-4.1	127,800	3.952130	505.08
55.-1-4.2	80,500	3.952130	318.15
55.-1-7	33,800	3.952130	133.58
55.-1-38	7,700	3.952130	30.43
Total City of Oneida	<u>\$27,909,199</u>		<u>\$139,090.25</u>

<u>Municipality/ Tax Map #</u>	<u>2014 Assessment</u>	<u>Town Rate</u>	<u>Town Amount</u>
<u>Town of Fenner</u>			
70.-1-17	\$14,200	\$3.131191	\$44.46
Total Town of Fenner	\$14,200		\$44.46
<u>Town of Lenox</u>			
7.79-1-29	\$245,000	\$1.568529	\$384.29
7.79-1-61.1	10,400	1.568529	16.31
7.79-1-61.2	2,900	1.568529	4.55
12.-2-25.12	69,200	1.568529	108.54
13.-1-37	90,000	1.568529	141.17
13.-2-1.11	106,900	1.568529	167.68
13.-2-1.13	33,400	1.568529	52.39
13.-2-1.14	32,800	1.568529	51.45
13.6-1-10	1,550,000	1.568529	2,431.22
13.6-1-12	91,000	1.568529	142.74
13.22-1-3	78,200	1.568529	122.66
13.22-1-6	138,000	1.568529	216.46
13.22-1-7	128,000	1.568529	200.77
13.22-1-8	228,200	1.568529	357.94
13.22-1-9	11,000	1.568529	17.25
13.22-1-11	27,300	1.568529	42.82
13.22-1-12	86,700	1.568529	135.99
13.23-1-3	177,000	1.568529	277.63
13.23-1-5	218,900	1.568529	343.35
13.23-1-6	678,200	1.568529	1,063.78
13.23-1-7	9,900	1.568529	15.53
19.-1-25	196,300	1.568529	307.90
19.-1-27	178,500	1.568529	279.98
27.20-1-6	116,900	2.112435	246.94
27.-3-20	193,000	1.568529	302.73
27.-3-21	23,200	1.568529	36.39
27.-3-22	10,200	1.568529	16.00
27.-3-23	4,900	1.568529	7.69
28.-2-13.2	27,400	1.568529	42.98
28.-2-13.11	43,500	1.568529	68.23
28.-2-13.12	150,100	1.568529	235.44
28.-2-14	32,700	1.568529	51.29
28.-3-77.1	158,400	1.568529	248.45
28.-3-77.2	157,000	1.568529	246.26
35.-1-26	145,500	1.568529	228.22
35.-1-28.1	129,000	1.568529	202.34
35.8-1-5	160,700	2.112435	339.47
35.8-1-6	39,100	2.112435	82.60
36.-3-2	69,000	1.568529	108.23
36.5-1-7.5	15,000	2.112435	31.69
36.5-1-20	14,400	2.112435	30.42
36.6-1-1	2,310,000	2.112435	4,879.72
36.6-1-3	9,900	2.112435	20.91
36.6-1-4	24,000	2.112435	50.70

36.38-1-32	25,000	2.112435	52.81
36.38-1-33	50,000	2.112435	105.62
36.38-1-34	8,600	2.112435	18.17
36.38-1-36	28,300	2.112435	59.78
36.62-2-21	<u>233,000</u>	2.112435	<u>492.20</u>
Total Town of Lenox	\$8,566,600		\$15,087.68
Municipality/ Tax Map #	2014 Assessment	Town Rate	Town Amount
<u>Town of Lincoln</u>			
54.-3-4	\$24,500	\$3.197102	\$78.33
54.-3-5.11	122,300	3.197102	391.01
54.-3-8	458,200	3.197102	1,464.91
54.-3-11	9,300	3.197102	29.73
61.-1-10.2	264,000	3.197102	844.03
61.-1-27	27,300	3.197102	87.28
61.-1-28	79,700	3.197102	254.81
63.-2-2	<u>83,200</u>	3.197102	<u>266.00</u>
Total Town of Lincoln	\$1,068,500		\$3,416.10
<u>Town of Smithfield</u>			
72.-1-1.21	\$1,700	\$6.241041	\$10.61
72.-1-1.22	21,800	6.241041	136.05
72.-1-38	48,100	6.241041	300.19
89.-1-5	<u>118,900</u>	6.241041	<u>742.06</u>
Total Town of Smithfield	190,500		\$1,188.91
<u>Town of Stockbridge</u>			
54.-2-2	\$105,000	\$4.464497	\$468.77
54.-2-3.12	212,000	4.464497	946.47
54.-2-3.13	8,300	4.464497	37.06
54.-2-3.62	4,500	4.464497	20.09
54.-2-5	42,200	4.464497	188.40
54.-2-6.1	54,600	4.464497	243.76
54.-2-6.22	48,300	4.464497	215.64
54.-2-8.12	41,200	4.464497	183.94
55.-2-5.11	591,000	4.464497	2,638.52
55.-2-5.12	13,000	4.464497	58.04
55.-2-7	180,700	4.464497	806.73
55.-2-8.1	84,300	4.464497	376.36
55.-2-9	16,700	4.464497	74.56
55.-2-21.11	334,000	4.464497	1,491.14
55.-2-21.12	360,800	4.464497	1,610.79
55.-2-22	600	4.464497	2.68
63.-1-2.1	330,000	4.464497	1,473.28
63.-1-2.2	131,000	4.464497	584.85
63.-1-3	96,000	4.464497	428.59
64.-1-1	228,900	4.464497	1,021.92
64.-1-2	125,400	4.464497	559.85
64.-1-3.1	35,600	4.464497	158.94
64.-1-3.2	33,200	4.464497	148.22
64.-1-6	78,300	4.464497	349.57
64.-1-13.1	70,800	4.464497	316.09
64.-1-15.2	224,500	4.464497	1,002.28
64.-1-17	38,000	4.464497	169.65
64.-1-18	327,000	4.464497	1,459.89

