

DECEMBER MEETING

Meeting held on Wednesday, December 23, 2020 at 2:00 P.M.

The Board met pursuant to statute and was called to order by the Chairman. Below is a Roster of the members of the Board of Legislators listing their respective Legislative Districts.

- R-1 Keith Schiebel (Vernon, District 1, 2, 3, 4, 5; Verona, District 5)
- R-2 Colin Idzi (Augusta District 1, 2; Kirkland District 3, 8; Marshall District 1, 2; Sangerfield District 1, 2)
- R-3 Norman Leach (Rome 3rd Ward, District 3; Verona Districts 3, 4, 6; Vienna District 1, 2, 3, 4)
- R-4 Cynthia Rogers-Witt (Rome Ward 1, District 2; Ward 2 District 2, 3, 4, 5; Ward 3 District 1, 4, 5; Ward 7 District 2; Verona District 1, 2)
- R-5 Michael B. Waterman (Annsville, District 1, 2, 3; Camden District 1, 2, 3; Florence District 1; Lee District 3)
- R-6 Steve Boucher (Ava District 1; Boonville District 1, 2, 3, 4; Forestport District 1, 2; Remsen District 1; Steuben District 1)
- R-7 Gerald J. Fiorini (Lee District 5; Rome Ward 1 district 1, Ward 6 District 1, 2, 3, 4, Ward 7 District 3, 4, 5)
- R-8 Richard A. Flisnik (Floyd District 2, 3; Marcy District 1, 2, 3, 4; Whitestown District 5)
- D-9 Philip M. Sacco (Deerfield District 1, 2, 3; Floyd District 1; Trenton District 1, 2, 3, 4)
- R-10 George Joseph (Kirkland District 1, 10; Rome Ward 2, District 1; Westmoreland District 1, 2, 3, 4)
- R-11 Robert Koenig (Whitestown District 1, 2, 4, 6, 7, 8, 9, 13, 15)
- R-12 Brenda McMonagle (Rome Ward 3 District 2; Ward 4 District 1, 2, 3, 4; Ward 5 District 1, 2, 3, 4)
- R-13 Christopher Newton (New Hartford Ward 2 District 1, 2; Whitestown District 3, 10, 11, 12, 14, 16)
- D-14 Chad Davis (Kirkland District 2, 4, 5, 6, 7, 9; New Hartford Ward 4 District 1, 2, 3, 4)
- R-15 James M. D’Onofrio (New Hartford Ward 1 District 3, 5; Ward 2 District 3, 4; Ward 3 District 1, 2, 3, 4)
- R-16 Mary Pratt (Bridgewater District 1; New Hartford Ward 1 District 1, 2, 4; Paris District 1, 2, 3)
- R-17 Stephen DiMaggio (Lee District 1, 2, 4; Rome Ward 1 District 3, 4; Ward 7 District 1; Western District 1, 2, 3)
- R-18 Jeff Daniels (Utica Ward 4 District 1, 2, 3, 4, 5, 6, 7, 8, 9)
- I-19 Timothy Julian (Utica Ward 3 District 1, 2, 3, 4, 5, 6, 7, 8, 9; Ward 5 District 2)
- D-20 Evon M. Ervin (Utica Ward 1 District 8; Ward 5 District 1, 3, 4, 5, 6)
- D-21 Lori Washburn (Utica Ward 2 District 1, 3, 4, 5, 6, 7; Ward 3 District 10; Ward 5 District 7)
- D-22 Rose Ann Convertino (Utica Ward 1 District 1, 2, 3, 4, 5, 6, 7; Ward 2 District 2, 8)
- D-23 Anthony Leone Jr. (Utica Ward 6, District 1, 2, 3, 4, 5, 6, 7, 8, 9)

MEMBERS PRESENT: Schiebel, Idzi, Leach, Rogers-Witt, Waterman, Bouche, Fiorini, Flisnik, Sacco, Joseph, Koenig, McMonagle, Newton, Davis, D’Onofrio, Pratt, DiMaggio, Daniels, Julian, Ervin, Washburn, Convertino, Leone.

PETITIONS AND COMMUNICATIONS

- FN 2020-379 – Agreement with The Convention and Visitors Bureau for Oneida County, Inc.
- FN 2020-380 – Agreement between Oneida County and Mohawk Valley EDGE
- FN 2020-381 – Appointment of Public Health Director
- FN 2020-382 – Interfund Advances
- FN 2020-383 – Oneida County various tax levies for 2021
- FN 2020-384 – Bond Refunding
- FN 2020-385 – Resolution #194 dated June 10, 2020. The county of Oneida has advanced this day \$1,079,627.37 from A Fund-General to H Fund-Capital.

