



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

Frank D. Tallarino
Minority Leader

ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS
NUMBERED 005 THROUGH 027 THAT WERE ACTED UPON BY THE
BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR SESSION
HELD JANUARY 15, 2014

OFFICE, CLERK BOARD OF COUNTY LEGISLATORS)
COUNTY OF ONEIDA) ss:

I, hereby certify that I have compared the foregoing extract from the minutes of meeting of the Board of
County Legislators of Oneida County held on the 15th day of January 2014 with the original record thereof on
File in this office and that the same is a true and correct transcript therefrom, and of the whole of such original

IN TESTIMONY WHEREOF, I have hereunto affixed the seal of
said Board this 16th day of January, 2014




MIKALE BILLARD

Clerk of the Board

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 005

INTRODUCED BY: *Messr. Porter*

2ND BY: *Mr. Miller*

RE: **RESOLUTION ORDERING A QUARANTINE ON DOGS TO PREVENT DEER
DEPREDAATION IN ONEIDA COUNTY**

WHEREAS, From time to time the deer population in the County of Oneida has suffered severe depredation due to dogs pursuing and killing deer, and

WHEREAS, The Oneida County Board of Legislators has historically requested orders from the State of New York to provide for the quarantine of dogs during the winter months to prevent this problem from occurring and to prevent the local deer population, and

WHEREAS, By passage of Article 7, Section 122 of the State Agriculture and Markets Law, effective January 1, 1980, now codified as Article 7, Section 120 of the State Agriculture and Markets Law, the State Legislature has transferred the authority to invoke deer depredation quarantine orders from the State to the governing body of any municipality as they deem necessary, and

WHEREAS, This Board is in receipt of a request stating that circumstances warrant said order to be issued, now, therefore, be it hereby

RESOLVED, That the Board of Legislators of the County of Oneida hereby determines that the deer population in the County of Oneida is suffering severe depredation due to dogs attacking, chasing or worrying deer, and it is further

RESOLVED, That the Board of Legislators of the County of Oneida does hereby order that all dogs in the County of Oneida shall be securely confined, pursuant to the terms and conditions set forth in Article 7, Section 120 of the State Agriculture and Markets Law, during the period of time beginning twenty-four hours after publication of this order in the official newspapers and continuing until April 15, 2014 at which time this order shall become of no further force and effect, and it is further

RESOLVED, That one certified copy of this order shall be filed with the Commissioner of Agriculture and Markets pursuant to Article 7, Section 120 of the Agriculture and Markets Law, and it is further

RESOLVED, That pursuant to Article 7, Section 120 of the Agriculture and Markets Law, a copy of this order shall be mailed to all Clerks of municipalities within Oneida County, and it is further

RESOLVED, That pursuant to Article 7, Section 120 of the State Agriculture and Markets Law, notice of this order shall be published in the official newspapers.

APPROVED: Ways & Means Committee (January 15, 2014))

DATED: January 15, 2014

Adopted by the following vote:

AYES 19 NAYS 3 (Welsh, Tallarino, Flisnik) ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 006

INTRODUCED BY: Messrs. Waterman, Porter

2ND BY: Mr. Leach

**RE: APPROVAL TO SET THE SALARY FOR THE TITLE PARALEGAL ASSISTANT II
AS GRADE 27M, STEP 1 (\$33,974)**

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel John P. Talerico indicating that he has added the title of Paralegal Assistant II to the Oneida County Classification Plan, and recommending that the salary for said new title be established at Grade 27M, Step 1, \$33,974, and

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

RESOLVED, That the Oneida County Board of Legislators establishes the salary for the new title of Paralegal Assistant II at Grade 27M, Step 1, \$33,974 effective immediately.

APPROVED: Government Operations Committee (January 8, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 007

***INTRODUCED BY: Messrs. Miller, Porter
2ND BY: 007***

RE: APPROVAL TO MODIFY AN EXISTING LEASE BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF PUBLIC WORKS AND NICKBERN ENTERPRISES, INC.-WIC OFFICE SPACE LEASE

WHEREAS, NickBern Enterprises, Inc. (the “Lessor”) and Oneida County through its Department of Public Works entered into a lease agreement (“original lease”) on September 29, 2010 for certain premises located at 617 South Street, Utica NY, for the use and occupancy of the County’s WIC program; and

WHEREAS, This Board is in receipt of a letter from Commissioner of Public Works Dennis S. Davis requesting an amendment to the lease, to reflect an increase of two (2) additional parking spaces for a new total of seventeen (17) parking spaces;

WHEREAS, In accordance with Oneida County Charter section 2202, said Lease Amendment 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 an amendment to the lease with NickBern Enterprises, Inc. for certain premises located at 617 South Street, Utica, NY

1. To increase parking spaces from fifteen (15) to seventeen (17).
2. All other terms and conditions of the original lease and any amendments thereto remain unchanged and in effect.