64.-1-24.1	45,900	4.464497	204.92
64.-2-24.31	9,700	4.464497	43.31
64.-2-35	6,400	4.464497	28.57
65.-1-6	76,100	4.464497	339.75
65.-1-10	111,000	4.464497	495.56
73.-1-4	169,000	4.464497	754.50
74.-1-9	83,000	4.464497	370.55
74.-1-16.1	540,000	4.464497	2,410.83
74.-1-16.5	9,000	4.464497	40.18
<u>Municipality/ Tax Map #</u>	<u>2014 Assessment</u>	<u>Town Rate</u>	<u>Town Amount</u>
<u>Town of Stockbridge, Con't</u>			
74.-1-17	44,900	4.464497	200.46
74.-1-18	39,700	4.464497	177.24
74.-1-19	109,100	4.464497	487.08
74.-1-26	25,600	4.464497	114.29
83.-1-6.1	36,000	4.464497	160.72
83.-1-10	130,000	4.464497	580.38
83.-1-14.1	41,800	4.464497	186.62
83.-1-18	88,000	4.464497	392.88
91.-1-51	251,200	4.464497	1,121.48
92.-1-15.1	12,000	4.464497	53.57
92.-1-15.2	240,500	4.464497	1,073.71
92.-1-16	158,000	4.464497	705.39
Total Town of Stockbridge	\$6,042,800		\$26,978.07
<u>Town of Sullivan</u>			
8.-2-34.1	\$114,000	\$2.730992	\$311.33
8.-2-44	61,400	2.730992	167.68
8.-2-45	36,550	2.730992	99.82
18.-1-9.1	33,300	2.730992	90.94
18.-1-14	18,600	2.730992	50.80
18.-2-1	3,500	2.730992	9.56
18.-2-4	212,700	2.730992	580.88
40.20-1-40	94,900	2.730992	259.17
41.74-1-2	240,000	2.730992	655.44
41.74-1-3	145,500	2.730992	397.36
41.74-1-3.11	75,000	2.730992	204.82
41.74-1-4	487,000	2.730992	1,329.99
41.74-1-13	222,900	2.730992	608.74
48.-1-7.112/48.-2-5	52,000	2.730992	142.01
48.8-1-1.1	2,075,000	2.730992	5,666.81
48.8-1-1.3	322,400	2.730992	880.47
48.8-1-2	106,000	2.730992	289.49
Total Town of Sullivan	\$4,300,750		\$11,745.31
Total Towns			<u>\$58,460.53</u>
<u>Municipality/ Tax Map #</u>	<u>2014 Assessment</u>	<u>Village Rate</u>	<u>Village Amount</u>
<u>Village of Canastota</u>			
27.20-1-6	\$116,900	\$9.820000	\$1,147.96
35.8-1-5	160,700	9.820000	1,578.07
35.8-1-6	39,100	9.820000	383.96
36.5-1-7.5	15,000	9.820000	147.30
36.5-1-20	14,400	9.820000	141.41
36.6-1-1	2,310,000	9.820000	22,684.20
36.6-1-3	9,900	9.820000	97.22
36.6-1-4	24,000	9.820000	235.68
36.38-1-32	25,000	9.820000	245.50

36.38-1-33	50,000	9.820000	491.00
36.38-1-34	8,600	9.820000	84.45
36.38-1-36	28,300	9.820000	277.91
36.62-2-21	<u>233,000</u>	9.820000	<u>2,288.06</u>
Total Village of Canastota	\$3,034,900		\$29,802.72
<u>Village of Chittenango</u>			
40.20-1-40	\$94,900	\$6.820042	\$647.22
41.74-1-2	240,000	6.820042	1,636.80
41.74-1-3	145,500	6.820042	992.31
41.74-1-3.11	75,000	6.820042	511.50
41.74-1-4	487,000	6.820042	3,321.34
41.74-1-13	222,900	6.820042	1,520.18
Municipality/ Tax Map #	2014 Assessment	Village Rate	Village Amount
<u>Village of Chittenango Con't</u>			
48.8-1-1.1	2,075,000	6.820042	14,151.59
48.8-1-1.3	322,400	6.820042	2,198.78
48.8-1-2	<u>106,000</u>	6.820042	<u>722.92</u>
Total Village of Chittenango	\$3,768,700		\$25,702.64
Total Villages			<u>\$55,505.36</u>
Grand Total City, Towns & Villages			<u>\$253,056.14</u>

RESOLUTION NO. 23-_____

AUTHORIZING SPECIAL DISTRICT GRANTS

WHEREAS, New York State negotiated and structured a settlement of various Oneida Indian Nation of New York (“OIN”) related litigation and contested matters, which settlement has taken the form of a Settlement Agreement among the OIN, the State of New York, the County of Madison, & the County of Oneida (“Settlement Agreement”) as approved by Resolution No. 157-13 of the Madison County Board of Supervisors on May 30, 2013, and as approved by the other parties to that Agreement, with Madison County acting pursuant to the related state legislation implementing the Settlement Agreement (Chapters 174 and 175 of the Laws of 2013, Executive Law Section 11 and Indian Law Section 16).

WHEREAS, Section V(E) of the Settlement Agreement, labeled “Nation Land Not Taxable,” provides in subsection (1), in pertinent part, as follows:

Without regard to whether land has been (or has not been) and is now (or is not now) exempt from property taxation or otherwise non-taxable, Nation Land shall be non-taxable, and the Nation shall not be liable to the State or any municipal subdivision of the State for any past, present or future property tax payment with regard to Nation Land, and no bill for such tax shall be issued....

WHEREAS, the Settlement Agreement and implementing state legislation have effected a change in the taxable status of Nation Land (as defined in the Settlement Agreement).

WHEREAS, the full scope and effect of the Settlement Agreement remains to be determined, particularly with regard to charges relating to special districts benefiting properties directly.

WHEREAS, pursuant to the Settlement Agreement Madison County is to receive certain annual payments from the State of New York, the Settlement Agreement Section III (B) providing in part as follows:

The Counties share of all these payments is...in full satisfaction of tax revenues of any kind that the *Counties* will not receive from the Nation... [*emphasis added*].

WHEREAS, nevertheless, given the current uncertainty and the adverse circumstances to the special districts if their charges remain unpaid, it is the desire of this Board of Supervisors to provide a share of the County’s payments to certain affected special districts for their 2023 fiscal years, to mitigate the impact on such districts of the potentially exempt status of certain properties owned by the OIN.

WHEREAS, to that end Madison County intends to make grants, namely a one-time payment, more specifically as provided in the attached Schedule of Parcels and Payments.

WHEREAS, a one-time payment will be made on or about November 9, 2023, and will be intended to mitigate the above referenced current fiscal year only and is to be used solely to support the infrastructure of and the municipal services provided to the taxpayers of such districts.

WHEREAS, the Board does not commit to payments in future years and it presently intends to evaluate the prospect of future payments annually.

NOW, THEREFORE, BE IT RESOLVED, that the Madison County Board of Supervisors hereby authorizes the Madison County Treasurer to disburse as a grant the sums set forth and described on the attached Schedule of Parcels and Payments to each of the districts set forth therein totaling \$82,501.74.

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

APPOINTING A COMMITTEE TO REVIEW THE 2024 TENTATIVE BUDGET

RESOLVED, that the Standing Finance, Ways and Means Committee of this Board, who were duly appointed by the Chairman and affirmed by the Board of Supervisors be and the same are hereby designated as the proper Committee to review the tentative budget for 2024, which said budget was filed with the Clerk to this Board on Thursday, November 9, 2023.