MOTIONS AND RESOLUTIONS

No. 356 – FN 2020-368 Mme. Pratt, and Mr. D’Onofrio offered the following resolution and moved its adoption.

- RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND THE CITY OF UTICA**
- WHEREAS,** This Board is in receipt of correspondence from Phyllis D. Ellis, Director of Health, requesting approval of an Agreement between Oneida County, through its Department of Health, and the City of Utica for the purchase of an X-ray Fluorescence Spectroscopy (“XRF analyzer”), and
- WHEREAS,** The City of Utica will use \$15,690.00 in grant funds received through the New York State Department of Health’s City-County Coordination to Prevent Lead Poisoning Grant to purchase an XRF analyzer on behalf of Oneida County, and
- WHEREAS,** Oneida County will be the sole and original owner of the XRF analyzer and shall be solely responsible for the use, storage and maintenance of said equipment, and

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- WHEREAS,** There are no funds associated with the Agreements, 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 approves an Agreement between Oneida County, through its Department of Health, and the City of Utica for the purchase of an XRF analyzer.
- APPROVED:** Health & Human Services Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)
- DATED:** December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 22 NAYS 1 (Newton) ABSENT 0

No. 357 - FN 2020-369 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, AND YWCA OF THE MOHAWK VALLEY

- WHEREAS,** This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Family and Community Services, and YWCA of the Mohawk Valley, for an amount not to exceed \$92,782.00, to provide advocacy and guidance for child victims of sexual or severe physical abuse and their non-offending family members within Oneida County, and
- WHEREAS,** The Agreement shall be for a term commencing October 1, 2020 and ending September 30, 2021, with Oneida County having the right to terminate the Agreement upon thirty (30) days written notice to YWCA of the Mohawk Valley, 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 YWCA of the Mohawk Valley, for a term commencing October 1, 2020 and ending September 30, 2021.
- APPROVED:** Health and Human Services Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)
- DATED:** December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No 358 – FN 2020-370 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A PURCHASE OF SERVICES AGREEMENT TEMPLATE TO BE USED BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, AND VARIOUS CLINICAL COUNSELING CONTRACTORS

- WHEREAS,** This Board is in receipt of correspondence from Colleen Fahy-Box, Commissioner of Family and Community Services, requesting approval of a Purchase of Services Agreement template to be used for Purchase of Services Agreements between Oneida County, through its Department of Family and Community Services, and various clinical counseling contractors, and
- WHEREAS,** The various clinical counseling contractors will provide specialized counseling services to children and their families to identify and treat mental health and behavioral issues, including those where substance abuse negatively affects daily functioning, in an effort to reduce out-of-home placements and to expedite the return home from placement, and

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WHEREAS, The Agreement will be funded partly by the Child Abuse or Neglect Prevention and Treatment Act (CAPTA) State Grant, with any additional preventive service counseling having a local cost of 27.18%. The Department of Family and Community Services does not anticipate spending more than \$450,000.00 for the duration of the Agreement, and

WHEREAS, The Agreement shall be for a term commencing on or after January 1, 2021 and ending December 31, 2023, with either party having the right to terminate the Agreement upon mutual written consent of both parties, and

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

RESOLVED, That the Board of Legislators hereby approves the Purchase of Services Agreement template to be used for Purchase of Services Agreements between Oneida County, through its Department of Family and Community Services, and various clinical counseling contracts, and be it further

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute Agreements between Oneida County, through its Department of Family and Community Services, and various clinical counseling contractors, for a term commencing on or after January 1, 2021 and ending December 31, 2023.

APPROVED: Health and Human Services Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No. 359 – FN 2020-371 - Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A MEDICAL EXAMINER OFFICE TRANSPORTATION SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND ADREAN FUNERAL SERVICES, INC.

WHEREAS, This Board is in receipt of a Medical Examiner Office Transportation Services Agreement between Oneida County, through its Department of Health, and Adrean Funeral Service, Inc., in the sum of \$93,636.00, to provide transportation of decedents to locations designated by the Onondaga County Medical Examiner’s office or its designees, and

WHEREAS, The Agreement shall be for a term commencing January 1, 2021 and ending December 31, 2021, with Oneida County having the right to terminate the Agreement for cause upon thirty (30) days written notice to Adrean Funeral Service, Inc., 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 Medical Examiner Office Transportation Services Agreement between Oneida County, through its Department of Health, and Adrean Funeral Service, Inc., for a term commencing January 1, 2021 and ending December 31, 2021.