APPROVED: Public Works Committee (January 9, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 008

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Ms. Speciale

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

WHEREAS, This Board, is in receipt of correspondence from District Attorney Scott D. McNamara requesting 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 for acceptance of a Grant in the amount of \$201,000 to support coordinated strategic crime fighting and violence prevention initiatives, and

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

RESOLVED, That County Executive Anthony J. Picente, Jr., is authorized to execute any and all documents related to a Grant Agreement by and between Oneida County through its District Attorney's Office and New York State through its Division of Criminal Justice Services for a Grant in the amount of \$201,000.

RESOLVED, That the duration of said Grant Agreement shall be for a term of one year commencing July 1, 2013 through June 30, 2014.

APPROVED: Public Safety Committee (January 14, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 009

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Miller

RE: APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN ONEIDA COUNTY THROUGH ITS DISTRICT ATTORNEY'S OFFICE AND THE JOHN FINN INSTITUTE FOR PUBLIC SAFETY, INC.

WHEREAS, This Board, is in receipt of correspondence from District Attorney Scott D. McNamara requesting approval of a Memorandum of Understanding between Oneida County through its District Attorney's Office and the John Finn Institute for Public Safety, Inc., whereby the Institute will operate as a planning group to implement and coordinate strategies to reduce crime throughout Oneida County and will provide a researcher to assist with crime intelligence analysis, and

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

RESOLVED, That County Executive Anthony J. Picente, Jr., is authorized to execute any and all documents related to a Memorandum of Understanding between Oneida County through its District Attorney's Office and the John Finn Institute for Public Safety, Inc., and be it further

RESOLVED, That the duration of said Grant Agreement shall be for a term of one year commencing July 1, 2013 through June 30, 2014 for \$51,750 State funding.

APPROVED: Public Safety Committee (January 14, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 010

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Goodman

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF SOCIAL SERVICES AND MOHAWK VALLEY COMMUNITY ACTION AGENCY, INC. FOR PARENT AIDE SERVICES

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County through its Department of Social Services and Mohawk Valley Community Action Agency, Inc. for Parent Aide Services, to provide intensive in-home services to dysfunctional families and to provide preventive services and re-direct the families to avoid child abuse, neglect and foster care placement, 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 accepts a Purchase of Service Agreement between Oneida County through its Department of Social Services and Mohawk Valley Community Action Agency, Inc. during a term of one year commencing January 1, 2014 and ending December 31, 2014 at a proposed cost of \$346,392 with Federal funding of \$132,979.89 (38.39%), State funding of \$119,262.77 (34.43 %),and County funding of \$94,149.34 (27.18%).

APPROVED: Health and Human Services Committee (January 8, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 011

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Miller

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF SOCIAL SERVICES AND CATHOLIC CHARITIES OF THE ROMAN CATHOLIC DIOCESE OF SYRACUSE, N.Y.A/K/A CATHOLIC CHARITIES

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between Oneida County through its Department of Social Services and Catholic Charities of the Roman Catholic Diocese of Syracuse, N.Y a/k/a Catholic Charities., for Parent Aides Services to reduce the number of children being placed into Foster Care and returning children to permanent living arrangements, 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 accepts a Purchase of Service Agreement between Oneida County through its Department of Social Services and Catholic Charities of the Roman Catholic Diocese of Syracuse, NY a/k/a Catholic Charities for a term of one year commencing January 1, 2014 and ending December 31, 2014 at a proposed cost of \$199,451, with Federal funding of \$76,569.24 (38.39%), State funding of \$68,670.98 (34.43%) and County funding of \$54,210.78 (27.18%).