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK
STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES – FY2022
STATE HOMELAND SECURITY PROGRAM (SLETPP) AND MODIFYING THE 2023
COUNTY BUDGET**

WHEREAS, Madison County has been awarded a grant for \$32,009 by the New York State Division of Homeland Security and Emergency Services (NYS DHSES) – FY2022 State Homeland Security Program (SLETPP), and

WHEREAS, these funds will provide 100% state reimbursement of eligible costs in the effort to support Madison County; and this grant program is described as follows:

Awarding Agency: New York State Division of Homeland Security and Emergency Services
Project ID #: LE22-1007-D00
DHSES #: WM22190137
Program Name: FY22 State Law Enforcement Terrorism Prevention Program
Grant Period: 09/01/2022 to 8/31/2025
Contract #: T190137
State Funds: 100%
Grant Total: \$32,009

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be authorized to enter into an agreement with the NYS Division of Homeland Security and Emergency Services a copy of which is on file with the Clerk of the Board, and

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

**General Fund
3640 Civil Defense**

<u>Expense</u>		<u>From</u>	<u>To</u>
A364030 544122	SLETPP Other Expense FY22-25	<u>- 0 -</u>	\$32,009
Control Total			<u>\$32,009</u>

<u>Revenue</u>			
A364030 443933	Fed Aid SLETPP Grant FY22-25	\$ <u>- 0 -</u>	<u>\$32,009</u>
Control Total			<u>\$32,009</u>

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance Ways and Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH COMMUNITY ACTION PARTNERSHIP (RFP P10-23) AND MODIFYING THE 2023 ADOPTED COUNTY BUDGET

WHEREAS, Madison County issued an RFP P10-23 for programs related to Opioid Settlement Funding;

WHEREAS, the Community Action Partnership for Madison County, Inc. has been selected as an award recipient;

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

General Fund

4220 Narcotics Addiction Control

Expense

	<u>From</u>	<u>To</u>
A422040 542800 Community Action Partnership	\$-0-	\$341,465

Control Total		\$341,465
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Revenue

A422040 434860 State Aid Opioid Reg Abatement LGU	\$-0-	\$341,465
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Control Total		\$341,465
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BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute an agreement, a copy of which is on file with the Clerk of this Board, for the period from November 1, 2023 through October 31, 2024 with Community Action Partnership for Madison County, Inc.

Dated: November 9, 2023

Mary B. Cavanagh, Chairwoman

Mary B. Cavanagh, Chairwoman
Health and Human Services Committee

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways & Means Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NEW YORK
ARCADIA PUBLISHING AND THE HISTORY PRESS**

WHEREAS, Madison County Historian, Matthew Urtz, is currently completing a book for publication with Arcadia Publishing and the History Press about historic fires in Madison County; and

WHEREAS, Arcadia Publishing and the History Press have offered royalties for the sale of the book after it is published; and

WHEREAS, the cost associated with the publication of the book is \$1,950.00; and

WHEREAS, in addition to the royalties, the County will be able to resell the book to help offset the cost of publication; and

WHEREAS, the term of the contract extends as long as the book remains in active publication with Arcadia Publishing; and

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be, and hereby is, authorized to enter into an agreement with New York Arcadia Publishing and The History Press, as is on file with the Clerk of the Board of Supervisors,

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

General Fund

1170 Assigned Counsel

Expense

	<u>From</u>	<u>To</u>
A117010 542190 Assigned Counsel Family Court	\$300,000	\$375,000
A117010 547151 Assigned Counsel Plan	615,000	690,000

1990 Contingent Fund

Expense

A199010 544440 Contingent Fund	<u>\$423,859</u>	<u>\$273,859</u>
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Control Totals	<u>\$1,338,859</u>	<u>\$1,338,859</u>
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Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways & Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

WHEREAS, the 2023 Approved Contract Agencies' Contracts must include the following Budget Modifications to allow the accurate amounts to be allocated to their respective Revenue and Expense lines in the 2023 Adopted County Budgets.

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

<u>4320 Mental Health Heritage Farms</u>	<u>From</u>	<u>To</u>
<u>Revenue</u>		
A432040 434903 SA OPWDD	\$ <u>20,634</u>	\$ <u>21,253</u>
Control Total		\$ <u>619</u>
<u>Expense</u>		
A432040 542703 Heritage Farms	\$ <u>36,067</u>	\$ <u>36,686</u>
Control Total		\$ <u>619</u>

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute a modification agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2023 through December 31, 2023.

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways & Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

WHEREAS, the New York State Office of Temporary and Disability Assistance has allocated monies to counties related to the Pandemic Emergency Assistance Fund (PEAF) per 23-LCM-17; and

WHEREAS, these monies are to be used to assist needy families to defray cost incurred due to the COVID-19 public health emergency; and

WHEREAS, these funds are 100% federally reimbursed through the American Rescue Plan Act of 2021 (ARPA);

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

General Fund

6109 TANF

Expense

		<u>From</u>	<u>To</u>
A610960 541178	PEAF Multi-Gen Food & Family Payments	\$ <u>-0-</u>	\$ <u>11,900</u>
	Control Total		\$ <u><u>11,900</u></u>

Revenue

A610960 446894	Fed Aid Multi-Generational Food Payment	\$ <u>-0-</u>	\$ <u>11,900</u>
	Control Total		\$ <u><u>11,900</u></u>

Dated: November 09, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

WHEREAS, the 2023 Approved Contract Agencies' Contracts must include the following Budget Modifications to allow the accurate amounts to be allocated to their respective Revenue and Expense lines in the 2023 Adopted County Budgets.

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

General Fund

6511 Veterans Peer Support

Revenue

A651160 434950 SA DWYER

From

\$198,500

To

\$202,500

Control Total

\$ 4,000

Expense

A651160 542794 Peer Support Expense

\$ 824

\$ 4,824

Control Total

\$ 4,000

BE IT FURTHER RESOLVED, that the Chairman of the Board be hereby authorized to execute a modification agreement, a copy of which is on file with the Clerk of this Board, for the period January 1, 2023 through December 31, 2023.

