

November 27, 2019

**NOVEMBER MEETING
SECOND MEETING**

Held on Wednesday, November 27, 2019 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)
- D-4 Michael J. Clancy (Rome Ward 1, District 1, 2; Ward 2 District 2, 3, Ward 3 District 1, 4, 5; Ward 4 District 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 Michael 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 6 District 1, 2, 3, 4, Ward 7 District 1, 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)
- D-12 Michael Brown (Rome Ward 3 District 2; Ward 4 District 1, 2, 3, 4; Ward 5 District 1, 2, 3, 4)
- D-13 William B. Goodman (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 A. Pratt (Bridgewater District 1; New Hartford Ward 1 District 1, 2, 4; Paris District 1, 2, 3)
- R-17 Brian P. Mandryck (Lee District 1, 2, 4; Rome Ward 1 District 3, 4; Ward 6 District 5; Western District 1, 2, 3)
- R-18 Joseph Furgol (Utica Ward 4 District 1, 2, 3, 4, 5, 6, 7, 8, 9)
- R-19 Edward P. Welsh (Utica Ward 3 District 1, 2, 3, 4, 5, 6, 7, 8, 9; Ward 5 District 2)
- D-20 William R. Hendricks (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)
- R-23 Emil R. Paparella (Utica Ward 6, District 1, 2, 3, 4, 5, 6, 7, 8, 9)

Roll Call: 18 Present

MEMBERS PRESENT: Schiebel, Idzi, Leach, Waterman, Boucher, Fiorini, Flisnik, Sacco, Joseph, Koenig, Goodman, D'Onofrio, Pratt, Furgol, Washburn, Convertino, Paparella

MEMBERS ABSENT: Brown, Davis, Mandryck, Welsh, Hendricks

PETITIONS AND COMMUNICATIONS

- FN. 2019-401 – Request to financially support South Rome Senior Center, Rome Humane Society, Oneida Co. Volunteer Fireman's Assoc. for the Annual Robert Kohlbrenner Children's Fire & Life Safety Expo.**
- FN. 2019-402.1 – Cornell Cooperative Building security system repaired**
- FN. 2019-402.2 – Capital Project H-473 – Comprehensive Building Phase**
- FN. 2019-403 – Resolution changing the venue for the Board of Legislators meetings for 2018-2019 due to the completion of the 10th floor renovations**
- FN. 2019-404 – Reallocate the Grade for the Deputy Clerk of the Board of Legislators**
- FN. 2019-405 – Revocable Permit for Non-Commercial Use of University Facilities/SUNY Polytechnic Institute**
- FN. 2019-406 – Distribute funds to the Community Foundation of Herkimer and Oneida Counties \$1 million in funding for the flood victims.**
- FN. 2019-407 – Recommendation of Judi A Smith to the post of the Deputy Clerk to the Board of Legislators**
- FN. 2019-408 – Mohawk Valley EDGE Supplemental Appropriation – Staff Services**
- FN. 2019-409 – Supplemental Agreement between Oneida County and EDGE**
- FN. 2019-410 – Recommendations for Capital Projects to be closed 2019**
- FN. 2019-411 – Proposed Oneida County Sewer District Rate Schedule**
- FN. 2019-412 – Appointment of Assistant Secretary to the County Executive**
- FN. 2019-413 – Robenski/Greener v. County of Oneida, et al. Index # CA2014-001935**
- FN. 2019-414 – Transportation of Decedents / Adrean Funeral Home**
- FN. 2019-415 – Purchase Service Agreement between Oneida County through its dept. of Social Services**
- FN. 2019-416 – Review and approval of Deputy Commissioner of Social Services**
- FN. 2019-417 – Correspondence from Mayor John Bialek, requesting consideration on a parcel of vacant land**

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- FN. 2019-418 – Petitions of the Real Property Tax Law
- FN. 2019-419 – Semi-annual report on Mortgage Tax Receipts
- FN. 2019-420 – Flood Mitigation Committee Projects
- FN. 2019-421 – Proposed Oneida County Sewer District Rate Schedule
- FN. 2019-422 – Amendment to Multi-Modal Program Capital Project Agreement
- FN. 2019-423 – Utica & Mohawk Valley Chapter of the National Railway Historical Society/Lease
- FN. 2019-424 – John F. Finn Institute for Public Safety Inc./ Consultant Services
- FN. 2019-425 – Aid to Prosecution Grant
- FN. 2019-426 – Review and approval of new post for District Attorney office: grant funded: Senior Confidential Investigator position
- FN. 2019-427 – Family Engagement Specialist
- FN. 2019-428 – School Resource Officers
- FN. 2019-429 – Agreement Approving PILOT Terms and Allocating Pilot Payments
- FN. 2019-430 – Proposed Local Law extending the Hotel Occupancy Tax
- FN. 2019-431 – Allied American Abstract Corp.: License Agreement for office space

MOTIONS AND RESOLUTIONS

NO. 377 – FN 2019-383 - Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY PUBLIC WORKS AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SNOW AND ICE REMOVAL FOR THE 2019-2024 SNOW SEASONS

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 October 7, 2019, 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 a new Agreement prepared by the State of New York, now therefore, be it hereby

RESOLVED, That this Board authorizes and approves a new Agreement between Oneida County and the State of New York for a period of five (5) years, mandating performance by the County to control snow and ice on State highways within Oneida County during the 2019-2024 seasons for an estimated reimbursable cost of \$3,030,682.75 per year, 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 (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

Seconded by Mr. Schiebel and dopted by the following vote:
AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 378 – FN 2019-384 – Messrs. Waterman, D’Onofrio, Flisnik, Koenig offered the following resolution and moved its adoption.

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SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PLANNING, THE ONEIDA COUNTY SOIL AND WATER CONSERVATION DISTRICT, AND THE VILLAGE OF WHITESBORO

WHEREAS, This Board is in receipt of correspondence from Regina A. Venettozzi, Interim Commissioner of Planning, requesting approval of a Flood Mitigation Grant Agreement between Oneida County, through its Department of Planning, the Oneida County Soil and Water Conservation District and the Village of Whitesboro, in the sum of \$355,000.00, to provide funding to the Village of Whitesboro for a rightsized storm sewer project to repair damage from the July 1-2, 2017 storms and create a more resilient infrastructure to protect against further flood events, 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 the Flood Mitigation Grant Agreement between Oneida County, through its Department of Planning, the Oneida County Soil and Water Conservation District, and the Village of Whitesboro, in the sum of \$355,000.00, for a term commencing upon approval by the Oneida County Board of Legislators and ending December 31, 2020.