APPROVED: Health and Human Services Committee (January 8, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 012

*INTRODUCED BY: Messrs. Welsh, Porter
2ND BY: Mr. Miller*

RE: APPROVAL OF THE PROPOSED PILOT AGREEMENT RELATING TO THE HAMPTON INN FACILITY LOCATED IN OR NEAR THE NEW HARTFORD BUSINESS PARK

WHEREAS, This Board is in receipt of correspondence from Assistant County Attorney Kurt D. Parry., requesting approval of a proposed Agreement Allocating Hampton Inn PILOT Payments (the "Allocation Agreement") between the Oneida County Industrial Development Agency (OCIDA), the New Hartford Central School District, the County of Oneida and the Town of New Hartford relative to the Hampton Inn Facility located in or near the New Hartford Business Park, and

WHEREAS, The Allocation Agreement describes how the PILOT payments will be applied toward debt service and how the remainder will be shared by the taxing jurisdictions, and

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

RESOLVED, That the Oneida County Board of Legislators authorizes and approves the Allocation Agreement by and among OCIDA, the New Hartford Central School District, the County of Oneida and the Town of New Hartford, as more fully set forth in the documents submitted to and on file with the Clerk of this Board

APPROVED: Economic Development & Tourism (January 14, 2014)
 Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following roll call vote:
AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 013

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Miller

**RE: APPOINTMENT OF LES PORTER AND ARTHUR SMOLINSKY TO THE REGION 6,
FISH AND WILDLIFE BOARD**

WHEREAS, Pursuant to Section 11-0501 of the New York State Environmental Conservation Law, Chairman Gerald J. Fiorini, has recommended the appointment of Oneida County Legislative Representative, Les Porter and Oneida County Sportsman representative, Arthur Smolinsky to serve on the Region 6 Fish and Wildlife Management Board, and

WHEREAS, Said appointments 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 appointments of Les Porter and Arthur Smolinsky to serve on the Region 6 Fish and Wildlife Management Board for a term to begin on January 1, 2014 and expire on December 31, 2015.

APPROVED: Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 014

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Flisnik

RE: APPOINTMENT OF GEORGE JOSEPH AND MICHAEL CLANCY TO THE ONEIDA COUNTY SOIL AND WATER BOARD OF DIRECTORS

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. has recommended the appointments of George Joseph, and the re-appointment of Michael Clancy to serve on the Board of Directors of the Soil and Water Conservation Board for terms of two years expiring December 31, 2015, and

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

RESOLVED, That the Oneida County Board of Legislators confirms the appointments of George Joseph and the re-appointment of Michael Clancy, to serve on the Board of Directors of the Soil and Water Conservation Board, each for a two year term, to commence January 1, 2014 through December 31, 2015.

APPROVED: Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 015

*INTRODUCED BY: Porter
2ND BY: Mr. Miller*

**RE: APPROVAL OF A TENTATIVE AGREEMENT BETWEEN ONEIDA COUNTY
MOHAWK VALLEY COMMUNITY COLLEGE, AND THE UNITED PUBLIC
SERVICE EMPLOYEES UNION, BLUE COLLAR UNIT**

WHEREAS, This Board, is in receipt of correspondence from County Executive Anthony J. Picente Jr. requesting approval of a tentative Agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, Blue Collar Unit, , and

WHEREAS, Said Tentative Agreement was ratified by the affected Union membership, and

WHEREAS, Said Tentative Agreement must be approved by this Board, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators approves a Tentative Agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, Blue Collar Unit, with terms and conditions more fully set forth in the Tentative Agreement on file with the Clerk of this Board.

APPROVED: Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 016

INTRODUCED BY: Messrs. Welsh, Porter

2ND BY: Mr. Miller

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF PLANNING AND BIRNIE BUS TOURS, INC.

WHEREAS, This Board is in receipt of correspondence from Commissioner of Planning, John R. Kent Jr. requesting approval of an Agreement between Oneida County, through its Department of Planning and Birnie Bus Tours, Inc., for the lease and service of three buses that were purchased by the County for Rural Public Transportation Service within Oneida County, 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 hereby authorizes and approves an Agreement between Oneida County, through its Department of Planning and Birnie Bus Tours, Inc., for the lease and service of three buses that were purchased by the County for Rural Public Transportation Service within Oneida County, commencing upon approval and signature of the County Executive for the useful life of the buses at no cost to the County.

APPROVED: Economic Development and Tourism (January 14, 2014)
Ways & Means Committee (January 15, 2014))

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 017

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Miller

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS OFFICE OF EMERGENCY MANAGEMENT SERVICES AND TIBURON, INC.

