



ONEIDA COUNTY BOARD OF LEGISLATORS

ONEIDA COUNTY OFFICE BUILDING ♦ 800 PARK AVENUE ♦ UTICA, N.Y. 13501-2977

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5404

George Joseph
Majority Leader

Timothy Julian
Minority Leader

*** NOTICE OF MEETINGS ***

Notice is hereby given that the Oneida County Board of Legislators will meet in accordance with the following schedule on August 9, 2023.

10:00 A.M. – DISTRIBUTION OF COMMUNICATIONS

12:00 P.M. WAYS & MEANS COMMITTEE

2:00 P.M. FULL BOARD SESSION- LEGISLATIVE CHAMBERS

All meetings are available on the Oneida County Board of Legislators Facebook Page [www.facebook.com @ONEIDACOUNTYLEGISLATURE](https://www.facebook.com/@ONEIDACOUNTYLEGISLATURE) or at <https://fb.me/ONEIDACOUNTYLEGISLATURE>

MEETING REMINDERS:

NO. 238

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Leach, Flisnik

2ND BY:

RE: APPROVAL OF THE PROPOSED WORKERS' COMPENSATION BUDGET FOR 2024

WHEREAS, The Oneida County Workers' Compensation Committee has filed a budget estimate for the operation of the Oneida County Self-Insured Insurance Plan as hereinafter set forth for the year 2024, and

WHEREAS, It is desirable to authorize the County Comptroller and the Commissioner of Finance to establish in their accounts a budget estimate for the operation of the Oneida County Self-Insurance Plan, now, therefore, be it hereby

RESOLVED, That the following budget estimate for 2024 is hereby ordered to be placed upon the books of the County Comptroller and Commissioner of Finance, and that the County Comptroller be, and hereby is, authorized to make payments from the respective accounts as hereinafter set forth upon inspection and examination by the Workers' Compensation Committee:

BUDGET APPROPRIATIONS

PROGRAM ADMINISTRATION AND SUPPORT

S1710.109	Salaries & Fringes	\$ 126,587
S1710.195	Other Fees & Services (See attachment)	\$ 548,007
S1710.416	Telephone	\$ 550
S1710.418	Meter Postage	\$ 630
S1710.455	Travel	\$ 3,550
S1710.491	Other Materials & Supplies	\$ 100
S1710.492	Zixmail	\$ 59
S1710.495	Other Expenses	\$ 250
S1990.9	Contingent Account	\$ 30,000
	Total Administrative Expense	\$ 709,733

S1720.410	Indemnity & Medical	\$4,268,334
S1720.412	Insurance & Bonding	\$ 400
S1720.495	WCB Assessments	\$ 350,000
	Total Claims Expense	\$4,618,734

TOTAL ADMINISTRATIVE & CLAIMS EXPENSES **\$5,576,217**

ESTIMATED REVENUES

S2222	Participant Assessments	\$4,575,141
-------	-------------------------	-------------

S2401	Interest Earnings	\$ 30,000
S2701	Refund of Prior Years – Expenditures	\$ 16,000
S2705	Revenues	<u>\$ 707,326</u>
TOTAL ESTIMATED REVENUES		<u>\$5,328,467</u>

2024 Budget – “Other Fees and Services” Breakdown

“Other Fees & Services” – Account S1710.195

Estimated cost to place in reserves for Excess	\$300,000
Cost for 3rd Party Administration 2022	\$189,000
Department of Finance annual service charge for 2022	\$ 9,507
Estimated cost for an actuarial analysis fee for 2022	\$ 7,500
Department of Audit & Control accounting fee for 2022	\$ 12,000
Miscellaneous expert attorney fees and other contract fees	<u>\$ 30,000</u>
Total proposed “Other Fees and Services”	<u>\$548,007</u>

RESOLVED, That the Oneida County Board of Legislators hereby approves and accepts the aforementioned Workers’ Compensation Budget for 2024.

APPROVED: Workers’ Compensation Committee
 Ways and Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

NO. 239

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mme. Pratt, Mr. Flisnik

2ND BY:

RE: APPROVAL OF AN AMENDMENT TO AN INFORMATION TECHNOLOGY MASTER SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF INFORMATION TECHNOLOGY, AND JDE COMPUTER STAFFING, INC.