APPROVED: Health and Human Services Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No. 360 – FN 2020-372 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

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RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND PLANNED PARENTHOOD OF GREATER NEW YORK, INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Health, and Planned Parenthood of Greater New York, Inc., for an amount not to exceed \$180,000.00, to provide testing, diagnosis and treatment of sexually transmitted diseases to residents of Oneida County, and

WHEREAS, The Agreement shall be for a four (4) year term commencing October 1, 2020 and ending September 30, 2024, with Oneida County having the right to terminate the Agreement upon thirty (30) days written notice to Planned Parenthood of Greater New York, Inc., 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 Health, and Planned Parenthood of Greater New York, Inc., for a term commencing October 1, 2020 and ending September 30, 2024.

APPROVED: Health and Human Services Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 21 NAYS 2 (Idzi, Flisnik) ABSENT 0

No. 361 – FN 2020-373 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND HEALTH RESEARCH, INC.

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Health, and Health Research, Inc., in the sum of \$172,000.00, to develop and expand Oneida County’s Overdose Data to Action Program, 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 Department of Health, and Health Research, Inc., for a term commencing September 1, 2020 and ending August 31, 2021.

APPROVED: Health and Human Services Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No. 362 – FN 2020-374 – Messrs. Koenig, D’Onofrio and Mme. Washburn offered the following resolution and moved its adoption

RE: APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND SAPHIRE AIR, LLC

WHEREAS, This Board is in receipt of correspondence from Interim Commissioner of Aviation, Edward A. Arcuri, requesting approval of a Lease Agreement between Oneida County, through its Department of Aviation, and Saphire Air, LLC. for office and hangar space located within the building commonly referred to as Nose Dock 785 located at 625 Bomber Drive at Griffiss International Airport, and

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WHEREAS, In accordance with terms set forth therein, Sapphire Air, LLC shall lease 200 +/- square feet of office space and 2,000 +/- square feet of hangar space at Griffiss International Airport at a total cost of \$14,400.00 for an initial term commencing November 1, 2020 and ending October 31, 2021, with four (4) automatic one (1) year renewals through October 31, 2025 containing a three percent (3%) escalator on the base rent charged in the initial term, unless terminated on notice, and

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

RESOLVED, That the Oneida County Board of Legislators approves and authorizes County Executive, Anthony J. Picente, Jr., to execute a Lease Agreement on behalf of the County of Oneida, through its Department of Aviation, and Sapphire Air, LLC for office and hangar space located within the building commonly referred to as Nose Dock 785 at Griffiss International Airport for a one (1) year term commencing November 1, 2020 and ending October 31, 2021, with four (1) automatic one (1) year renewals through October 1, 2025, and it is further

RESOLVED, That the terms and conditions of said Lease Agreement shall be as more fully set forth in the document on file with the Clerk of this Board.

APPROVED: Airport Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 363 – FN 2020-375 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF CHANGE ORDER NO. 2 TO AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND LOCHNER ENGINEERING, P.C.

WHEREAS, Oneida County entered into an Agreement with Lochner Engineering, P.C. on March 25, 2020 to prepare plans and specifications for the reconstruction of the Marcy-SUNY IT Parkway in the Town of Marcy (preliminary design work only), and

WHEREAS, Oneida County and Lochner Engineering, P.C. entered into Change Order No.1 on May 29, 2020 to include engineering services needed to prepare plans and specifications for the construction phase of the project, and

WHEREAS, Oneida County and Lochner Engineering, P.C. wish to enter into Change Order No. 2 for the provision of a fifty-year title search and title certification, as well as additional soil borings within the Gridley Creek Ravine, and

WHEREAS, The original Agreement between Oneida County and Lochner Engineering, P.C. was for \$48,839.00, Change Order No. 1 added additional costs of \$441,161.00, and Change Order No. 2 will add costs of \$20,359.00 resulting in a new proposed Agreement amount of \$510,359.00, and

WHEREAS, In accordance with Oneida County Charter section 2202, said Change Order 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 Change Order No. 2 to an Agreement between Oneida County, through its Department of Public Works, and Lochner Engineering, P.C., commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2021.

APPROVED: Public Works Committee (December 17, 2020)
Ways & Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

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AYES 23 NAYS 0 ABSENT 0

No. 364 – FN 2020-376 – Messrs. Idzi, D’Onofrio, Julian and Mme. Washburn, Convertino offered the following resolution and moved its adoption.