WHEREAS, This Board, is in receipt of correspondence from Director of the Office of Emergency Management Services requesting approval of an Agreement between Oneida County through its Office of Emergency Management Services and Tiburon, Inc. for countywide police and fire records management, mobile computer, analytics and information sharing systems, 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 accepts an Agreement between Oneida County through its Office of Emergency Management Services and Tiburon. Inc., for a term to begin upon execution of contract and ending January 1, 2019 at a proposed cost of \$950,000.00, with Federal funds of \$900,000.00 and County funding of \$50,000.00

APPROVED: Public Safety Committee (January 14, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 018

***INTRODUCED BY: Messrs. Flisnik, Porter
2ND BY: Mr. Goodman***

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS SHERIFF'S OFFICE AND WHITESBORO CENTRAL SCHOOL DISTRICT

WHEREAS, This Board is in receipt of an agreement between Oneida County, through its Sheriff's Office, and Whitesboro Central School District for one part-time Deputy Sheriff to be assigned as a School Resource Officer, 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 authorizes and accepts an agreement between Oneida County, through its Sheriff's Office, and Whitesboro Central School District, with Whitesboro Central School District compensating Oneida County in the amount of \$37,500.00, said agreement to commence September 3, 2013 through June 30, 2014.

APPROVED: Public Safety Committee (January 14, 2014)

 Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 019

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Sacco

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY AND NEW YORK STATE FOR SNOW AND ICE REMOVAL FOR THE 2013-2014 SNOW SEASON

WHEREAS, On March 10, 1975, Oneida County entered into an Agreement with the State of New York for control of snow and ice on State highways within the County of Oneida pursuant to Section 12 of the New York State Highway Law, and

WHEREAS, In correspondence dated December 20, 2013, the Oneida County Commissioner of Public Works, Dennis S. Davis, has advised County Executive Anthony J. Picente, Jr. that said Agreement, as amended, is due to expire and is therefore requesting Board approval to extend same, now therefore, be it hereby

RESOLVED, That this Board authorizes and approves extending the term of an Agreement dated March 10, 1975 between Oneida County and the State of New York for a period of one year mandating performance by the County to control snow and ice on State highways within Oneida County during the 2013-2014 season for an estimated reimbursable cost of \$2,020,313.98, and it is further

RESOLVED, That the Oneida County Board of Legislators hereby authorizes County Executive Anthony J. Picente, Jr. to execute said Agreement, on behalf of the County, and further directs the Clerk of this Board to forward six certified copies of this Resolution to the Department of Public Works for transmission to the New York State Department of Transportation.

APPROVED: Public Works Committee (January 9, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 020

***INTRODUCED BY: Messrs. Miller, Porter
2ND BY: Mr. Miller***

**RE: APPROVAL OF A RESOLUTION REQUESTING THE CONVEYANCE OF STATE
LAND IN THE TOWN OF MARCY-EDIC ROAD BY-PASS**

WHEREAS, Certain real property, said real property located in the Town of Marcy and more particularly described in the proposed Letters Patent on file with the Clerk of the Oneida County Board of Legislators, is currently owned by the State of New York and the New York State Office of General Services is prepared to convey said real property to Oneida County, and

WHEREAS, Pursuant to New York Public Lands Law Section 34, legislation is requested in order to move forward with this conveyance, therefore be it

RESOLVED, That the Oneida County Board of Legislators hereby certifies that the real property located in the Town of Marcy and more particularly described in proposed Letters Patent on file with the Clerk of the Oneida County Board of Legislators is useful to the County of Oneida for street and/or highway purposes, and further certifies that said real property will be properly improved and maintained for street and/or highway purposes, and it is further

RESOLVED, That the Oneida County Board of Legislators authorizes and approves the acceptance of the transfer of said real property, and it is further,

RESOLVED, That the Chairman of the Oneida County Board of Legislators is hereby authorized to execute any and all documents necessary to effectuate the transfer of said real property.