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways & Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

Capital Projects Fund

8990 Aquatic Vegetation Project

Expense

	<u>From</u>	<u>To</u>
H899080 542516 Aquatic Veg 2022-2023	\$ <u>0-</u>	\$ <u>97,200</u>

Control Total

\$97,200

Revenue

H899080 439122 State Aid Aquatic Veg 2022-2023	\$ <u>0-</u>	\$ <u>97,200</u>
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Control Total

\$97,200

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

General Fund

9901 Contribution to Other Funds

Expense

	<u>From</u>	<u>To</u>
A990199 594050 Contribution to County Rd Fund	\$9,977,030	\$8,927,030
A990199 594100 Contribution to Rd Mach Fund	2,653,473	2,139,282

9903 Transfer To/From Other Funds (ARPA)

Expense

A990399 594051 Tsf to County Road Mid-Year	\$-0-	\$1,050,000
A990399 594101 Tsf to Road Machinery Mid-Year	<u>227,547</u>	<u>783,682</u>

Totals	<u>\$12,858,050</u>	<u>\$12,899,994</u>
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Control Total		<u><u>\$41,944</u></u>
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Revenue

A990399 450316 Transfer from County Rd	\$-0-	<u>\$41,944</u>
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Control Total		<u><u>\$41,944</u></u>
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County Road Fund

5114 County Highway (ARPA)

Expense

D511450 594215 Transfer to General Mid-Year	\$-0-	\$41,944
D511450 594101 Transfer to Rd Machinery Fund	<u>41,944</u>	<u>-0-</u>

Control Totals	<u><u>\$41,944</u></u>	<u><u>\$41,944</u></u>
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5010 County Highway Admin

Revenue

D501050 450312 Contribution from General Fund	\$9,977,030	\$8,927,030
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5114 County Highway (ARPA)

Revenue

D511450 450326 Tsf from General Mid-Year	\$-0-	<u>\$1,050,000</u>
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Control Totals	<u><u>\$9,977,030</u></u>	<u><u>\$9,977,030</u></u>
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Road Machinery Fund

5130 Rd Mach Repairs & Expense

Revenue

DM513050 450312 Contribution from General Fund	\$2,653,473	\$2,139,282
DM513050 450326 Tsf from General Mid-Year	219,980	-0-

5133 Road Machinery-Equip (ARPA)

Revenue

DM513350 450316 Tsf from County Rd Mid-Year	\$41,944	\$-0-
DM513350 450326 Tsf from General Mid-Year	<u>7,567</u>	<u>783,682</u>
Control Totals	<u>\$2,922,964</u>	<u>\$2,922,964</u>

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

General Fund

1631 County Buildings (ARPA)

Expense

	<u>From</u>	<u>To</u>
A163110 540352 Morrisville Highway Garage Site	<u>\$378,774</u>	<u>\$347,907</u>
Control Total		<u>(\$30,867)</u>

9903 Transfer To/From Other Funds (ARPA)

Revenue

A990399 450316 Transfer from County Road Fund	\$41,944	\$93,036
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9999 Non Departmental Revenue

Revenue

A999995 440895 Fed Aid Coronavirus Fiscal Recovery	<u>\$5,497,564</u>	<u>\$5,415,605</u>
Totals	<u>\$5,539,508</u>	<u>\$5,508,641</u>
Control Total		<u>(\$30,867)</u>

County Road Fund

5114 County Highway (ARPA)

Expense

D511450 547300 Contract Surface Treatment	\$900,000	\$848,908
D511450 594215 Transfer to General Fund Mid-Year	<u>41,944</u>	<u>93,036</u>
Control Totals	<u>\$941,944</u>	<u>\$941,944</u>

Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

Capital Projects Fund

8197 Office Complex Sanitary Sewer Project

Expense

	<u>From</u>	<u>To</u>
H819780 529802 Engineering Expense	\$ <u>496,000</u>	\$ <u>1,061,000</u>

Control Total		\$ <u>565,000</u>
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Revenue

H819780 457100 Serial Bonds	\$ <u>501,000</u>	\$ <u>1,066,000</u>
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Control Total		\$ <u>565,000</u>
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Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways & Means Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE DISBURSEMENT GAP ELIMINATION FUNDS TO MADISON COUNTY
TOWNS AND VILLAGES**

WHEREAS, this Board of Supervisors is inclined to disburse funds to the Towns and Villages in order to enhance the quality of lives of the citizens of Madison County;

WHEREAS, the Board intends to use funds derived from the collection of mortgage tax to supplement the Towns and Villages;

WHEREAS, the calculation of said disbursement was based on the Towns within which the mortgage tax was collected; and

NOW, THEREFORE BE IT RESOLVED, this Board of Supervisors issues the payment of the amounts listed below, and authorize and direct the County Treasurer to make one-time payment of said amounts to the respective districts in accordance with the report.

Town of Brookfield	\$ 534.85
Town of Cazenovia	\$ 3,558.64
Village of Cazenovia	\$ 686.73
Town of DeRuyter	\$ 709.98
Village of DeRuyter	\$ 64.71
Town of Eaton	\$ 662.03
Village of Hamilton	\$ 0.15
Village of Morrisville	\$ 160.43
Town of Fenner	\$ 444.91
Town of Georgetown	\$ 255.58
Town of Hamilton	\$ 1,430.50
Village of Earlville	\$ 39.77
Village of Hamilton	\$ 755.85
Town of Lebanon	\$ 429.01
Town of Lenox	\$ 2,239.19
Village of Canastota	\$ 607.49
Village of Wampsville	\$ 133.22
Town of Lincoln	\$ 1,036.70
Town of Madison	\$ 634.22
Village of Hamilton	\$ 9.84
Village of Madison	\$ 23.85
Town of Nelson	\$ 1,018.60
Town of Smithfield	\$ 273.58
Town of Stockbridge	\$ 77.06
Village of Munnsville	\$ 7.93
Town of Sullivan	\$ 10,287.07
Village of Chittenango	\$ 1,449.07
City of Oneida	\$ 3,196.59

Date: November 9, 2023

Matthew A. Roberts Chairman

Matthew A. Roberts, Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

APPROVAL OF MORTGAGE TAX REPORT FALL 2023

WHEREAS, this Board is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each tax district of the County of the money collected during the preceding six months ending September 30, 2023;

NOW, THEREFORE BE IT RESOLVED, that pursuant to Section 261 of the Tax Law, this Board issue tax warrants for the payment of the respective tax districts of the amounts so credited, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report.

Town of Brookfield	\$	9,183.50
Town of Cazenovia	\$	61,102.42
Village of Cazenovia	\$	11,791.31
Town of DeRuyter	\$	12,190.52
Village of DeRuyter	\$	1,111.04
Town of Eaton	\$	11,367.07
Village of Hamilton	\$	2.62
Village of Morrisville	\$	2,754.60
Town of Fenner	\$	7,639.23
Town of Georgetown	\$	4,388.39
Town of Hamilton	\$	24,561.74
Village of Earlville	\$	682.95
Village of Hamilton	\$	12,978.03
Town of Lebanon	\$	7,366.36
Town of Lenox	\$	38,447.31
Village of Canastota	\$	10,430.66
Village of Wampsville	\$	2,287.44
Town of Lincoln	\$	17,800.35
Town of Madison	\$	10,889.68
Village of Hamilton	\$	168.92
Village of Madison	\$	409.50
Town of Nelson	\$	17,489.50
Town of Smithfield	\$	4,697.34
Town of Stockbridge	\$	1,323.15
Village of Munnsville	\$	136.17
Town of Sullivan	\$	176,630.80
Village of Chittenango	\$	24,880.75
City of Oneida	\$	54,885.99

Date: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts , Chairman
Finance, Ways and Means Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN EXTENSION FOR AN
AGREEMENT WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR A
THREE-YEAR DISTRIBUTION 2019-2021**

WHEREAS, the County of Madison by Resolution 19-489 dated September 10, 2019, entered into an agreement with the New York State Office of Indigent Legal Services for a Three-Year Distribution for 2019-2021 (Grant #9); and

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

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

WHEREAS, the amount of funds available are \$78,098.52 and are to be used to further assist the County in improving the quality of indigent legal services; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an extension agreement on behalf of the County of Madison with the NYS Office of Indigent Legal Services, in the form as is on file with the Clerk of the Board.