RE: RE-APPOINTMENT OF CAROLANN N. CARDONE AS COMMISSIONER OF ELECTIONS FOR THE DEMOCRATIC PARTY FOR A TERM TO EXPIRE DECEMBER 31, 2022

WHEREAS, William Thickstun, Secretary of the Oneida County Democratic Committee, has certified that on November 23, 2020, at a meeting of the Oneida County Democratic Committee, Carolann N. Cardone was endorsed and recommended for re-appointment as Commissioner of Elections of Oneida County for the Democratic Party for a two-year term commencing January 1, 2021 and ending December 31, 2022, and

WHEREAS, Pursuant to Election Law Section 3-204 said appointment must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That Carolann N. Cardone be, and hereby is, appointed as the Democratic Commissioner of Elections of Oneida County, for a two-year term commencing January 1, 2021.

APPROVED: Government Operations Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mme Ervin and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No. 365 – FN 2020-377 – Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AND LICENSING AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF INFORMATION TECHNOLOGY, AND MICROSOFT CORPORATION

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and Microsoft Corporation, in the sum of \$374,964.67, to provide a mechanism for Oneida County Information Technology to engage in a proper Microsoft volume license agreement and to dispense Microsoft product subscriptions to County equipment, and

WHEREAS, The Agreement shall be for a three (3) year term commencing upon execution and ending three (3) years after execution, 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 and Licensing Agreement between Oneida County, through its Department of Information Technology, and Microsoft Corporation, for a three (3) year term commencing upon execution.

APPROVED: Government Operations Committee (December 17, 2020)
Ways & Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No. 366 – FN 2020-378 – Messrs. Schiebel, Leach, Idzi and Mme. Rogers-Witt offered the following resolution and moved its adoption.

RE: FINAL APPROVAL OF CONSOLIDATED AGRICULTURAL DISTRICT #4 TO INCLUDE THE TOWNS OF AUGUSTA, VERNON, VERONA AND THE CITY OF SHERRILL

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WHEREAS, Agricultural District #4 was established pursuant to Article 25AA of the New York State Agriculture and Markets Law including lands situate within the Towns of Augusta, Vernon, Verona and the City of Sherrill, and

WHEREAS, Pursuant to the provisions of Section 303-a of the New York State Agriculture and Markets Law, the County of Oneida is required to review an Agricultural District eight years after its creation and every eight years thereafter, and

WHEREAS, Proposed modifications for Agricultural District #4 were reviewed by the Oneida County Farmland Protection Board and the Oneida County Department of Planning and a requisite Public Hearing was held on November 10, 2020 for the purpose of considering the recommendations of the Oneida County Farmland Protection Board and the Commissioner of the Oneida County Department of Planning, and

WHEREAS, That as a part of the requirements for the modification of the District, the Oneida County Board of Legislators conducted an environmental review and has complied with the requirements of the New York State Environmental Quality Review Act, now, therefore, be it hereby

RESOLVED, That this Board hereby authorizes final approval for the modification of Agricultural District #4, and it is further

RESOLVED, That the eight year review of Agricultural District #4 by the Oneida County Board of Legislators is hereby deemed complete and is adopted, with modifications, and it is further

RESOLVED, That the Oneida County Board of Legislators renew Agricultural District #4, as modified, for an additional eight year period, and it is further

RESOLVED, That the modification of Agricultural District #4 be submitted to the New York State Commissioner of Agriculture and Markets for approval and certification.

APPROVED: Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Davis and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 367 – FN 2020-379 – Messrs. Schiebel and D’Onofrio offered the following resolution and moved its adoption,

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY AND THE CONVENTION AND VISITORS BUREAU FOR ONEIDA COUNTY, INC.

WHEREAS, Local Law #3 of 1993, as amended by Local Law #2 of 2020, provides that net revenues resulting from the Oneida County Hotel/Motel Occupancy Tax are to be allocated by the Board of Legislators for the promotion of tourism development, economic development, and other directly related and supporting activities to not-for-profit and/or public benefit corporations under contract with the County, and

WHEREAS, Oneida County Executive, Anthony J. Picente, Jr., is in receipt of a proposed Agreement between Oneida County and The Convention and Visitors Bureau for Oneida County, Inc. authorizing the allocation of a portion of the net revenues received from the Oneida County Hotel/Motel Occupancy Tax to The Convention and Visitors Bureau for Oneida County, Inc., for the period of October 1, 2020 through December 31, 2021, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes allocation of a portion of the net revenues received from the Oneida County Hotel/Motel Occupancy Tax to The Convention and Visitors Bureau for Oneida County, Inc., for the period of October 1, 2020 through December 31, 2021, and it is further

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to enter into an Agreement, on behalf of Oneida County, with The Convention and Visitors Bureau for Oneida County, Inc. for the allocation of a portion of the net revenues from the Oneida County Hotel/Motel Occupancy Tax for the purpose of promoting tourism within Oneida County, for the period of October 1, 2020 through December 31, 2021.