APPROVED: Public Works Committee (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

Seconded by Mr. Joseph and adopted by the following vote:
AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 379 – FN 2019-385 – Messrs. Koenig and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-580 – NOSE DOCK 782

WHEREAS, This Board is in receipt of a request for the amendment to Capital Project H-580 – Nose Dock 782, and

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

RESOLVED, That Capital Project H-580 – Nose Dock 782 is amended and approved, as follows:

Table with 4 columns: Item, CURRENT, CHANGE, PROPOSED. Rows include NYSDOT, MVCC, Bonds, and a total row.

APPROVED: Airport Committee (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

Seconded by Mr. Joseph and adopted by the following roll call vote:
AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

ROLL CALL SHEET

DATE: November 27, 2019

Roll call sheet table with columns: DIST, MEMBERS, AYES, NAYS. Rows for R-1 (SCHIEBEL) and R-2 (IDZI).

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SESSION: Regular

MEMBERS PRESENT: 18

MEMBERS ABSENT: 5 (Messrs. Hendricks, Mandryck, Brown, Welsh, Davis)

AYES: 18 NAYS: 0 ABSENT: 5

INTRODUCTORY NO. 378

RESOLUTION NO. 379

R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	
R-8	FLISNIK	x	
D-9	SACCO	x	
R-10	JOSEPH	x	
R-11	KOENIG	x	
D-12	BROWN	absent	
D-13	GOODMAN	x	
D-14	DAVIS	absent	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	absent	
R-18	FURGOL	x	
R-19	WELSH	absent	
D-20	HENDRICKS	absent	
D-21	WASHBURN	x	
D-22	CONVERTINO	x	
R-23	PAPARELLA	x	

NO. 380 – FN 2019-386 – Messrs. Flisnik and D'Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS PROBATION DEPARTMENT, AND NEW YORK STATE, THROUGH ITS DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, This Board is in receipt of correspondence from Oneida County Probation Director, Patrick Cady, requesting approval of a Grant Agreement between Oneida County, through its Probation Department, and New York State, through its Division of Criminal Justice Services, through its Raise the Age Grant Program, in the sum of \$535,975.00, to be used to hire one (1) Probation Supervisor, one (1) Probation Officer, and one (1) Probation Assistant in relation to the Raise the Age initiative, 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

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RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to electronically execute any and all documents related to a Grant Agreement between Oneida County, through its Probation Department, and New York State, through its Division of Criminal Justice Services, in the amount of \$535,975.00 for a term commencing April 1, 2018 and ending March 31, 2020.

APPROVED: Public Safety Committee (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 381 – FN 2019-387 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption,

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS SHERIFF’S OFFICE, AND THE NEW YORK STATE GOVERNOR’S TRAFFIC SAFETY COMMITTEE

WHEREAS, This Board is in receipt of correspondence from Oneida County Sheriff, Robert M. Maciol, requesting approval of a Grant Agreement between Oneida County, through its Sheriff’s Office, and The New York State Governor’s Traffic Safety Committee, in the sum of \$10,750.00, for traffic enforcement, “Seat Belt Mobilization Enforcement” during May 2020 (40 hours), and “Speed Enforcement” during July and August 2020 (175 hours), 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 electronically execute any and all documents related to a Grant Agreement between Oneida County, through its Sheriff’s Office, and The New York State Governor’s Traffic Safety Committee, in the sum of \$10,750.00, for a term commencing October 1, 2019 and ending September 30, 2020.

APPROVED: Public Safety Committee (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 382 – FN 2019-388 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS SHERIFF’S OFFICE, AND THE NEW YORK STATE GOVERNOR’S TRAFFIC SAFETY COMMITTEE

WHEREAS, This Board is in receipt of correspondence from Oneida County Sheriff, Robert M. Maciol, requesting approval of a Grant Agreement between Oneida County, through its Sheriff’s Office, and The New York State Governor’s Traffic Safety Committee, in the sum of \$10,750.00, for traffic enforcement, “Seat Belt Mobilization Enforcement” during May 2020 (40 hours), and “Speed Enforcement” during July and August 2020 (175 hours), 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 electronically execute any and all documents related to a Grant Agreement between Oneida County, through its Sheriff’s Office, and The New

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York State Governor's Traffic Safety Committee, in the sum of \$10,750.00, for a term commencing October 1, 2019 and ending September 30, 2020.

APPROVED: Public Safety Committee (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 383 – FN 2019-389 – Messrs. Flisnik and D'Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES, AND NEW YORK STATE, THROUGH ITS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, This Board is in receipt of correspondence from Kevin W. Revere, Director of Emergency Services, requesting approval of a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services (NYS DHS), through the NYS DHS Public Safety Answering Points Operations Grant (PSAP) Program, in the sum of \$186,169.00, to assist in funding four (4) public safety call-answering staff members, 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 electronically execute any and all documents related to a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, in the sum of \$186,169.00 for a term commencing January 1, 2020 and ending on December 31, 2020.

APPROVED: Public Safety Committee (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Welsh, Hendricks, Mandryck)

NO. 384 – FN 2019-390 – Messrs. Flisnik and Goodman offered the following resolution and moved its adoption.

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES, AND NEW YORK STATE, THROUGH ITS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, This Board is in receipt of correspondence from Kevin W. Revere, Director of Emergency Services, requesting approval of a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services (NYS DHS), through the FY2019 Emergency Management Performance Grant (EMPG), in the sum of \$90,770.00, to provide funding to assist in the operations of the Department of Emergency Services (personnel costs) and with the purchase of interoperable communications equipment, and which requires an equal match of County funds, 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

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Held on Wednesday, November 27, 2019 at 2:00 P.M.

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to electronically execute any and all documents related to a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, in the sum of \$90,770.00, for a term commencing October 1, 2018 and ending on September 30, 2021.