Dated: November 9, 2023

Rex Vosburg, Chairman

Rex Vosburg, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee

RESOLUTION NO. 23-_____

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

WHEREAS, the County of Madison by Resolution 20-127 dated March 10, 2020, entered into an agreement with the New York State Office of Indigent Legal Services for a Three-Year Distribution for 2019-2021 (Grant #10); and

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

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

WHEREAS, the amount of funds available are \$75,892.08 and are to be used to further assist the County in improving the quality of indigent legal services; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an extension agreement on behalf of the County of Madison with the NYS Office of Indigent Legal Services, in the form as is on file with the Clerk of the Board.

Dated: November 9, 2023

Rex Vosburg, Chairman

Rex Vosburg, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee

RESOLUTION NO. 23-_____

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

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

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

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

WHEREAS, the amount of funds available are \$25,770 and are to be used to further assist the County in improving the quality of indigent legal services; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an extension agreement on behalf of the County of Madison with the NYS Office of Indigent Legal Services, in the form as is on file with the Clerk of the Board.

Dated: November 9, 2023

Rex Vosburg, Chairman

Rex Vosburg, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH WILMAC
BUSINESS EQUIPMENT CO., INC.**

WHEREAS, Wilmac Business Equipment Co., Inc. has submitted for approval an agreement with Madison County to provide maintenance and support services for 911 phone and radio recording system; and

WHEREAS, Wilmac Business Equipment Co., Inc. has provided an annual support fee of Twenty Thousand, One Hundred Ten dollars (\$20,110.00); and

WHEREAS, the term of the contract is November 1, 2023 through October 31, 2024;
and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an agreement on behalf of the County of Madison with Wilmac Business Equipment Co., Inc. as is on file with the Clerk of the Board.

Dated: November 9, 2023

Rex Vosburg, Chairman

Rex Vosburg, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
AK ASSOCIATES (KRAUS ASSOCIATES)**

WHEREAS, AK Associates has submitted for approval an agreement with Madison County to provide service for the purpose of Basic Maintenance Annual Support for the 911 phone system; and

WHEREAS, AK Associates has provided an annual support fee of Twenty-Eight Thousand, Seven Hundred Ninety dollars (\$28,790.00); and

WHEREAS, the term of the contract is December 1, 2023 through November 30, 2024; and

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

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

Dated: November 9, 2023

Rex Vosburg, Chairman

Rex Vosburg, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO AMEND AN AGREEMENT
WITH TYLER TECHNOLOGIES, INC.**

WHEREAS, the Sheriff's Office owns a licensed version of two (2) software programs from Tyler Technologies, Inc. for the daily activities of the Civil Division and Tyler Technologies, Inc. has agreed to maintain the software and provide customer support as outlined in Resolution 19-111; and

WHEREAS, the Sheriff's Office owns two software licensed versions of Civil Mobile that allows civil deputies to view cases, evictions, order of protections, etc. from their vehicles rather than returning to the office as outlined in Resolution 22-168; and

WHEREAS, Tyler Technologies, Inc. will provide the Maintenance and Support Services for the CivilServe (\$1,158.15), CivilView Attorney Portal (\$1,276.29) and CivilMobile (\$2,984.51) for 2024 with an annual fee increase as shown in attached Schedule 1 until December 31, 2028; and

WHEREAS, the term of this amendment shall be effective January 1, 2024 through December 31, 2028, unless terminated by either party on a 90 days' notice; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to amend an agreement on behalf of the County of Madison with Tyler Technologies, Inc., in the form as is on file with the Clerk of the Board.

Dated: November 9, 2023

Rex Vosburg, Chairman

Rex Vosburg, Chairman
Criminal Justice, Public Safety and
Emergency Communications Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100%
OF THE FEDERAL-AID AND STATE PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS
THEREFORE**

WHEREAS, a Project for the Replacement of a Bridge on Lebanon Road (CR62) over Stone Mill Brook (BIN 3367070), Town of Lebanon, Madison County, P.I.N. 2754.86 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of **95%** Federal funds and **5%** non-federal funds; and

WHEREAS, the **County of Madison** desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of **The total Project cost**; and

WHEREAS, the Board of Supervisors hereby approves the above-subject project; and

WHEREAS, the sum of **\$1,748,391** will be appropriated in the Capital Projects Fund, Account **H**, and made available to cover the cost of participation in the above phase of the Project; and

WHEREAS, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Madison County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Highway Buildings & Grounds Committee thereof; and

WHEREAS, the Board of Supervisors hereby approves the above-subject project and hereby authorizes the County of Madison to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and

NOW BE IT RESOLVED, that Madison County hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED, that the Chairman of the Madison County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement request for Federal- Aid and/or State- Aid on behalf of the County of Madison with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible.

Dated: November 9, 2023

William N. Zupan, Chairman

William N. Zupan, Chairman
Highway, Buildings and Grounds Committee

RESOLUTION NO 23-_____

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH GP FLOORING SOLUTIONS

WHEREAS, Madison County Facilities has identified several areas within the County Office Building that are in need of carpet replacement; and

WHEREAS, GP Flooring Solution, who have successfully perform this service in the past, has agreed to provide these services per Milliken Sourcewell Contract#161323-MAC pricing, commencing November 9, 2023 continuing through April 30, 2024, in the amount of \$69,773.02; and

WHEREAS, the funds for this project have been allocated within the 2023 adopted county budget; and

WHEREAS, this agreement has been reviewed and approved by the Highway, Buildings & Ground Committee;

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

Dated: November 9, 2023

William N. Zupan, Chairman

William N. Zupan, Chairman
Highway, Buildings and Grounds Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ERIE
MECHANICAL CONTRACTORS, INC.**

WHEREAS, Madison County Facilities has identified a need for repairing/upgrading the isolation unit within the Public Safety Building; and

WHEREAS, Erie Mechanical Contractors, Inc., has agreed to provide these services commencing October 25, 2023 continuing through October 22, 2024, in the amount of \$30,760; and

WHEREAS, the funds for this project have been allocated within the 2023 adopted county budget; and

WHEREAS, this agreement has been reviewed and approved by the Highway, Buildings & Ground Committee;

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

Dated: November 9, 2023

William N. Zupan, Chairman

William N. Zupan, Chairman
Highway, Buildings and Grounds Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE CHAIRMAN TO MODIFY AN AGREEMENT WITH BARTON & LOGUIDICE, D.P.C.