WHEREAS, This Board is in receipt of an Amendment to an Information Technology Master Services Agreement between Oneida County, through its Department of Information Technology, and JDE Computer Staffing, Inc., and

WHEREAS, This Board previously approved the Information Technology Master Services Agreement, wherein Integrated Strategic Systems, Inc. agreed to assist the Oneida County Clerk in the reduction of paper records storage and to increase the digitization of records for the County, for a three (3) year term commencing upon execution (Contract #88132), and

WHEREAS, Chuck Klein, Director of Information Technology, has requested that the Information Technology Master Services Agreement be amended to (1) approve the assignment of Contract #88132 from Integrated Strategic Systems, Inc. to JDE Computer Staffing, Inc., effective August 26, 2022, and to (2) enter into Renewal #1 (September 16, 2022 through September 16, 2023) in the sum of \$500,000 and Renewal #2 (September 16, 2023 through September 16, 2024) in the sum of \$500,000 pursuant to Section 8.1 of the original Agreement, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Amendment must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That this Board authorizes and approves the assignment of Contract #88132 from Integrated Strategic Systems, Inc. to JDE Computer Staffing, Inc., effective August 26, 2022, and it is further

RESOLVED, That this Board approves and authorizes the Oneida County Executive to execute the Amendment to Information Technology Master Services Agreement between Oneida County, through its Department of Information Technology, and JDE Computer Staffing, Inc., in the sum of \$500,000 for the first renewal term commencing September 16, 2022 through September 16, 2023, and in the sum of \$500,000 for the second renewal term commencing September 16, 2023 and ending September 16, 2024, and in a total sum for both renewal terms not to exceed \$1,000,000.

APPROVED: Government Operations Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following vote:

AYES NAYS ABSENT

NO. 240

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Idzi, Flisnik

2ND BY:

RE: CERTIFICATION OF SECTION 606 EXPENSES FOR THE ONEIDA COUNTY PUBLIC DEFENDER, CRIMINAL DIVISION

WHEREAS, Certain inmates in the custody of the New York State Department of Correctional Services were charged with crimes while residing in a New York State Correctional Facility located in the County of Oneida, and said inmates having required the services of the Oneida County Public Defender, Criminal Division to represent them before the various courts in Oneida County while incarcerated herein, and

WHEREAS, The Oneida County Public Defender, Criminal Division duly represented said inmates, and

WHEREAS, Section 606 of the Correction Law of the State of New York mandates reimbursement for such services to the County of Oneida for such legal defense, and

WHEREAS, The Oneida County Public Defender, Criminal Division has certified to the Oneida County Board of Legislators that the expenses incurred by the Oneida County Public Defender while undertaking said legal representation amounted to the sum of \$26,876.58 for undertaking the legal defense of: H. Abreau; J. Alcide; J. Almonte; G. Alvarez; J. Anderson; R. Armstrong; C. Baez; C. Bell; B. Bennett; G. Breen; R. Brito; M. Burks; L. Butts; V. Contreras; S. Edwards; A. Ellison; J. Field; D. Flanagan; H. Gissentaner; L. Hahn; T. Hale; T. Harrigan; J. Hawkins; K. Haynes; D. Hernandez; K. Hidaigo; F. Hildago; R. Hill; A. Hixon; J. Jastrebski; V. Lilly; A. Lozada; A. Marquis; C. Marrow; S. Martinez; E. Montes; J. Moore; K. Moore; J. Navarro; J. Olivo; E. Padro-Mercado; J. Pettingell; W. Perez; M. Pierce; C. Ramos; E. Reyes; T. Robinson; S. Royal; B. Royer; J. Simpson; J. Smith; D. Stuckey; E. Svendsen; C. Talbert; J. Terry; M. Thomas; J. Torres; M. Walker; K. Wedgran; and B. Williams, being inmates of the State of New York, and

WHEREAS, The Oneida County Board of Legislators has examined the documents provided by the Oneida County Public Defender, Criminal Division, and finds them to be a true and accurate account of the expenses concerning these matters, now, therefore, be it

RESOLVED, That this resolution and the vouchers, documents, and affidavit of the Oneida County Public Defender, Criminal Division, be forwarded to the Budget and Finance Office of the New York State Department of Correctional Services as required by Section 606 of the Correction Law and Title 7, Part 410 of the New York Code of Rules and Regulations for payment.