APPROVED: Public Works Committee (January 9, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 021

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Goodman

RE: APPROVAL OF AN EASMENT ON COUNTY OWNED PROPERTY IN THE TOWN OF WHITESTOWN WITH NATIONAL GRID

WHEREAS, This Board is in receipt of correspondence from the Commissioner of Public Works, Dennis Davis, requesting approval of a permanent easement to National Grid, a/k/a Niagara Mohawk Power Corporation, through County owned property located on the former Oriskany Airfield in the Town of Whitestown to allow National Grid to install two (2) new electric services, and

WHEREAS, The New York State Division of Homeland Security is constructing a new training facility at the former Oriskany Airfield which requires National Grid installing two new electric services to the site, therefore, be it hereby

RESOLVED, That the Board of Legislators hereby approves a permanent easement to National Grid, a/k/a Niagara Mohawk Power Corporation, through County owned property located in the former Oriskany Airfield in the Town of Whitestown, as set forth on the "Grant of Easement" document and attached map on file with the Clerk of the Board of Legislators, and be it further

RESOLVED, That the Chairman of the Oneida County Board of Legislators is hereby authorized to execute any and all documents necessary to effectuate the granting of said easement.

APPROVED: Public Works Committee (January 9, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 022

***INTRODUCED BY: Messrs. Paparella, Porter
2ND BY: Mr. Miller***

**RE: PURCHASE OF SERVICE AGREEMENT BETWEEN ONEIDA COUNTY THROUGH
ITS DEPARTMENT OF SOCIAL SERVICES AND THE NEIGHBORHOOD CENTER, INC.**

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between Oneida County through its Department of Social Services and the Neighborhood Center, Inc. to provide Day Care Registration/Inspection, 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 authorizes and accepts a Purchase of Service Agreement between Oneida County through its Department of Social Services and the Neighborhood Center, Inc. for a term commencing January 1, 2014 and ending December 31, 2014 at a proposed cost of \$230,297.00 supported in full by State funds.

APPROVED: Health and Human Services Committee (January 8, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 023

INTRODUCED BY: Mr. Porter, Waterman

2ND BY: Mr. Miller

RE: APPOINTMENT OF PETER M. RAYHILL, ESQ. TO THE POSITION OF COUNTY ATTORNEY

WHEREAS, Pursuant to the provisions of Article XV, Section 1501, of the Oneida County Charter and Administrative Code, County Executive Anthony J. Picente, Jr. has appointed Peter M. Rayhill, Esq. to the position of Oneida County Attorney effective on January 21, 2014, and

WHEREAS, Said appointment is subject to confirmation by the Board of Legislators, now, therefore, be it hereby

RESOLVED, That the appointment of Peter M. Rayhill, Esq. to the position of Oneida County Attorney, Grade 49H (Step 15, \$120,327) to be effective on January 21, 2014, is hereby confirmed in accordance with the provisions of Article XV, Section 1501, of the Oneida County Charter.

APPROVED: Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 21 NAYS 1 (Tallarino) ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 024

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Miller

RE: APPROVAL TO CREATE ONE (1) ASSISTANT PUBLIC DEFENDER III (GRADE 36P, STEP 1, \$46,572)

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel John P. Talerico and Budget Director Thomas B. Keeler, requesting authorization to create one Assistant Public Defender III Grade 36P, Step 1, \$46,572, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves creating one Assistant Public Defender III Grade 36 P, Step 1, \$46,572 , effective immediately.

APPROVED: Public Safety Committee (January 14, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 025

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Sacco

RE: APPROVAL AND AUTHORIZATION TO AMEND AND INCREASE CAPITAL PROJECT HG-479-WPC-NORTH UTICA PARALLEL INTERCEPTOR

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is requesting the amendment of Capital Project HG-479, for the purpose of increasing the amount by \$4,000,000 for the North Utica Parallel Interceptor Project, and

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

RESOLVED, That Capital Project HG-479, be amended in the amount of \$4,000,000 as follows,

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
HG479 Misc. Revenue	\$5,000,000	\$ 0	\$5,000,000
HG479 Bonds	<u>\$6,630,000</u>	<u>\$4,000,000</u>	<u>\$10,630,000</u>
TOTALS	\$11,630,000	\$4,000,000	\$15,630,000

APPROVED: Public Works Committee (January 9, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following roll call vote:

AYES 20 NAYS 2 (Mandryck, Tallarino) ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 026

INTRODUCED BY: Mr. Porter, Miller

2ND BY: Mr. Leach

RE: A RESOLUTION APPROVING, PURSUANT TO SECTION 268 OF THE COUNTY LAW, AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT IN AND FOR SAID COUNTY AT A NEW MAXIMUM ESTIMATED COST OF \$15,630,000.