WHEREAS, Madison County entered into an agreement (22-275) with Barton & Loguidice D. P.C. for Professional Engineering Design Services with regards to the County Office Complex Sewer Project; and

WHEREAS, additional services have been identified as needed for this project to include the bidding and construction phase; and

WHEREAS, Barton & Loguidice D.P.C. has agreed to provide these additional services for the County Complex Sewer Project including the bidding and construction phase for a total additional cost of \$565,000.00; and

WHEREAS, the County would like to amend the current agreement with Barton & Loguidice, D.P.C. to extend the agreement expiration date to July 1, 2025; and

WHEREAS, the Highways, Buildings & Grounds Committee has reviewed the modified agreement and recommend that the agreement be accepted; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to modify and agreement with Barton & Loguidice, D.P.C. Accordingly, a copy of said Agreement is filed with the Clerk of the Board.

Dated: November 9, 2023

William N. Zupan, Chairman

William N. Zupan, Chairman
Highway, Buildings & Grounds Committee



CERTIFICATE OF INSURANCE COVERAGE

NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by NYS disability and Paid Family Leave benefits carrier or licensed insurance agent of that carrier

1a. Legal Name & Address of Insured (use street address only) BARTON & LOGUIDICE, DPC 443 ELECTRONICS PARKWAY LIVERPOOL, NY 13088 Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy)	1b. Business Telephone Number of Insured 315-457-5200 1c. Federal Employer Identification Number of Insured or Social Security Number 16-1020368
2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) MADISON COUNTY 138 N. COURT STREET PO BOX 635 WAMPSVILLE, NY 13163	3a. Name of Insurance Carrier The Guardian Life Insurance Company of America 3b. Policy Number of Entity Listed in Box 1a 00937674 3c. Policy Effective Period 01/01/2023 to 01/01/2023

4. Policy provides the following benefits:

☒ A. Both disability and Paid Family Leave benefits.

☐ B. Disability benefits only.

☐ C. Paid Family Leave benefits only.

5. Policy covers:

☒ A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.

☐ B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS disability and/or Paid Family Leave benefits insurance coverage as described above.

Date Signed 11/02/2023 By 

(Signature of insurance carrier's authorized representative or NYS licensed insurance agent of that insurance carrier)

Telephone Number 1-888-278-4542 Name and Title Michael Prestileo, Head of Group Benefits Strategy, Product & Underwriting

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is **COMPLETE**. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is **NOT COMPLETE** for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be emailed to PAU@wcb.ny.gov or it can be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4B, 4C or 5B have been checked)

State of New York

Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law (Article 9 of the Workers' Compensation Law) with respect to all of their employees.

Date Signed _____ By _____

(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: Only insurance carriers licensed to write NYS disability and Paid Family Leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. **Insurance brokers are NOT authorized to issue this form.**



Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in Box 1a for disability and/or Paid Family Leave benefits under the NYS Disability and Paid Family Leave Benefits Law. The insurance carrier or its licensed agent will send this Certificate of Insurance Coverage (Certificate) to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This Certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This Certificate may be used as evidence of a NYS disability and/or Paid Family Leave benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or Paid Family Leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Insurance Coverage for NYS disability and/or Paid Family Leave Benefits or other authorized proof that the business is complying with the mandatory coverage requirements of the NYS Disability and Paid Family Leave Benefits Law.

NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.



CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

1a. Legal Name & Address of Insured (use street address only) Barton & Loguidice, D.P.C. 443 Electronics Parkway Liverpool, NY 13088 Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)	1b. Business Telephone Number of Insured (315)457-5200 c. NYS Unemployment Insurance Employer Registration Number of Insured 1d. Federal Employer Identification Number of Insured or Social Security Number 161020368
2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Madison County 138 N. Court Street PO Box 635 Wampsville, NY 13163	3a. Name of Insurance Carrier National Fire Insurance Company of Hartford 3b. Policy Number of Entity Listed in Box "1a" 6017222835 3c. Policy effective period 4/24/2023 to 4/24/2024 3d. The Proprietor, Partners or Executive Officers are ☒ included. (Only check box if all partners/officers included) ☐ all excluded or certain partners/officers excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. **(To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy).** The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) **Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Matthew Mullard
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by:  November 1, 2023
(Signature) (Date)

Title: Associate

Telephone Number of authorized representative or licensed agent of insurance carrier: 585-385-0428

Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.

Workers' Compensation Law

Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.
1. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/01/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Brown & Brown MA 107 Audubon Rd Wakefield MA 01880	CONTACT NAME: Matthew Mullard PHONE (A/C, No, Ext): (781) 245-5400 E-MAIL ADDRESS: kathleen.rullo@bbrown.com FAX (A/C, No): (781) 245-5463
INSURED Barton & Loguidice, D.P.C. 443 Electronics Pkwy Liverpool NY 13088	INSURER(S) AFFORDING COVERAGE INSURER A: National Fire Insurance Company of Hartford INSURER B: Valley Forge Insurance Company INSURER C: The Continental Insurance Company INSURER D: Travelers Casualty and Surety Company of America INSURER E: INSURER F:

COVERAGES**CERTIFICATE NUMBER:** 2023**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Cross-Liability GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC ☐ OTHER:	Y	Y	6017222821	04/24/2023	04/24/2024	EACH OCCURRENCE \$ 2,000,000	
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000							
	MED EXP (Any one person) \$ 15,000							
	PERSONAL & ADV INJURY \$ 2,000,000							
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☒ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	Y	Y	6017222852	04/24/2023	04/24/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000	
	BODILY INJURY (Per person) \$							
	BODILY INJURY (Per accident) \$							
	PROPERTY DAMAGE (Per accident) \$							
C	☒ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 10,000	Y	Y	6017222849	04/24/2023	04/24/2024	EACH OCCURRENCE \$ 10,000,000	
	AGGREGATE \$ 10,000,000							
	\$							
	\$							
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	Y	6017222835	04/24/2023	04/24/2024	☒ PER STATUTE ☐ OTH-ER
	E.L. EACH ACCIDENT \$ 1,000,000							
	E.L. DISEASE - EA EMPLOYEE \$ 1,000,000							
	E.L. DISEASE - POLICY LIMIT \$ 1,000,000							
D	Prof. Liability Pollution Liability			107877467	07/20/2023	07/20/2024	PER CLAIM 5,000,000	
	AGGREGATE 10,000,000							

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Madison County and all others required are included as additional insured on a primary non-contributory basis to the extent allowed on the blanket additional insured endorsements included on the above listed policies. Includes 30-day notice of cancellation & waiver of subrogation.