APPROVED: Public Safety Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Idzi, Flisnik

2ND BY:

RE: SUPPLEMENTAL APPROPRIATION OF \$60,000.00 TO A 3020 3020.251-000 - AUTOMOTIVE EQUIPMENT (EMERGENCY SERVICES)

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$60,000.00 to A 3020 3020.251-000 - Automotive Equipment (Emergency Services), and

WHEREAS, Said supplemental appropriation will be supported by unanticipated revenue in the following account in the following amount:

A 3020 3020.4389-110	Federal Aid – Other Public Safety LEMPG- Emergency Mgmt Assistance	\$60,000.00
----------------------	-----------------------------------------------------------------------	-------------

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2023 funds, as hereinafter set forth, is hereby approved:

TO:

A 3020 3020.251-000	Automotive Equipment (Emergency Services)	\$60,000.00
---------------------	-------------------------------------------	-------------

APPROVED: Public Safety Committee
Ways & Means Committee

DATED: August 9, 2023

Adopted by the following vote:

AYES NAYS ABSENT

INTRODUCTORY

F.N. 2023-257

NO. 247

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Idzi, Flisnik

2ND BY:

RE: SUPPLEMENTAL APPROPRIATION OF \$20,648.00 TO A 3110 3120.425-000 – TRAINING & SPECIAL SCHOOLS (SHERIFF)

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$20,648.00 to A 3110 3120.425-000 – Training & Special Schools (Sheriff), and

WHEREAS, Said supplemental appropriation will be supported by unanticipated revenue in the following account in the following amount:

A 3110 3150.3389-115	State Aid – Public Safety Reimb of Juveniles – Jail (Sheriff)	\$20,648.00
----------------------	------------------------------------------------------------------	-------------

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2023 funds, as hereinafter set forth, is hereby approved:

TO:

A 3110 3120.425-000	Training & Special Schools (Sheriff)	\$20,648.00
---------------------	--------------------------------------	-------------

APPROVED: Public Safety Committee
Ways & Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

NO. 244

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Idzi, Flisnik
2ND BY:

RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DISTRICT ATTORNEY'S OFFICE, AND NEW YORK STATE, THROUGH ITS DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its District Attorney's Office, and New York State, through its Division of Criminal Justice Services – Non-Fatal Shooting Initiative Grant Program, in the sum of \$47,600.00, State funded, for the purchase of forensic investigative equipment, sending employees to training and to fund a rotating on-call gun phone related to the investigation and prosecution of non-fatal shootings in Oneida County, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Grant Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to a Grant Agreement between Oneida County, through its District Attorney's Office, and New York State, through its Division of Criminal Justice Services – Non-Fatal Shooting Initiative Grant Program, for a term commencing March 1, 2023 and ending June 30, 2023, including any subsequent amendments and/or extensions thereto.

APPROVED: Public Safety Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

NO. 245

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Boucher, Flisnik

2ND BY:

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, AND U.S. CARE SYSTEMS INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Family and Community Services, and U.S. Care Systems, Inc., for an amount not to exceed \$204,954.00, to provide in-home care services to the frail and elderly, and assist older consumers to delay or divert nursing home placement, and

WHEREAS, The Agreement shall be for a term commencing April 1, 2022 and ending March 31, 2023, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That this Board authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Family and Community Services, and U.S. Care Systems Inc., for a term commencing April 1, 2022 and ending March 31, 2023.

APPROVED: Health and Human Services Committee
Ways & Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

INTRODUCTORY

F.N. 2023-261

NO. 246

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Waterman, Flisnik

2ND BY:

**RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-GEN 023 19972-
CAPITAL OUTLAY – UNION STATION REA WING**

WHEREAS, This Board is in receipt of a request for an amendment to Capital Project H-GEN 023 19972-
Capital Outlay – UNION STATION REA WING, and

WHEREAS, Said request must be approved by the Oneida County Board of Legislators, now, therefore, be it
hereby