WHEREAS, an increase and improvement of the facilities of the Oneida County Sewer District in and for said County pursuant to Section 268 of the County Law, consisting of North Utica Interceptor sewer improvements, at a maximum estimated cost of \$11,630,000, was previously approved; and

WHEREAS it has been proposed that the maximum estimated cost of such project be increased by \$4,000,000; and

WHEREAS, the estimated annual cost of such increase and improvement to the typical property in said District is \$5.36 for a single family home and \$8.04 for a two family home, so that expenditures for such purpose may be made and contracts therefor may be let **WITHOUT** the consent of the State Comptroller; and

WHEREAS, said County Legislature duly adopted a resolution calling a public hearing to consider the aforesaid increased cost of the increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, said public hearing to be held at the County Office Building, in Utica, New York, on the 15th day of January, 2014, at 1:45 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing;
NOW, THEREFORE,

BE IT RESOLVED, by the County Legislature of the County of Oneida, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Oneida County Sewer District in and for said County pursuant to Section 268 of the County Law, as described in the preambles hereof, and the same is hereby authorized at a new aggregate maximum estimated cost of \$15,630,000.

Section 2. It is hereby determined that any expenditure to be made or contract to be let for the purpose authorized herein does not require the consent of the State Comptroller on behalf of the State of New York.

Section 3. This resolution shall take effect immediately.

APPROVED: Public Works Committee (January 9, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following roll call vote:

AYES 20 NAYS 2 (Mandryck, Tallarino) ABSENT 1 (Joseph)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 027

INTRODUCED BY: Mr. Porter, Miller

2ND BY: Mr. D'Onofrio

RE: A RESOLUTION AUTHORIZING \$4,000,000 BONDS OF THE COUNTY OF ONEIDA, NEW YORK, TO PAY COSTS OF CERTAIN IMPROVEMENTS FOR THE ONEIDA COUNTY SEWER DISTRICT IN AND FOR SAID COUNTY.

WHEREAS, the County Legislature of the County of Oneida, New York, has heretofore, pursuant to Section 268 of the County Law, found it to be in the public interest to increase and improve the facilities of the Oneida County Sewer District in said County, as more fully described in Section 1 of this resolution; and

WHEREAS, it is now desired to provide for the financing of such increase and improvement pursuant to the Local Finance Law; NOW, THEREFORE,

BE IT RESOLVED, by the County Legislature of the County of Oneida, New York, as follows:

Section 1. The increase and improvement of the facilities of the Oneida County Sewer District in the County of Oneida, New York, consisting of North Utica Interceptor sewer improvements, at a maximum estimated cost \$15,630,000, is hereby authorized.

Section 2. The maximum estimated cost of such improvements is now \$15,630,000, and the plan for the financing thereof shall consist of the following:

- (i) By the issuance of the \$6,630,000 bonds authorized pursuant to a bond resolution dated January 9, 2013;
- (ii) By the expenditure of a \$5,000,000 grant from the Empire State Development Corporation (through Mohawk Valley EDGE); and
- (ii) By the issuance of the \$4,000,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, measured from the date of the first obligations issued therefor.

Section 4. The faith and credit of said County of Oneida, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually apportioned and assessed upon the several lots and parcels of land within said District, in the manner provided by law, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Comptroller, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

APPROVED: Public Works Committee (January 9, 2014)
Ways & Means Committee (January 15, 2014)

DATED: January 15, 2014

Adopted by the following roll call vote:

AYES 21 NAYS 1 (Tallarino) ABSENT 1 (Joseph)

ROLL CALL

DIST MEMBERS AYES NAYS

DIST	MEMBERS	AYES	NAYS
D-1	FORT	X	
R-2	IDZI	X	
R-3	LEACH	X	
D-4	CLANCY	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
R-7	FIORINI	X	
R-8	FLISNIK	X	
D-9	SACCO	X	
R-10	JOSEPH <u>ABSENT</u>		
R-11	KOENIG	X	
D-12	TALLARINO		X
D-13	GOODMAN	X	
D-14	C. DAVIS	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	FURGOL	X	
R-19	WELSH	X	
D-20	HENDRICKS	X	
D-21	SPECIALE	X	
D-22	CONVERTINO	X	
R-23	PAPARELLA	X	

DATE January 15, 2014

SESSION Regular

MEMBERS PRESENT: 22

MEMBERS ABSENT 1

AYES: 21 NAYS: 1

INTRODUCTORY NO. 027

RESOLUTION NO. 027