CERTIFICATE HOLDER**CANCELLATION**

Madison County
138 N. Court Street
PO Box 635
Wampsville NY 13163

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH
COMMUNITY ACTION PROGRAM, INC.**

WHEREAS, research has shown that mentoring is an effective strategy in the prevention of high-risk behaviors that lead to poor school performance, substance abuse, violence, and teen pregnancy; and

WHEREAS, it is always a struggle to find enough volunteer mentors to meet the needs of children who would benefit from a mentor; and

WHEREAS, Community Action Program, Inc., has the experience and recognized capacity to provide intensive mentoring and is currently providing this service to 17 youth and their families with 26 total youth served in 2023, and expects to serve 32 youth by the end of the year; and

WHEREAS, these services are eligible for state reimbursement at the rate of sixty-two percent (62%); and

WHEREAS, Community Action Program, Inc., has offered to provide the required services for the period January 1, 2024 to December 31, 2024, at a total cost not to exceed \$168,959; 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 renew an agreement on behalf of the County of Madison with Community Action Program, Inc., in the form as is on file with the Clerk of the Board.

Dated: November 9, 2023

Mary B. Cavanagh, Chairwoman

Mary Cavanagh, Chairwoman
Health and Human Services Committee

RESOLUTION NO. 23-_____

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT
WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES
FOR OCTOBER 2023 TO SEPTEMBER 2024 YOUTH PROGRAM FUNDS FOR
DISBURSEMENT BY THE MADISON COUNTY YOUTH BUREAU**

WHEREAS, the need has been identified in Madison County for provision of youth development programming, youth sports and education opportunity programming, and youth sports teams; and

WHEREAS, the New York State Office of Children and Family Services (OCFS) requires submission of the Resource Allocation Package for Madison County as part of the Children and Family Services plan; and

WHEREAS, the Children and Family Services plan was approved by OCFS October 3, 2023; and

WHEREAS, the signing of the Resource Allocation Plan will qualify Madison County for State reimbursement for the October 2023 to September 2024 program year, provided that services are rendered in accordance with the Rules and Regulations of OCFS and the Children and Family Services plan guidelines and OCFS fiscal policies; and

WHEREAS, the plan includes the provision of the approved allocation to Madison County of \$144,051 for provision of program contracts to be reviewed by the Request for Proposal process of the Madison County Youth Bureau Youth Board, approved by the Health and Human Services Committee and the Board of Supervisors; and

WHEREAS, the Madison County Youth Board and the Health and Human Services Committee have recommended the submission of the Resource Allocation Plan; and

WHEREAS, these costs are reimbursed 100% by State Aid for youth development programming and youth sports and education opportunity funding;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Madison County Board of Supervisors be authorized to enter into an agreement on behalf of the County of Madison with NYS OCFS for the October 2023 to September 2024 program year's Resource Allocation Plan in the form as is on file with the Clerk of the Board.

Dated: November 9, 2023

Mary B. Cavanagh, Chairwoman

Mary B. Cavanagh, Chairwoman
Health & Human Services Committee

RESOLUTION NO. 23-_____

AUTHORIZING THE CHAIRMAN TO ENTER INTO A MODIFICATION AND EXTENSION AGREEMENT WITH EGGAN EXCAVATING & EQUIPMENT COMPANY, INC. FOR TANKER TRUCK HAULING SERVICES

WHEREAS, Madison County issued a Request for Bids (RFB 22-38) for Tanker Truck Hauling Services; and

WHEREAS, Eggan Excavating & Equipment Co., Inc. was the sole responsible bidder; and

WHEREAS, Eggan Excavating & Equipment Co, Inc. possesses the special skills and training required to perform these services; and

WHEREAS, the Request for Bids included a one year extension option and both parties desire to extend the Service Agreement for an additional one year period through December 6, 2024; and

WHEREAS, the Modification and Extension Agreement has been reviewed and approved by the Solid Waste and Recycling Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into an extension agreement on behalf of the County of Madison with Eggan Excavating & Equipment Co., Inc., in the form as is on file with the Clerk of the Board.

Dated: November 9, 2023

James J. Cunningham, Chairman

James J. Cunningham, Chairman
Solid Waste and Recycling Committee

RESOLUTION NO. 23-_____

TERMINATING A DEVELOPMENT AGREEMENT WITH SAVARINO COMPANIES

WHEREAS, On October 3, 2018, Madison County was awarded a grant of \$1.5 million towards implementation of a “Reimagine the Canals” pocket neighborhood grant in the Village of Canastota, to be funded by the New York Power Authority (NYPA) and administered by the New York State Canal Corporation (NYSCC); and

WHEREAS, the County has acquired on January 2, 2020 a certain parcel within the Village of Canastota in order to develop the canalside pocket neighborhood; and

WHEREAS, the County has issued RFQ 1-20 (the “RFQ”) to solicit qualifications from interested parties regarding the redevelopment of a certain county-owned parcel within the Village of Canastota and formed a Selection Committee to review submittals; and

WHEREAS, Savarino Companies (“Savarino”) was the developer selected to achieve the vision for the site and the County entered into a Development Agreement with Savarino Companies on June 23, 2022; and

WHEREAS, on August 22, 2023 Savarino Companies announced that it is going out of business and unable to complete the canalside neighborhood project; and

NOW, THEREFORE, BE IT RESOLVED that Madison County and Savarino Companies have mutually determined it necessary to terminate the development agreement; and

BE IT FURTHER RESOLVED, the Madison County Board of Supervisors hereby authorizes John M. Becker, Chairman of the Board, to sign a termination agreement to terminate the Development Agreement with Savarino Companies (a copy of which is on file with the Clerk of this Board).

DATED: November 9, 2023

Joseph J. Pinard, Chairman

Joseph J. Pinard, Chairman
Planning, Economic Development,
Environmental And Intergovernmental
Affairs Committee

Termination Agreement

This Termination Agreement (the "Agreement") is entered into this 18th (day) of October (month), 2023 (the "Effective Date"), between **SAVARINO COMPANIES, LLC**, a New York limited liability company, with offices located at 500 Seneca Street, Suite 508, Buffalo, New York 14204 (hereinafter referred to as the "Preferred Developer"), and **MADISON COUNTY** with offices located at 138 N. Court Street, Wampsville, New York 13163 (hereinafter referred to as "County"), are sometimes individually referred to herein as a "Party" and collectively as the "Parties":

WITNESSETH

WHEREAS, The Preferred Developer and the County entered into a Redevelopment Agreement dated June 23, 2022 (the "Contract"), pursuant to which the use of the County's NYA Canal Corporation grant funds was to be utilized by the Preferred Developer in the construction of a mixed-use commercial and residential structure at 160 Center Street, Canastota, New York, pursuant to the terms and conditions and as more fully set forth in the Contract; and