APPROVED: Public Safety Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 385 – FN 2019-391 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES, AND MERCY FLIGHT CENTRAL, INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Emergency Services, and Mercy Flight Central, Inc., in the sum of \$250,000.00, for the provision of medical air transportation services twenty-four hours per day, seven days per week, and

WHEREAS, The Agreement shall be for a term commencing January 1, 2020 and ending December 31, 2024, with Oneida County having the right to terminate the Agreement upon thirty (30) days written notice to Mercy Flight Central, 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 Emergency Services, and Mercy Flight Central, Inc., for a term commencing January 1, 2020 and ending December 31, 2024.

APPROVED: Public Safety Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Hendricks, Welsh)

NO. 386 – FN 2019-392 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$108,479.00 TO VARIOUS MENTAL HEALTH ACCOUNTS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$108,479.00 to various Mental Health accounts, and

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

A3490	State Aid – OMH	\$ 52,226.00
A3493	State Aid – OASAS	<u>\$ 56,253.00</u>
		\$108,479.00

now, therefore, be it hereby

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RESOLVED, That a supplemental appropriation, from 2019 funds, as hereinafter set forth, is hereby approved:

TO:

A4310.49515	Insight House	\$ 46,605.00
A4310.49517	Cerebral Palsy OMH/OMRDD	\$ 26,490.00
A4310.49522	Utica Rescue Mission	\$ 9,648.00
A4310.49525	Resource Center for Independent Living	\$ 16,617.00
A4310.49526	Neighborhood Center	\$ 9,119.00
		<u>\$108,479.00</u>

APPROVED: Health and Human Services Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 387 – FN 2019-393 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF MENTAL HEALTH, AND THOSE PARTICIPATING PROVIDERS/MEMBERS OF THE ONEIDA COUNTY MENTAL HEALTH NETWORK

WHEREAS, This Board is in receipt of a Memorandum of Understanding between Oneida County, through its Department of Mental Health, and those participating providers/members of the Oneida County Mental Health Network to establish the basis and mechanisms for the sharing of confidential and protected health information consistent with current New York State Law and 45 CFR 160 and 164 which is commonly referred to as the Health Insurance Portability and Accountability Act of 1996 (HIPPA), and

WHEREAS, The Memorandum of Understanding shall be for a term commencing upon execution and ending December 31, 2023, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Memorandum of Understanding 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 accepts a Memorandum of Understanding between Oneida County, through its Department of Mental Health, and those providers/members of the Oneida County Mental Health Network for a term commencing upon execution and ending December 31, 2023.

APPROVED: Health and Human Services Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 388 – FN 2019-394 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND THE CITY OF UTICA, THROUGH ITS POLICE DEPARTMENT

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and the City of Utica, through its Police Department, for an amount not to exceed

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\$139,869.39, to provide one (1) Police Officer from the Utica Police Department to act as a Law Enforcement Coordinator at the Child Advocacy Center and to serve on a multidisciplinary team which provides on-site law enforcement, Caseworkers, victim advocacy, scheduled medical examinations, and counseling to child victims of severe abuse or sexual abuse, and

WHEREAS, The Agreement shall be for a term commencing January 1, 2020 and ending December 31, 2020, with either party having the right to terminate the Agreement upon thirty (30) days written notice to the other party, 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 Social Services, and the City of Utica, through its Police Department, for a term commencing January 1, 2020 and ending December 31, 2020.

APPROVED: Health and Human Services Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

Seconded by Mr. Furgol and adopted by the following vote:
AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 389 – 2019-395 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO A PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND RESCUE MISSION OF UTICA, INC.

WHEREAS, This Board is in receipt of an Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Rescue Mission of Utica, Inc., and

WHEREAS, Pursuant to a Purchase of Services Agreement entered into between Oneida County and Rescue Mission of Utica, Inc. on November 30, 2017, Rescue Mission of Utica, Inc. agreed to provide Representative Payees for Adult Protective Services, including financial management, required home visits, and all other Protective Services required for the adult population who are unable to live safely in the community without assistance, with a term commencing January 1, 2018 and ending December 31, 2019 (the “Agreement”), and

WHEREAS, Oneida County and Rescue Mission of Utica, Inc. need to amend the Agreement to extend the term of the Agreement by an additional three (3) months, and

WHEREAS, The extension of the term of the Agreement will increase the cost of the Agreement by \$17,764.00, resulting in a new gross amount of \$159,876.00 for the term of the Agreement, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and accepts an Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Rescue Mission of Utica, Inc., with a term commencing January 1, 2018 and ending March 31, 2020.

APPROVED: Health and Human Services Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

Seconded by Mr. Joseph and adopted by the following vote:
AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck

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Held on Wednesday, November 27, 2019 at 2:00 P.M.

NO. 390 – 2019-396 - Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND THE INSTITUTE FOR INTERGOVERNMENTAL RESEARCH, INC. (IIR)

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Health, and The Institute for Intergovernmental Research, Inc. (IIR), for an amount not to exceed \$600,000.00, to reduce overdose deaths associated with opioids and to advance a shared understanding of the patterns and characteristics of problem drug use in the local community by expanding on the work of the Oneida County Overdose Response Team and Overdose Detecting Mapping Application, 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 The Institute for Intergovernmental Research, Inc. (IIR), for a term commencing September 1, 2019 and ending August 31, 2021.

APPROVED: Health and Human Services Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

Seconded by Mr Joseph and adopted by the following vote:

AYES 18 NAYS 0 ABSENT 5 (Messrs. Davis, Brown, Mandryck, Welsh, Hendricks)

NO. 391 – 2019-397 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO A PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND FOSTERMARTIN, INC.

WHEREAS, This Board is in receipt of an Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Health, and FosterMartin, Inc., and

WHEREAS, Pursuant to a Purchase of Services Agreement entered into between Oneida County and FosterMartin, Inc. on March 21, 2019, FosterMartin, Inc. agreed to provide a marketing campaign to promote the Cancer Prevention in Action Program whose goal is to reduce cancer occurrences using a coordinated policy, system, and environmental change approach throughout organizations and municipalities in Oneida, Madison and Herkimer Counties, with a term commencing October 1, 2018 and ending September 30, 2020 (the “Agreement”), and

WHEREAS, Oneida County and FosterMartin, Inc. need to amend the Agreement to modify the terms of compensation as required by the Grant, and

WHEREAS, The Amendment will not change the gross amount of the Agreement, or the term of the Agreement, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and accepts an Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Health, and FosterMartin, Inc., with a term commencing October 1, 2018 and ending September 30, 2020.