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APPROVED: Economic Development and Tourism (December 17, 2020)
Ways & Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 368 – FN 2020 – 380 –Messrs. Schiebel and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY AND THE ECONOMIC DEVELOPMENT GROWTH ENTERPRISES CORPORATION, D/B/A MOHAWK VALLEY EDGE

WHEREAS, This Board is in receipt of a proposed Agreement between Oneida County and the Economic Development Growth Enterprises Corporation, d/b/a Mohawk Valley EDGE, for the purpose of providing support, expertise and other initiatives that showcase the advantages of Oneida County and the Mohawk Valley as a desirable area for businesses to locate and expand, and

WHEREAS, In accordance with the terms set forth therein, the County agrees to pay Mohawk Valley EDGE the sum of \$299,874.00, and

WHEREAS, In accordance with Oneida County Charter Section 2202 and County Law Section 224, said 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 an Agreement between Oneida County and the Economic Development Growth Enterprises Corporation, d/b/a Mohawk Valley EDGE, for a period commencing January 1, 2021 and ending December 31, 2021.

APPROVED: Economic Development & Tourism Committee (December 17, 2020)
Ways and Means Committee(December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:
AYES 15 NAYS 8 ABSENT 0

A MOTION WAS MADE TO TABLE THIS RESOLUTION.

ROLL CALL SHEET

DATE: December 23, 2020

SESSION: Regular

MEMBERS PRESENT: 23

MEMBERS ABSENT: 0

AYES: 5 NAYS: 18 ABSENT: 0

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	X	
R-2	IDZI		X
R-3	LEACH		X
R-4	ROGERS-WITT		X
R-5	WATERMAN		X
R-6	BOUCHER		X
R-7	FIORINI		X
R-8	FLISNIK	X	
D-9	SACC0		X
R-10	JOSEPH		X
R-11	KOENIG		X
R-12	MCMONAGLE		X

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INTRODUCTORY NO. 376

RESOLUTION NO. 368

R-13	NEWTON	X	
D-14	DAVIS		X
R-15	D'ONOFRIO		X
R-16	PRATT		X
R-17	DIMAGGIO		X
R-18	DANIELS		X
I-19	JULIAN	X	
D-20	ERVIN		X
D-21	WASHBURN	X	
D-22	CONVERTINO		X
D-23	LEONE		X

No. 369 – FN 2020-381 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPOINTMENT OF DANIEL W. GILMORE AS PUBLIC HEALTH DIRECTOR

WHEREAS, In accordance with the provisions of Article III, Section 302, and Article XI, Section 1101, of the Oneida County Charter, Oneida County Executive, Anthony J. Picente, Jr., has requested confirmation of the appointment of Daniel W. Gilmore to serve as the Public Health Director (Grade H49, Step 9, \$114,152), and

WHEREAS, Said appointment 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 appointment of Daniel W. Gilmore to serve as the Public Health Director (Grade H49, Step 9, \$114,152), for a six (6) year term commencing December 17, 2020 and expiring December 16, 2026.

APPROVED: Health and Human Services Committee (December 17, 2020)
Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 370 – FN 2020-382 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL TO ALLOW THE COMMISSIONER OF FINANCE TO MAKE INTERFUND ADVANCES IN ORDER TO MEET FINANCIAL OBLIGATIONS

WHEREAS, On November 12, 2020, pursuant to the provisions set forth in Section 603 of the Oneida County Charter, as duly extended, Oneida County Executive Anthony J. Picente, Jr. did propose and submit for approval by the Oneida County Board of Legislators a budget for 2021; and

WHEREAS, On December 2, 2020, pursuant to the provisions set forth in Section 607 of the Oneida County Charter, as duly extended, at a duly convened meeting, the Oneida County Board of Legislators did adopt the budget for 2021; and