RESOLVED, That Capital Project H-GEN 023 19972- Capital Outlay – UNION STATION REA WING is
amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Trans from General GEN 023-5031-000	\$2,323,900.00	\$ 0.00	\$2,323,900.00
State Aid – ESD GEN 023 – 3097	\$ 500,000.00	\$ 0.00	\$ 500,000.00
Trans ARPA Funds GEN 023-5031-500	<u>\$ 0.00</u>	<u>\$2,000,000.00</u>	<u>\$2,000,000.00</u>
	<u>\$2,823,900.00</u>	<u>\$2,000,000.00</u>	<u>\$4,823,900.00</u>

APPROVED: Public Works Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following roll call vote:
AYES NAYS ABSENT

NO. 247

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Waterman, Flisnik

2ND BY:

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-MVC 094 24972- CAPITAL OUTLAY – COMMUNITY COLLEGE – WILCOX HALL

WHEREAS, This Board is in receipt of a request for an amendment to Capital Project H-MVC 094 24972- Capital Outlay – COMMUNITY COLLEGE – WILCOX HALL, and

WHEREAS, Said request must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That Capital Project H-MVC 094 24972- Capital Outlay – COMMUNITY COLLEGE – WILCOX HALL is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonding MVC 094-2770-500	\$155,000.00	\$ 0.00	\$155,000.00
State Aid – ESD MVC 094-3285	\$155,000.00	\$ 50,000.00	\$205,000.00
Trans ARPA Funds MVC 094-5031-500	\$ 0.00	\$ 50,000.00	\$ 50,000.00
	\$310,000.00	\$100,000.00	\$410,000.00

APPROVED: Public Works Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following roll call vote:
AYES NAYS ABSENT

NO. 248

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Waterman, Flisnik
2ND BY:

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND MARCH ASSOCIATES, ARCHITECTS & PLANNERS, P.C.

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Department of Public Works, and MARCH Associates, Architects & Planners, P.C. to provide architectural services for the Oneida County Office Building 9th Floor asbestos abatement and interior renovation project, and

WHEREAS, MARCH Associates, Architects & Planner, P.C. will provide architectural services for the sum of \$160,900.00, for a term commencing upon execution and ending upon completion of the project, anticipated to be no later than December 31, 2025, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of, and authorizes the Oneida County Executive to execute, an Agreement between Oneida County, through its Department of Public Works, and MARCH Associates, Architects & Planners, P.C. in the sum of \$160,900.00 and for a term commencing upon execution and ending upon completion of the project, anticipated to be no later than December 31, 2025.

APPROVED: Public Works Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

NO. 249

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Boucher, Flisnik

2ND BY:

RE: APPROVAL OF A TEMPLATE FOR THE ONEIDA COUNTY COLLEGE STUDENT CORPS INTERNSHIP PROGRAM BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF WORKFORCE DEVELOPMENT, AND VARIOUS EMPLOYERS

WHEREAS, This Board is in receipt of correspondence from David L. Mathis, Director of Oneida County Workforce Development, requesting approval of a Template to be used between Oneida County, through its Office of Workforce Development, and various employers to provide a work experience site for eligible interns in Oneida County, and

WHEREAS, The Agreement shall be for a term commencing as early as May 1, 2023 and ending no later than September 30, 2023, and

WHEREAS, Director Mathis has requested that this Agreement be approved as a template to be used with various employers for the Oneida County College Student Corps Internship Program wherein the employer reimburses Oneida County for one-half (1/2) of the expense of 200 hours of employment for each intern, at a cost of \$1,528.63 per intern, which are of the same content, with the exception of employer name, number of interns and cost, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Template must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves the Template for the Oneida County College Student Corps Internship Program to be used as a template to enter into similar Oneida County College Student Corps Internship Program contracts and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute such Agreements between Oneida County and various entities.

APPROVED: Health and Human Services Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

NO. 250

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Boucher, Flisnik
2ND BY:

RE: APPROVAL OF A TEMPLATE FOR THE ONEIDA COUNTY COLLEGE STUDENT CORPS INTERNSHIP PROGRAM BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF WORKFORCE DEVELOPMENT, AND VARIOUS EMPLOYERS

WHEREAS, This Board is in receipt of correspondence from David L. Mathis, Director of Oneida County Workforce Development, requesting approval of a Template to be used between Oneida County, through its Office of Workforce Development, and various employers to provide a work experience site for eligible interns in Oneida County, and

WHEREAS, The Agreement shall be for a term commencing as early as May 1, 2023 and ending no later than September 30, 2023, and

WHEREAS, Director Mathis has requested that this Agreement be approved as a template to be used with various employers for the Oneida County College Student Corps Internship Program wherein Oneida County reimburses the employer for one-half (1/2) of the expense of 200 hours of employment for each intern, at a cost of \$1,528.63 per intern, which are of the same content, with the exception of employer name, number of interns and cost, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Template must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves the Template for the Oneida County College Student Corps Internship Program to be used as a template to enter into similar Oneida County College Student Corps Internship Program contracts and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute such Agreements between Oneida County and various entities.