APPROVED: Health and Human Services Committee November 26, 2019
Ways and Means Committee November 27, 2019

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Davis, Brown, Mandryck, Welsh, Hendricks)

NO. 392 – FN 2019-398 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

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

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Department of Health, and Health Research, Inc., for an amount not to exceed \$327,325.00, to support Oneida County’s Public Health Emergency Preparedness Program, which is mandated by Public Health Law, and

WHEREAS, The Oneida County Public Health Emergency Preparedness Program engages in preparedness activities with County and community partners to identify resources, establish mutual agreements, develop coordinated response plans, conduct drills and exercises, identify and follow up on areas for improvement, train staff and coordinate public and media communications in an effort to protect the health of the community from disease outbreaks and natural and man-made disasters, and

WHEREAS, Oneida County, through its Department of Health, will provide Public Health Emergency Preparedness Program services for Oneida County with funding from Health Research, Inc. for a term commencing July 1, 2019 and ending June 30, 2020, and

WHEREAS, The total amount of the Agreement is \$327,325.00 which consists of a maximum reimbursable amount of \$92,325.00, and \$250,00.00 in restricted funds which may be dispersed to Oneida County from New York State in the event of a public health emergency, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves an Agreement between Oneida County, through its Department of Health and Health Research, Inc., for an amount not to exceed \$327,325.00, with a term commencing July 1, 2019 and ending June 30, 2020.

APPROVED: Health and Human Services Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

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

AYES 8 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 393 – FN 2019-399 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND NEW YORK STATE, THROUGH ITS DEPARTMENT OF TRANSPORTATION

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Public Works, and New York State, through its Department of Transportation’s Capital Assistance Program, in the sum of \$500,000.00, State funded, which will be used to assist with reconstruction of Middle Settlement Road in the Town of New Hartford, 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

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

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 Public Works, and New York State, through its Department of Transportation, in the sum of \$500,000.00, for a term commencing upon execution and ending December 31, 2023.

APPROVED: Public Works Committee November 26, 2019
Ways and Means Committee November 27, 2019

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Hendricks. Welsh)

NO. 394 – FN. 2019-400 – Messrs. Welsh, D’Onofrio and Fiorini 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 – AS AMENDED

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 \$349,874.00, 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

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$100,000.00 to A-6432.495 – MV Edge , and

WHEREAS, Said supplemental appropriation will be supported by unanticipated revenue in the following 2020 account in the following amount:

A-599	General Fund	\$100,000.00
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now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2020 funds, as hereinafter set forth, is hereby approved:

TO:

A-6432.495	MV Edge –	\$100,000.00
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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, 2020 and ending December 31, 2020.

APPROVED: Economic Development & Tourism Committee (November 26, 2019)
Ways and Means Committee-(As amended November 26, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Davis, Brown, Mandryck, Hendricks, Hendricks)

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

395 – FN 2019-401 – Messrs. D’Onofrio and Fiorini offered the following resolution and moved its adoption

RE: TRANSFER OF \$10,000.00 TO AA#A6414.495 – ONEIDA COUNTY REGIONAL ASSISTANCE

WHEREAS, There is a need for additional funds in AA#A6414.495 – Oneida County Regional Assistance, and

WHEREAS, In accordance with Section 610 of the Administrative Code, the County Executive has requested approval by this Board to transfer funds sufficient to cover the present shortage, now, therefore, be it hereby

RESOLVED, That a transfer from 2019 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A1998.9	Budget/Special Items – Contingent	\$10,000.00
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TO:

AA#A6414.495	Oneida County Regional Assistance	\$10,000.00
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APPROVED: Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

Adopted by the following vote:

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 396 – FN 2019-402.1 – Messrs. D’Onofrio and Joseph offered the following resolution and moved its adoption.

RE: TRANSFER OF \$33,000.00 TO AA#A9950.9 – TRANSFER TO CAPITAL FUND

WHEREAS, There is a need for additional funds in AA#A9950.9 – Transfer to Capital Fund, and

WHEREAS, In accordance with Section 610 of the Administrative Code, the County Executive has requested approval by this Board to transfer funds sufficient to cover the present shortage, now, therefore, be it hereby

RESOLVED, That a transfer from 2019 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A1998.9	Budget/Special Items – Contingent	\$33,000.00
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TO:

AA#A9950.9	Transfer to Capital Fund	\$33,000.00
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APPROVED: Ways and Means Committee November 27, 2019

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

November 27, 2019

NOVEMBER MEETING
SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

NO. 397 – FN 2019-402.2 – Messrs. D’Onofrio and Joseph offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-473 – COMPREHENSIVE BUILDING PHASE 4

WHEREAS, This Board is in receipt of a request for the amendment to Capital Project H-473 – Comprehensive Building Phase 4, and

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

RESOLVED, That Capital Project H-473 – Comprehensive Building Phase 4 is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
H-473 Trans Gen	\$ 1,101,000.00	\$33,000.00	\$ 1,134,000.00
H-473 Bonding	\$13,400,734.00	\$ 0.00	\$13,400,734.00
	\$14,501,734.00	\$33,000.00	\$14,534,734.00

APPROVED: Ways and Means Committee November 27, 2019

DATED: November 27, 2019

Seconded by Mr. Koenig and adopted by the following roll call vote:

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

ROLL CALL SHEET

DATE: November 27, 2019

SESSION: Regular

MEMBERS PRESENT: 18

MEMBERS ABSENT: 5(Messrs. Hendricks, Mandryck, Brown, Welsh, Davis)

AYES: 18 NAYS: 0 ABSENT: 5

INTRODUCTORY NO. 396

RESOLUTION NO. 397

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	x	
R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	
R-8	FLISNIK	x	
D-9	SACCO	x	
R-10	JOSEPH	x	
R-11	KOENIG	x	
D-12	BROWN	absent	
D-13	GOODMAN	x	
D-14	DAVIS	absent	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	absent	
R-18	FURGOL	x	

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SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

R-19	WELSH	absent	
D-20	HENDRICKS	absent	
D-21	WASHBURN	x	
D-22	CONVERTINO	x	
R-23	PAPARELLA	x	

NO. 398 – FN 2019-403 – Mr. Fiorini offered the following resolution and moved its adoption.