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- WHEREAS,** Pursuant to the provisions of Section 9-a of New York General Municipal Law and Chapter 157 of the Laws of 2020, the County may temporarily advance moneys held in any fund to any other fund provided such advance is authorized by the County Board of Legislators in the same manner as prescribed in the Oneida County Charter and Code for making budgetary transfers; and
- WHEREAS,** The manner for making budgetary transfers is set forth in Section 610 of the Oneida County Charter; and
- WHEREAS,** On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the entire United States due to the 2019- Novel Coronavirus (COVID-19); and
- WHEREAS,** On March 2, 2020 and through subsequent renewals, New York State Governor Andrew M. Cuomo declared a Disaster Emergency in the State of New York due to COVID-19; and
- WHEREAS,** On March 13, 2020 and through subsequent renewals, Oneida County Executive Anthony J. Picente, Jr. declared a State of Emergency in the County of Oneida due to COVID-19; and
- WHEREAS,** As a result of the public health emergency and actions taken at the Federal, State and local levels anticipated revenues for the County have been diminished and such reduction is anticipated to continue; and
- WHEREAS,** The reduction in revenues has and will continue to impact the County's cash flow thereby necessitating temporary advances of moneys from the County's various funds; now therefore be it

RESOLVED, That pursuant to General Municipal Law Section 9-a, Chapter 157 of the Laws of 2020 and Section 610 of the Oneida County Charter, the Commissioner of Finance is hereby authorized to make those advances of money necessary from the County's various funds in order for the County to continue to meet its financial obligations; and be it further

RESOLVED, That the Commissioner of Finance shall prepare and provide a summary of any such transfers made pursuant to the authority set forth in this resolution to the Chairman of the Board of Legislators within seven (7) days of such transfer to be read and filed; and be it further

RESOLVED, That this Resolution and authorization shall expire December 31, 2021.

APPROVED: Ways and Means Committee(December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and approved by the following roll call vote:

AYES: 23 **NAYS** 0 **ABSENT** 0

ROLL CALL SHEET

DATE: December 23, 2020

SESSION: Regular

MEMBERS PRESENT: 23

MEMBERS ABSENT:

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	X	
R-2	IDZI	X	
R-3	LEACH	X	
R-4	ROGERS-WITT	X	
R-5	WATERMAN	X	
R-6	BOUCHER	X	
R-7	FIORINI	X	
R-8	FLISNIK	X	
D-9	SACC0	X	

December 23, 2020

DECEMBER MEETING

Meeting held on Wednesday, December 23, 2020 at 2:00 P.M.

AYES: 23 NAYS: 0 ABSENT: 0

INTRODUCTORY NO. 378

RESOLUTION NO. 370

R-10	JOSEPH	X	
R-11	KOENIG	X	
R-12	MCMONAGLE	X	
R-13	NEWTON	X	
D-14	DAVIS	X	
R-15	D'ONOFRIO	X	
R-16	PRATT	X	
R-17	DIMAGGIO	X	
R-18	DANIELS	X	
I-19	JULIAN	X	
D-20	ERVIN	X	
D-21	WASHBURN	X	
D-22	CONVERTINO	X	
D-23	LEONE	X	

No. 371 – FN 2020-383.1 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: WATER RENTS, SEWER CHARGES, AND OTHER MISCELLANEOUS CHARGES TO BE LEVIED ON PROPERTIES IN SPECIFIED TOWNS

WHEREAS, The supervisors of various towns have filed with the Commissioner of Finance itemized statements showing owners, and amounts of arrears of said owners, or water rents and sewer charges, as more particularly on file with the Commissioner of Finance, and

WHEREAS, The Commissioner of Finance may be aware of other pro-rata taxes, DEC Violations, NSF charges or other miscellaneous charges against properties owned by various persons, now, therefore, be it hereby

RESOLVED, That there be levied and extended on the 2021 tax rolls of the aforementioned towns, against properties owned by various persons mentioned in the amounts set forth opposite their respective names, along with such items as may be posted for insufficient funds or similar adjustments, if necessary.

APPROVED: Ways and Means Committee(December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No. 372 – FN 2020-383.2 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: AMOUNTS TO BE LEVIED AS PART OF COUNTY TAX AND EXTENDED AGAINST PROPERTIES IN VARIOUS TOWNS AND CITIES

WHEREAS, There have been filed with the Clerk of the Oneida County Board of Legislators and the Commissioner of Finance reports by various city, town and other public officials, and

December 23, 2020

DECEMBER MEETING

Meeting held on Wednesday, December 23, 2020 at 2:00 P.M.