APPROVED: Health and Human Services Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Boucher, Flisnik

2ND BY:

RE: APPROVAL OF A MASTER TEMPLATE FOR THE ONEIDA COUNTY SUMMER YOUTH EMPLOYMENT PROGRAMS (SYEP) BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF WORKFORCE DEVELOPMENT AND VARIOUS LOCAL ORGANIZATIONS

WHEREAS, This Board is in receipt of correspondence from David L. Mathis, Director of Oneida County Workforce Development, requesting approval of a Master Template for the TANF Summer Youth Employment Programs Agreement between Oneida County, through its Office of Workforce Development, and various Local Organizations to provide work experience for the youth of our community, who will learn lessons that only come from a job site, and to help our community by working with public, private and not-for-profit partners, and

WHEREAS, The Agreement shall be for a term commencing on or about June 1, 2023 and ending on or about September 1, 2023, and

WHEREAS, Director Mathis has requested that this Master Template be approved for similar TANF Summer Youth Employment Programs Agreements with various public entities, which are of the same content, with the exception of entity name and cost, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Master Template must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators approves the Master Template for the TANF Summer Youth Employment Programs Agreement template to be used between Oneida County, through its Office of Workforce Development, and various Local Organizations and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute such Agreements between Oneida County and various Local Organizations.

APPROVED: Health and Human Services Committee
Ways and Means Committee

DATED: August 9, 2023

Adopted by the following vote:
AYES NAYS ABSENT

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Flisnik

2ND BY:

RE: APPROVAL OF ADDITIONAL PROJECTS FUNDED BY THE UNITED STATES TREASURY THROUGH THE AMERICAN RESCUE PLAN ACT OF 2021

WHEREAS, Oneida County is in receipt of funding from the United States Treasury, through the American Rescue Plan Act of 2021 ("ARPA") to help ease the pain of additional costs and revenue shortfalls caused by the COVID-19 pandemic, the use of which funds is dictated by regulations established by the Federal Government, which include a requirement that the funds be utilized or returned to the Federal Government, and

WHEREAS, Oneida County has designated ARPA funds for various projects that touch on a wide range of issues facing our community, which strengthen our health care system, foster economic development and tourism, improve our infrastructure and develop our workforce, and

WHEREAS, In December 2022, the Board of Legislators adopted Resolution 2022-392 dedicating ARPA funds to projects by twelve recipients; and

WHEREAS, The County has since received additional requests for funding, and the Board of Legislators wishes to dedicate additional ARPA funding as follows:

The Mohawk Valley Resource Center for Refugees, d/b/a The Center	\$250,000	To construct an Employment Center to assist the regional workforce in meeting its employment needs.
The Town of Westmoreland	\$400,000	To provide funds toward the Tindall Manor water main replacement project.
Boonville's Youth Athletic Association, Inc.	\$30,000	To upgrade and maintain the Robert Smith Sports Complex

, and

WHEREAS, Oneida County Executive, Anthony J. Picente, Jr., has further requested authorization to execute any and all contracts related to the aforementioned projects, subject to approval of the Oneida County Attorney, and

WHEREAS, Said Contracts related to the aforementioned projects must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves the aforementioned projects to be funded from monies received through the American Rescue Plan Act of 2021, and it is further

RESOLVED, That the Oneida County Executive is authorized to sign any and all contracts, agreements, or associated documents between Oneida County and the aforementioned entities to fund the approved projects listed above, subject to the approval of the Oneida County Attorney.