RE: RESOLUTION CHANGING THE VENUE FOR BOARD OF LEGISLATORS MEETINGS FOR 2018-2019 DUE TO THE COMPLETION OF THE 10TH FLOOR RENOVATION

WHEREAS, Due to the completion of the renovation of the 10th Floor of the Oneida County Office Building, it is the recommendation of Chairman Gerald J. Fiorini, that the Board of Legislators change the venue of their regularly scheduled meetings, now, therefore, be it hereby

RESOLVED, That the regularly scheduled meetings of the Oneida County Board of Legislators shall be held in the Russell Williams Legislative Chamber, 10th Floor of the Oneida County Office Building., and be it further

RESOLVED, That the Clerk of this Board is hereby authorized and directed to make publication of such change of venue, and be it further

RESOLVED, That the change of venue shall begin with the December 18, 2019 meeting.

APPROVED: Ways & Means Committee (November 27, 2019)

DATED: November 27, 2019

Seconded by Mr Joseph and adopted by the following vote:

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NO. 399 – FN 2019-404 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL FOR THE REALLOCATION OF GRADE FOR THE TITLE DEPUTY CLERK OF THE BOARD OF LEGISLATORS

WHEREAS, This Board is in receipt of correspondence from Chairman of the Board of Legislators, Gerald J. Fiorini, requesting authorization to reallocate the grade for the title Deputy Clerk of the Board of Legislators, currently allocated at Grade M25, and

WHEREAS, It is the recommendation of the Chairman of the Board of Legislators that the title Deputy Clerk of the Board of Legislators be reallocated to Grade M31, 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 a reallocation of grade for the title Deputy Clerk of the Board of Legislators from Grade M25 to Grade M31 – effective immediately.

APPROVED: Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Hendricks, Welsh)

NO. 400 – FN 2019-405 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: AUTHORIZATION FOR ONEIDA COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH THE STATE UNIVERSITY OF NEW YORK AT SUNY POLYTECHNIC INSTITUTE

WHEREAS, This Board in receipt of a Revocable Permit For Non-Commercial Use of University Facilities between Oneida County, through its Department of Mental Health, and the State University of New York at SUNY Polytechnic Institute, for a fee of \$1,260.00, to utilize SUNY Polytechnic Institute campus facilities, and

WHEREAS, The State University of New York at SUNY Polytechnic Institute will provide the use of its facilities and catering services for the Oneida County Opioid Task Force Kick-Off Summit to be held Wednesday, December 4, 2019, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Permit 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 a Revocable Permit for Non-Commercial Use of University Facilities between Oneida County, through its Department of Mental Health, and the State University of New York at SUNY Polytechnic Institute to utilize SUNY Polytechnic Institute campus facilities for a fee of \$1,260.00.

APPROVED: Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 1 (Mr. Flisnik) ABSENT 5 (Messrs. Brown, Davis, Welsh, Hendricks, Hendricks)

NO. 401 – FN 2019-406 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: TRANSFER OF \$500,000.00 TO AA#A6414.495 – ONEIDA COUNTY REGIONAL ASSISTANCE

WHEREAS, There is a need for additional funds in AA#A6414.495 – Oneida County Regional Assistance, and

WHEREAS, In accordance with Section 610 of the Administrative Code, the County Executive has requested approval by this Board to transfer funds sufficient to cover the present shortage, now, therefore, be it hereby

RESOLVED, That a transfer from 2019 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#9950.9 Budget/Transfer to Other Funds – Transfer to Capital \$500,000.00

TO:

AA#A6414.495 Oneida County Regional Assistance \$500,000.00

APPROVED: Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

NO. 402 – FN 2019-407 – Mr. Fiorini offered the following resolution and moved its adoption

RE: APPOINTMENT OF JUDI A. SMITH AS DEPUTY CLERK OF THE BOARD OF LEGISLATORS

WHEREAS, The Rules of the Board of County Legislators of the County of Oneida provide that the Board of Legislators shall have the power to appoint a Deputy Clerk of the Board, and

WHEREAS, A vacancy has occurred in the position of Deputy Clerk of the Board of Legislators due to the retirement of Cindy DelPiano, and

WHEREAS, It is necessary to make an appointment to fulfill the remainder of the term of office, Now, therefore be it hereby

RESOLVED, That Judi A. Smith be, and hereby is, appointed to fulfill the remainder of the term as Deputy Clerk of the Board of County Legislators of the County of Oneida at Grade 31M, Step 9 (\$58,046) effective December 2, 2019, and ending December 31, 2019.

DATED: November 27, 2019

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

AYES: 18 NAYS: 0 ABSENT: 5 (Messrs. Brown, Davis, Mandryck, Hendricks, Welsh)

NO. 403 – FN 2019-408 – Messrs. Welsh and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A SUPPLEMENTAL AGREEMENT BETWEEN ONEIDA COUNTY AND ECONOMIC DEVELOPMENT GROWTH ENTERPRISES CORPORATION d/b/a MOHAWK VALLEY EDGE

WHEREAS, This Board is in receipt of a Supplemental Agreement between Oneida County and Economic Development Growth Enterprises Corporation d/b/a Mohawk Valley EDGE, in the sum of \$1,000,000.00, to carry out initiatives to improve the region’s economy by assisting the Marcy Nanocenter at SUNY Poly Project, and to develop a portion of the SUNY Poly Campus and some lands located adjacent thereto or in the vicinity thereof for use by one or more semiconductor, nanoelectronics, nanotechnology and/or related high tech end users, specifically assisting with site-grading improvements for the Cree-Wolfspeed project, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves a Supplemental Agreement between Oneida County and Economic Development Growth Enterprises Corporation d/b/a Mohawk Valley EDGE, in the sum of \$1,000,000.00, with a term commencing January 1, 2019 and ending December 31, 2019.