WHEREAS, Said reports show various figures which are to be levied as part of the 2021 County tax, now, therefore, be it hereby

RESOLVED, That the amounts herein, as same may be subject to items returned for insufficient funds or similar adjustments, if any, be, and the same hereby are, levied as part of the 2021 County tax and ordered extended against properties in the various towns and cities according to law, as follows:

School Superintendent's levy	\$ 15,657.00
MVCC (incl. Students in other CC)	\$ 10,228,191.82
Returned School Taxes	\$ 6,962,467.56
Delinquent Charges School	\$ 480,813.30
Returned Village Taxes	\$ 451,232.20
Delinquent Charges Village	\$ 31,586.47
UMVRWB Town Outside Water Charges	\$ 157,240.89
Delinquent Charges - Water	\$ 2,858.68
HAVA	\$ 1,601,730.93
Erroneous Taxes and Misc. Adjustments.	\$ 57,750.05

APPROVED: Ways & Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No 373 – FN 2020-383.3 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF HIGHWAY 1, 2, 3 & 4 HEALTH, FIRE PREVENTION, GENERAL WELFARE, AND SPECIFIED DISTRICT TAXES TO BE LEVIED AGAINST TOWNS

WHEREAS, There has been presented to this Board a duly certified copy of the annual budget of each of the several towns in the County of Oneida for the fiscal year beginning January 1, 2021, now therefore, be it hereby

RESOLVED, That there shall be assessed and levied upon, and collected from, the real property liable therefore within the respective fire, fire protection, fire alarm and improvement districts in the towns specified in their respective annual budgets;

RESOLVED, (a) That there be and hereby is assessed and levied upon, and collected from, the taxable real property situate in the named towns outside of any incorporated village, wholly or partially located therein, the amounts indicated therein for Town-Wide General, Town-Wide Highway, Highway Outside and General Outside as specified in the budgets of the respective towns, and be it further

RESOLVED, (b) That the amounts to be raised by tax for all purposes specified in the said several annual budgets as presented to this Board and which are on file within the Office of the Clerk and/or the Commissioner of Finance, shall be and hereby are assessed and levied upon, and collectible from, all taxable property in the towns as enumerated, except as otherwise provided by law.

APPROVED: Ways & Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 374 – FN 2020-383.4 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF SPECIFIED AMOUNTS TO BE LEVIED AGAINST UTICA AND SPECIFIED TOWNS FOR DELINQUENT SEWER CHARGES

December 23, 2020

DECEMBER MEETING

Meeting held on Wednesday, December 23, 2020 at 2:00 P.M.

WHEREAS, The Finance Administrator, Oneida County Part County Sewer District, has filed with the Commissioner of Finance itemized statements showing owners and the amounts of arrears of said owners for Sewer Use Charges and SSO Abatement Charges, now, therefore, be it hereby

RESOLVED, That there shall be levied and extended certain amounts of arrears for Sewer Use Charges and SSO Abatement Charges, with such items as may be posted for insufficient funds or similar adjustments if necessary, on the 2021 tax rolls of the towns and cities listed below against the properties owned by the various persons in the amounts set opposite their respective names, as follows:

MUNICIPALITY	AMOUNT	SSO AMOUNT
Utica	\$ 661,945.49	
Deerfield	\$ 15,273.77	
Marcy	\$ 20,164.08	
New Hartford	\$ 65,571.14	\$ 12,023.55
Paris	\$ 17,088.88	\$ 3,419.41
Trenton	\$ 1,974.75	
Whitestown	\$ 81,999.80	\$ 22,082.99
Delinquent Charges	\$ 57,606.56	\$ 2,501.65
TOTAL	\$ 921,624.47	\$ 40,027.60

APPROVED: Ways & Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No. 375 – FN 2020-384 - Messrs. D’Onofrio and Flisnik offered the following resolution and moved its adoption.

REFUNDING BOND RESOLUTION DATED DECEMBER 23, 2020.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF ONEIDA, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS”, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the County of Oneida, New York (hereinafter, the “County”) heretofore issued \$14,316,325 Public Improvement (Serial) Bonds, 2013, pursuant to various bond resolutions to pay the cost of capital improvements, as further described in the bond determinations certificate of the Comptroller dated March 15, 2013 (hereinafter referred to as the “Bond Determinations Certificate”), such Public Improvement (Serial) Bonds, 2013, being dated March 15, 2013 with remaining maturities on March 15 in the years 2021 through 2028, both inclusive, as more fully described in the Bond Determinations Certificate (the “Refunded Bonds”); and

WHEREAS, it would be in the public interest to refund all or a portion of the outstanding principal balance of the Refunded Bonds maturing in 2022 and thereafter (the “Refunded Bonds”) by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

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

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned

DECEMBER MEETING

Meeting held on Wednesday, December 23, 2020 at 2:00 P.M.

from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, as well as any prepayment premium, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$7,300,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$6,545,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-21 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Comptroller pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller..