APPROVED: Ways and Means Committee (_____)

DATED: August 9, 2023

Adopted by the following vote:

AYES ___ NAYS ___ ABSENT ___ ()

ABSTAIN ___ (_____)

INTRODUCTORY

F.N. 2023-270

NO. 253

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Flisnik

2ND BY:

RE: RESOLUTION EXTENDING THE ADDITIONAL RATES OF TAXES ON SALES AND COMPENSATING USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS, AND ON AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Be it enacted by the Board of Legislators of the County of Oneida, as follows:

SECTION 1. The first sentence of section two of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

Section 2. Imposition of sales tax.

On and after December 1, 1990, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing September 1, 1992, and ending November 30, 2025, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing September 1, 1992, and ending November 30, 2025, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to September 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to May 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to August 31, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1992. any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution #202 as enacted in nineteen hundred ninety, as amended, is

amended to read as follows:

Section 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after September 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering services described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after

December 1, 2025, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing September 1,

1992, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Section 4-A of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

Section 4-A. Imposition of additional rate of sales and compensating use taxes. Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period December 1, 2007, and ending November 30, 2025. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 5. Subdivision (k) of section 6 of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas,

electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections 2 and 4, respectively, of this resolution for the period commencing September 1, 1992, and ending November 30, 2025.

SECTION 6. Paragraphs (B) and (E) of subdivision (1) of section 11 of Resolution #202 as enacted in nineteen hundred ninety, as amended, are amended to read as follows:

(B) With respect to the additional tax at the rate of one percent imposed for the period beginning September 1, 1992, and ending November 30, 2025, in respect to the use of property used by the purchaser in this County prior to September 1, 1992.

(E) With respect to the additional tax at the rate of three-quarters of one percent imposed for the period beginning December 1, 2007, and ending November 30, 2025, in respect to the use of property used by the purchaser in this County prior to December 1, 2007.

SECTION 7. Subdivisions (e) and (g) of section fourteen of Resolution #202 as enacted in nineteen hundred ninety, as amended, are amended to read as follows:

(e) Notwithstanding any contrary provision of law, with respect to the additional one percent rate of sales and compensating use taxes imposed by sections two and four of this resolution for the period September 1, 1992, through November 30, 2025:

(1) where a city in Oneida County imposes tax pursuant to the authority of subdivision (a) of section twelve hundred ten of the Tax Law of the State of New York, the County shall allocate, distribute and pay in cash quarterly to such city one-half of the net collections attributable to such additional one percent rate of the County's taxes collected in such city's boundaries;

(2) where a city in Oneida County does not impose tax pursuant to the authority of such subdivision (a) of such section twelve hundred ten, the County shall allocate, distribute and pay in cash quarterly to such city not so imposing tax a portion of the net collections attributable to one-half of the County's additional one percent rate of tax calculated on the basis of the ratio which such city's population bears to the County's total population, such populations as determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for

which the allocation is made, which special census must include the entire area of the County; and

(3) the County hereby dedicates the first one million five hundred thousand dollars of net collections attributable to such additional one percent rate of tax received by the County after the County receives in the aggregate eighteen million five hundred thousand dollars of net collections from such additional one percent rate of tax imposed for any of the periods: September 1, 2017, through August 31, 2018; September 1, 2018, through August 31, 2019; September 1, 2019 through August 31, 2020; September 1, 2020 through August 31, 2023; and September 1, 2023 through August 31, 2025 to an allocation on a per capita basis, utilizing figures from the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law, completed and published prior to the end of the year for which such allocation is made, which special census must include the entire area of the County, to be allocated and distributed among the towns of the County by an appropriation of the County's Board of Legislators; provided, further, that nothing herein shall require the Board of Legislators to make any such appropriation until it has been notified by any town by appropriate resolution and, in any case where there is a village wholly or partially located within a town, a resolution of every such village, embodying the agreement of such town and village or villages upon the amount of such appropriation to be distributed to such village or villages out of the allocation to the town or towns in which it is located.

(g) Net collections from the additional taxes imposed at the rate of three-quarters of one percent for the period December 1, 2007, through November 30, 2025, shall be set aside for county purposes and shall be available for any county purpose, and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section twelve hundred sixty-two of the Tax Law.

SECTION 8. Section seventeen of Resolution # 202 as enacted in nineteen hundred and ninety, as amended, is amended as follows: This enactment shall take effect December 1, 2023.

APPROVED: Ways & Means Committee

DATED: August 9, 2023

Adopted by the following vote:

AYES NAYS ABSENT