APPROVED: Economic Development & Tourism Committee (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

Adopted by the following vote:

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NOTE: At this Juncture a motion was made by Legislator Flisnik that pursuant to Rule 22 made a motion to suspend Rules 12 and 55 for the purpose of considering this Resolution only. Legislator Idzi seconded the motion. The motion was duly passed for the following resolution.

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

NO. 404 – FN 2019-409 – Messrs. Welsh, D’Onofrio, and Flisnik offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$1,000,000.00 TO A-6432.495116 – MV EDGE – PROMOTION OF OC

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$1,000,000.00 to A-6432.495116 – MV Edge – Promotion of OC, and

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

A-599 General Fund \$1,000,000.00

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2019 funds, as hereinafter set forth, is hereby approved:

TO:

A-6432.495116 MV Edge – Promotion of OC \$1,000,000.00

APPROVED: Economic Development & Tourism Committee (November 26, 2019)
Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

NOTE: At this Juncture a motion was made by Legislator Flisnik that pursuant to Rule 22 made to suspend Rules 12 and 55 for the purpose of considering this Resolution only. Legislator Idzi seconded the motion. The motion was duly passed for the following resolution.

NO. 405 – FN 2019-410 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF THE CLOSURE OF 29 CAPITAL PROJECTS

WHEREAS, Oneida County Executive, Anthony J. Picente, Jr., is in receipt of correspondence from the Oneida County Comptroller recommending the closure of certain Capital Projects, now, therefore, be it hereby

RESOLVED, That the following Capital Projects be, and hereby are abandoned:

2019 Capital Project Closures		
Account	Project	Balance
H374	COUNTY HIGHWAY BRIDGE	\$0.00
H403	ORISKANY FORMER AIRFIELD BLDG IMPROVE	\$0.00
H437	ONEIDA COUNTY HISTORICAL SOCIETY	\$0.00
H474	ENERGY PERFORMANCE IMPROVEMENTS	\$42,598.59
H476	MVCC PAYNE HALL EXTERIOR RESTORATION	\$0.00
H486	UMVMAA AUD IMPROVE 1	\$21,356.46
H501	CS - CASELOAD EXPLORER	\$696.35
H512	UMVMAA AUD IMPROVE 2	\$0.00

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

H517	CS - SAN REPLACEMENT	\$11.66
H518	CS - BACKUP SYSTEM UPGRADE	\$13.90
H519	CS - SERVER REPLACEMENT	\$1,717.84
H524	MVCC APPLIED EDUCATION	\$0.00
H529	UMVMAA AUD IMPROVE 3	\$0.00
H535	SHERIFF - WIRELESS COMPUTERS/DATA PLANS	\$0.00
H539	DPW - STORAGE FACILITY & FACILITY RENOVATION	\$540.70
H548	EMER SVCS - FY16 DHS HAZMAT	\$0.00
H549	EMER SVCS - FY16 DHS PSAP	\$0.00
H551	CS - SWITCH UPGRADE FOR MPLS LINKED	\$1,991.83
H555	UMVAA RENOVATIONS 2017	\$0.00
H556	EMER SVCS - 2016 INTEROPERABLE	\$0.00
H558	SHERIFF - 2016 SLETPP GRANT	\$0.00
H560	SHERIFF - 2016 DHSES CANINE GRANT	\$0.00
H561	EMER SVCS - FY17 DHS SHSP GRANT	\$0.00
H581	EMER SVCS - SICG FY2017 GRANT	\$0.00
H585	EMER SVCS 0 SH18-1023-D00 SHSP GRANT	\$0.00
	Capital Fund Total	\$68,927.33
2019 Capital Sewer Project Closures		
HG406	SEWER SYS & PLANT EVAL STUDY	\$316,413.71
HG446	CONTINUOUS EMISSIONS MONITORING	\$0.00
HG479	NORTH UTICA PARALLEL INTERCEPTOR	\$123,221.55
HG541	NEUTRALIZATION FACILITY STUDY/CONSTRUCTION	\$0.00
	Capital Sewer Fund Total	\$439,635.26
	Total of Closed Projects to be transferred to Debt Service fund	\$508,562.59

and it is further,

RESOLVED, That the total net effect of said closures shall be \$508,562.59 and shall be transferred to the County's Debt Service Fund for payment of bonds.

APPROVED: Ways and Means Committee (November 27, 2019)

DATED: November 27, 2019

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

AYES 18 NAYS 0 ABSENT 5 (Messrs. Brown, Davis, Mandryck, Welsh, Hendricks)

ROLL CALL SHEET

DATE: November 27, 2019

SESSION: Regular

MEMBERS PRESENT: 18

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	x	
R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

MEMBERS ABSENT: 5 (Messrs. Hendricks, Mandryck, Brown, Welsh, Davis)

AYES: 18 NAYS: 0 ABSENT: 5

INTRODUCTORY NO. 404

RESOLUTION NO. 405

R-8	FLISNIK	x	
D-9	SACC0	x	
R-10	JOSEPH	x	
R-11	KOENIG	x	
D-12	BROWN	absent	
D-13	GOODMAN	x	
D-14	DAVIS	absent	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	absent	
R-18	FURGOL	x	
R-19	WELSH	absent	
D-20	HENDRICKS	absent	
D-21	WASHBURN	x	
D-22	CONVERTIN O	x	
R-23	PAPARELLA	x	

PLACED ON LEGISLATORS DESK FOR CONSIDERATION

INTRODUCTORY
NO. 405

F.N. 2019-433

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Flisnik, D'Onofrio
2ND BY:

LOCAL LAW INTRO. "G" OF 2019
LOCAL LAW NO. ____ OF 2019

A LOCAL LAW ESTABLISHING A TRAFFIC TICKET DIVERSION PROGRAM

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF ONEIDA AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT.