WHEREAS, the Preferred Developer is no longer able to fulfill their obligations under the contract;

WHEREAS, both parties agree to terminate the Contract by mutual Agreement;

WHEREAS, parties will forthwith agree to a mutual release of liability and of legal claims based on or arising out of the contract; and

NOW THEREFORE, in consideration of the undertakings of the Parties as set forth in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, the Parties hereby agree as follows:

1. **Termination of the Contract.** The Parties mutually agree that Contract shall be terminated effective November 9, 2023 (the "Termination Date") and upon the Termination Date, the Contract shall have no further force or effect.
2. **Consideration.** Each party acknowledges and agrees that it has already received all payments and amounts owed from the other Party under the Contract and that no additional consideration of any kind is due from the other Party with respect to the Contract.
3. **Effect of Termination on Contract.** Except as expressly provided in this Agreement, the Parties acknowledge and agree that their respective rights and obligations are terminated under this Agreement. Any and all transactions completed by the Parties under the Contract prior to the Termination Date shall remain in full force and effect and shall not be revoked or adversely effected as a result of the termination of the Contract or this Agreement.
4. **Fees and Expenses.** Each Party hereto shall bear its own fees and expenses (including attorneys' fees) incurred in connection with the Contract, this Agreement and the consummation of the transactions contemplated hereby.
5. **Representations.** Each Party hereby represents and warrants that it has not assigned or otherwise conveyed or delegated, in whole or in part, any claim or right that it has or may have under the Contract to any third party or person. Each Party represents that the execution and delivery of this

Agreement is the duly authorized and binding act of the Party, and that the Party's signatory hereto is duly authorized to execute this Agreement on behalf of the Party.

6. **No Admission of Liability.** The Preferred Developer and the County expressly agree and acknowledge that their entering into this Agreement shall not be construed in any manner as an admission of any liability, obligation, or wrongdoing on the part of either Party. Each Party expressly denies any and all liability or wrongdoing with respect to the Contract.
7. **Cooperation between the Parties.** Each Party shall fully cooperate with the other Party with respect to the performance of this Agreement. Each Party will provide or make available to the other Party any information and will execute, acknowledge and deliver such further documents that may reasonably be required in order to effectively perform this Agreement and to evidence the termination of the Contract and to release all obligations and liabilities of the Parties thereunder.
8. **Governing Law and Venue.** This Agreement will be governed by and interpreted in accordance with the laws of the State of New York, without giving effect to the principles of conflicts of law of such state. The Parties hereby agree that any action arising out of this Agreement will be brought solely in any state or federal court located in Madison County, New York. Both Parties hereby submit to the exclusive jurisdiction and venue of any such court.
9. **Binding Agreement.** This Agreement shall be binding upon and inure to the benefit of the successors, assigns and legal representatives of the Parties. There are no third party beneficiaries to this Agreement. Each Party acknowledges and agrees that it fully understands the provisions set forth in this Agreement and their effect, and that each Party is voluntarily entering into this Agreement.
10. **Severability.** If any provision or portion of this Agreement shall be held by a court of competent jurisdiction to be illegal, invalid, or unenforceable, the remaining provisions or portions shall remain in full force and effect.
11. **Notices.** All notices or other communications required under this Agreement shall be in writing and shall be deemed effective when received and made by either (i) hand delivery, (ii) registered mail, (iii) certified mail, return receipt requested, or (iv) overnight mail, addressed to the Party to be notified at the following address or to such other address as such Party shall specify by like notice hereunder:
 - (a) When sent by the County to Preferred Developer:
Samuel J. Savarino
Managing Member of Savarino Companies, LLC
500 Seneca Street, Suite 508
Buffalo, NY 14204
Email: sams@savarinocompanies.com

With a copy to:
Steven J. Weiss, Esq.
Cannon Heyman & Weiss, LLP
Office: (716) 856-1700 x308
Mobile: (716) 316-7726
Email: SWeiss@chwattys.com

- (b) When sent by Preferred Developer to the County:
Jamie Kowalczyk
Assistant Director
Madison County Planning Department
PO Box 606
Wampsville, NY 13163
T. (315) 366-2378
Fax: 315-366-2742
Email: jamie.kowalczyk@madisoncounty.ny.gov

With a copy to:

Melissa E. Martel Felton
Second Assistant County Attorney
Madison County Attorney's Office
P.O. Box 635
138 N. Court Street
Wampsville, NY 13163
T. 315-366-2203
Email: melissa.felton@madisoncounty.ny.gov

12. **Entire Agreement.** This Agreement is the entire agreement between the Parties with respect to the subject matter hereof and supersedes any prior agreement or communications between the Parties, whether written, oral, electronic or otherwise. No change, modification, amendment, or addition of or to this Agreement shall be valid unless in writing and signed by authorized representatives of the Parties. Each Party hereto has received independent legal advice regarding this Agreement and their respective rights and obligations set forth herein. The Parties acknowledge and agree that they are not relying upon any representations or statements made by the other Party or the other Party's employees, agents, representatives or attorneys regarding this Agreement, except to the extent such representations are expressly set forth herein.
13. **Attorneys' Fees and Costs in Enforcement of the Agreement.** If either Party incurs any legal fees and/or costs and expenses in any proceeding to enforce the terms of this Agreement or any of its rights provided hereunder, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and any court, arbitration, mediation, or other litigation expenses from the other Party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date and year hereinafter written.

MADISON COUNTY

DATED: _____

By: _____

John M. Becker
Chairman, Board of Supervisors

DATED: 10/18/23

By: _____

Samuel J. Savarino
Managing Member of Savarino Companies, LLC

STATE OF NEW YORK)
COUNTY OF MADISON)

On the _____ day of _____, 20____, personally appeared **John M. Becker**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, State of New York
Appointed in _____ County NY
Commission Expires: _____

Notary Public

STATE OF _____)
COUNTY OF _____)

On the 18th day of October, 20 23, before me, the undersigned, Sam Savarino personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public, State of New York
Appointed in _____ County NY
Commission Expires: _____

Notary Public

JULIA SPITZ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01SP6202334
Qualified in Erie County
Commission Expires 03/16/2025

RESOLUTION NO. 23-_____

AUTHORIZING THE MODIFICATION OF THE 2023 ADOPTED COUNTY BUDGET

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

General Fund

1010 Legislative Board

Expense

	<u>From</u>	<u>To</u>
A101010 542316 Vehicle Fleet Study	\$-0-	\$6,900

1990 Contingent Fund

Expense

A199010 544440 Contingent Fund	<u>\$273,859</u>	<u>\$266,959</u>
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Control Totals	<u>\$273,859</u>	<u>\$273,859</u>
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Dated: November 9, 2023

Matthew A. Roberts, Chairman

Matthew A. Roberts, Chairman
Finance, Ways & Means Committee