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Comptroller shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the Comptroller. Notice of such call for redemption shall be given by notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Comptroller as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Comptroller providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Comptroller as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

DECEMBER MEETING

Meeting held on Wednesday, December 23, 2020 at 2:00 P.M.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Comptroller, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the Comptroller is also hereby authorized to name the Comptroller as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

The Comptroller is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the Comptroller, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and 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 Comptroller shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

- (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;
- (b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each object or purpose for which such Refunded Bonds were issued is as specified in the Bond Determinations Certificate which is incorporated herein by reference;
- (c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of paragraph c of Section 90.10 of the Local Finance Law;
- (d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This County Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Comptroller is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Comptroller; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local

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Finance Law. The Comptroller shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the County Legislature not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Comptroller is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Comptroller shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Oneida, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the Comptroller shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Holder for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to such Underwriter as shall be determined by the Comptroller for purchase prices to be determined by the Comptroller, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds.

Section 11. The Comptroller and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Comptroller and all powers in connection thereof are hereby delegated to the Comptroller.

Section 13. The validity of the Refunding Bonds 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

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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 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said County, together with a notice of the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Approved: Ways and Means Committee (December 23, 2020)

DATED: December 23, 2020

Seconded by Mr. Joseph and adopted by the following roll call vote:
AYES 23 NAYS 0 ABSENT

ROLL CALL SHEET

DATE: December 23,2020

SESSION: Regular

MEMBERS PRESENT: 23

MEMBERS ABSENT: 0

AYES: 23 NAYS: 0 ABSENT: 0

INTRODUCTORY NO. 382

RESOLUTION NO. 375

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	X	
R-2	IDZI	X	
R-3	LEACH	X	
R-4	ROGERS-WITT	X	
R-5	WATERMAN	X	
R-6	BOUCHER	X	
R-7	FIORINI	X	
R-8	FLISNIK	X	
D-9	SACC0	X	
R-10	JOSEPH	X	
R-11	KOENIG	X	
R-12	MCMONAGLE	X	
R-13	NEWTON	X	
D-14	DAVIS	X	
R-15	D'ONOFRIO	X	
R-16	PRATT	X	
R-17	DIMAGGIO	X	
R-18	DANIELS	X	
I-19	JULIAN	X	
D-20	ERVIN	X	
D-21	WASHBURN	X	

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D-22	CONVERTINO	X	
D-23	LEONE	X	

A MOTION WAS MADE TO BRING OFF THE TABLE BY MR. WATEMAN AND WAS SECONDED BY MR. IDZI AND PASSED UNANIMOUSLY

No. 376 – FN 2020-357 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF WORK ORDER #28, AMENDMENT #8 - COMMUNITY OUTREACH WITH GHD CONSULTING SERVICES INC.

WHEREAS, On March 29, 2013, the Master Agreement to provide engineering services in compliance with a Consent Order issued by the NYS Department of Environmental Conservation and to resolve permit issues affecting the Oneida County Water Pollution Control Facility was assigned to GHD Consulting Services, Inc., and

WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Steven P. Devan, P.E., Commissioner of Water Quality and Water Pollution Control, requesting approval of Work Order #28, Amendment #8 - Community Outreach to provide steering committee facilitation, public education and intercommunity collaboration in support of compliance with increasingly stringent state and federal wastewater standards, as well as maintaining the Sewer District website for FY2021, with an estimated cost of \$45,000.00, and

WHEREAS, Funding for this Work Order is provided by the Department’s 2021 operating budget, 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 authorizes and approves acceptance of Work Order #28, Amendment #8 - Community Outreach with GHD Consulting Services Inc., for an estimated cost of \$45,000.00.

APPROVED: Public Works Committee December 1, 2020
Ways and Means Committee December 1, 2020

DATED: December 2, 2020 (Tabled)
December 23, 2020- (Removed from Table and approved)

Seconded by Mr. Idzi and adopted by the following vote:
AYES 20 NAYS 3 (Flisnik, Julian, Newton) ABSENT 0

CERTIFICATION OF THE CLERK

STATE OF NEW YORK, County of Oneida, ss:

I hereby certify that the foregoing is a true report of the proceedings of the Board of Legislators of the County of Oneida on Wednesday, December 23, 2020 at 2:00 P.M., typographical errors excepted.

MIKALE BILLARD