- A. The Office of the District Attorney prosecutes violations of New York State Vehicle and Traffic Law in the City, Town,

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

and Village courts of Oneida County. A significant portion of these violations involve a threat to public safety as a result of poor driving habits and/or decision making. Many of these drivers would benefit from defensive and safe driving education that would improve their driving habits and increase public safety on the public roadways. It is the intent of this Local Law to authorize the establishment of a traffic ticket diversion program that would improve public safety by targeting particular motor vehicle operators for participation in a diversion program. This diversion program would include mandating defensive and safe driving courses for persons charged with certain Vehicle and Traffic Law violations. This will be a voluntary educational program entered by defendants with the goal to increase the safety of the roads in Oneida County.

- B. In order to effectuate “the government, protection, order, conduct, safety, health, and well-being of persons and property” [New York Municipal Home Rule Law §10] within Oneida County, the Oneida County Legislature hereby finds that it is in the best interests of Oneida County to establish a Traffic Ticket Diversion Program (the “Program”).

SECTION 2. ADMINISTRATION OF THE PROGRAM.

The Oneida County District Attorney is hereby authorized to establish this Program, and shall have complete discretion over the administration of the Program.

SECTION 3. ADMINISTRATIVE FEE

- A. The Oneida County District Attorney has authorization to set an administrative fee for the Program.
- B. The District Attorney shall collect the administrative fee, and thereafter, the District Attorney shall forward such funds to the Oneida County Commissioner of Finance.

SECTION 4. FEE DISBURSEMENT.

- A. The administrative fee shall be shared by the County and the City, Town, or Village that had jurisdiction over the Vehicle and Traffic offense(s) that was/were the subject of the diversion.
- B. Two-thirds (2/3) of the administrative fee shall be retained by the County and utilized by the Office of the District Attorney for administration of the Program, crime prevention programs, and educational programs. One-third (1/3) of the administrative fee shall be distributed to the City, Town, or Village where the tickets originated to cover the clerical work required for administration of the Program.
 - i. The County will forward the Cities, Towns, and Villages their share of the administrative fee on a quarterly basis.
- C. All such disbursements of the administrative fees by Oneida County from this Program to the Cities, Towns, and Villages shall be made pursuant to agreements approved by resolution of the Oneida County Legislature with such Cities, Towns, and Villages.

SECTION 5. SEVERABILITY.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalidated or unconstitutional, provided that such judgment does not invalidate this Local Law or prohibit its administration, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Sections 20, 21, and 27 of New York State Municipal Home Rule Law.

APPROVED: Public Safety Committee ()
Ways and Means Committee ()

DATED: Sit On Desks 11/27/2019

November 27, 2019
NOVEMBER MEETING
SECOND MEETING
Held on Wednesday, November 27, 2019 at 2:00 P.M.

Adopted by the following vote:
AYES NAYS ABSENT

PLACED ON LEGISLATORS DESKS FOR FUTURE CONSIDERATION

INTRODUCTORY
NO. 406

F.N. 2019-434

BOARD OF COUNTY LEGISLATORS
ONEIDA COUNTY

RESOLUTION NO.

INTRODUCED BY: Mr. Fiorini
2ND BY:
LOCAL LAW INTRO. H OF 2019
LOCAL LAW NO. ____ OF 2019

A LOCAL LAW AMENDING THE ONEIDA COUNTY CHARTER

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF ONEIDA, STATE OF NEW YORK, AS FOLLOWS:

1. That Article III, Section 306 of the Oneida County Charter shall be amended by the deletion of all matters that are in parenthesis and (~~stricken~~) and the addition of all matters in **bold and underlined** as set forth below:

There shall be in the office of the County Executive, a Division of Purchase, the head of which shall be a Purchasing Director who shall be appointed by and serve at the pleasure of the County Executive, subject to confirmation by the Board of County Legislators. The Purchasing Director shall, in accordance with the requirements as to advertising and competitive bidding, make purchases and sales of all materials, supplies and equipment and contract for the rental or servicing of equipment for the County, except as otherwise provided in this Charter or the Code. (~~He shall not contract for or furnish any services, equipment or other articles except upon the receipt of authorized requisitions and the certification(s) as to availability of funds.~~) He shall also have the powers and perform such duties in relation to printing and mail delivery services as defined in the Code.

2. This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Sections 20, 21 and 27 of the New York State Municipal Home Rule Law.

APPROVED: Ways & Means Committee ()

DATED:

Adopted by the following vote:
AYES NAYS ABSENT

PLACED ON LEGISLATORS DESKS FOR FUTURE CONSIDERATION

INTRODUCTORY
NO. 407

F.N. 2019-435

BOARD OF COUNTY LEGISLATORS
ONEIDA COUNTY

RESOLUTION NO.

INTRODUCED BY: Mr. Fiorini
2ND BY:

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

LOCAL LAW INTRO. I OF 2019

LOCAL LAW NO. ____ OF 2019

A LOCAL LAW AMENDING THE ONEIDA COUNTY ADMINISTRATIVE CODE

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF ONEIDA, STATE OF NEW YORK, AS FOLLOWS:

1. That Article III, Section 306 of the Oneida County Administrative Code shall be amended by the deletion of all matters that are in parenthesis and (~~stricken~~) and the addition of all matters in **bold and underlined** as set forth below:

(a) The Purchasing Director shall be the head of the Division of Purchase and shall have the powers and duties set forth in Section 306 of Article 3 of the (e)Charter. He shall, in addition to his powers and duties, set forth in the Charter or this Code, perform such other and related duties as the County Executive may require.

(b) The Purchasing Director shall:

(1) Establish and maintain a central purchasing system;

(2) Establish and enforce standard specifications with respect to supplies, materials, equipment, and services;

(3) Inspect or supervise, or otherwise provide for the inspection of all deliveries of supplies, materials and equipment and determine their quality, quantity and conformance to contract;

(4) Establish and maintain necessary contact and liaison with the Division of Information Technology, including but not limited to procedure for coordinating the controls as set forth relating to the disbursement and transfer of supplies, materials and equipment under the custody of the Division of Information Technology to any County administrative unit;

(5) Sell or lease any surplus, obsolete or unused supplies, materials and equipment under such rules and regulations as may be established by resolution of the Board of County Legislators;

(6) Upon the request of any city, town, village, school district or other unit of local government, act as purchasing agent for the same, either for all or for any part of its purchases, upon such conditions as may be prescribed by the Board of County Legislators;

(7) Except as otherwise provided in the Charter or this Code, and subject to the approval of the County Executive, approve and execute all contracts on behalf of the County with respect to the buying, selling or leasing of any supplies, materials, equipment and services other than personal services for any amount not more than such sum set forth in sub-division (c)(1) of this section. The County Executive shall execute all other contracts on behalf of the County as provided by Section 2202 of Article 22 of the Charter;

(8) Perform, under the direction of the County Executive, all other duties of a county purchasing agent under the laws of the State of New York, not inconsistent with the provisions of **the Charter or** this Code;

(9) Prepare procedural regulations to amplify the provisions of this section and submit such regulations to the County Executive for approval and upon such approval, promulgate and enforce compliance with such regulations.

(c) Purchasing Procedure.

(1) The Division of Purchase shall make all purchases of and contract for supplies, materials, equipment and services for the County, the Board of County Legislators or any administrative unit for the payment of which the County shall be liable **in an amount that exceeds \$250.00. The head of each administrative unit shall be authorized to make such purchases that do not exceed \$250.00** Any such purchase or contract of

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purchase involving an expenditure of the amount set forth in Section 103, sub-division (1) of the General Municipal Law of the State of New York, as amended, shall be made after advertisement in an official daily newspaper printed in the English language and published in the County of Oneida, and having a general circulation in the County of Oneida, which advertisement shall invite sealed bids for the same. The purchase of perishable foodstuffs, drugs and medical supplies, may be made without public advertisement when expressly permitted by written order of the County Executive.

(2) Such advertisement shall contain a statement of the time when and the place where all bids received pursuant to such notice will be publicly opened and read. At least five (5) days shall elapse between the first publication of such advertisement and the date specified therein for the opening and reading of bids. The Purchasing Director, or the person designated by him to open the bids at the time and place specified, shall make a record of such bids in such form and detail as the Purchasing Director shall prescribe. The contract shall be awarded to the lowest responsible bidder furnishing the required security, if any, after advertisement for sealed bids in the manner provided by this section. In cases where two or more responsible bidders furnishing the required security, if any, and submit identical bid as to price, the Purchasing Director may award the contract to any of such bidders. The Purchasing Director may, in his discretion, reject all bids and re-advertise for new bids in the manner provided by this section.

(3) The Purchasing Director may purchase supplies, materials, equipment or services to be rendered by contract without the advertisement required by paragraphs (1) and (2) of this section subsection (c) herein in the following cases:

(i) When the County Executive has declared a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting the life, health, or safety of inhabitants of the County of Oneida require immediate action which cannot await competitive bidding;

(ii) When, by resolution adopted by a vote of at least two-thirds (2/3) of the whole number, the Board of County Legislators has determined it to be impracticable to advertise for such bids;

(iii) When through some accident or other unforeseen circumstances the heating, air-conditioning, ventilating, lighting, plumbing system, machinery, equipment or other apparatus of any of the public buildings of the county shall become disabled or any of such buildings or parts thereof shall be rendered untenable by reason of the sudden action of the elements or for some cause due to explosion or fire or from generally unforeseeable events creating an emergency, and the administrative head in charge of such building shall certify in writing to the purchasing director such emergency and the necessity of immediate repair to the defect or defects, and such certificate of necessity is approved by the County Executive; or

(iv) w Whenever the machinery, equipment or other apparatus of the Department of Public Works or of the Department of Solid Waste Management becomes disabled or worn and requires immediate repair, making necessary the immediate purchase of parts for repairs to the same, the Commissioner of Public Works or the Commissioner of Solid Waste Management, as the case may be, shall certify in writing to the director of purchasing of the necessity of such immediate repair and/or replacement, and such certificate of necessity is approved by the County Executive.

(4) Upon the adoption of a resolution by a vote of at least two-thirds (2/3) of the whole number of the Board of County Legislators stating that, for reasons of efficiency and economy, there is need for standardization, purchase contracts for a particular type of or kind of equipment, material or services in excess of the amount fixed by the Board of County Legislators pursuant to paragraph (c)(1) of this section may be awarded to the lowest responsible bidder furnishing the required security, if any, after advertisement for sealed bids therefor in the manner provided by this section. Such resolution shall contain a full explanation of the reasons for its adoption.

(5) All required supplies which can be furnished by the State Department of Correction, and all required products made by the blind which can be furnished by any appropriate charitable non-profit making agency for the blind, incorporated under the laws of the State of New York, shall, after such purchases have been

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authorized, be purchased from them without competitive bidding at prices established pursuant to Section 175-a of the State Finance Law. In addition, the Purchasing Director may, without the competitive bidding herein before required, make purchases of supplies, materials or equipment, except printed materials, through the State Office of General Services, subject to such rules and regulations as may be established pursuant to section one hundred sixty-three of the State Finance Law or other applicable law.

(6) Surplus and second-hand supplies, materials or equipment may be purchased without competitive bidding from the Federal government, the State of New York or from any other political subdivision or district.

(7) Except as otherwise specifically provided, no supplies, materials or equipment shall be delivered except as specifically ordered by the head of each administrative unit if the purchase does not exceed \$250.00, or the Division of Purchase if the purchase exceeds \$250.00. No supplies, materials or equipment shall be purchased in an amount exceeding \$250.00 (delivered by such division to any administrative unit, officer or employee) except upon a requisition in writing.

(8) The Comptroller shall not audit any bill for supplies, materials, equipment or services unless it shall fully appear that such items or services were ordered by the appropriate head of the administrative unit or the Purchasing Director in accordance with the provisions of this Code and the appropriate head of the administrative unit or the Purchasing Director has certified the prices at which he made the purchases. All requisitions received by the Purchasing Director shall be filed in his office and open to public inspection under reasonable regulations for their safety and preservation. Neither (F) the Purchasing Director, nor the appropriate head of the administrative unit shall make (no) purchases until he has first secured the certification of the Comptroller that there are unencumbered balances available for the purpose.

(9) No bid for materials, supplies, equipment or services may be accepted from or contract therefor awarded to any person who is in arrears in taxes or upon debt or contract to or with the County or who has defaulted as surety or otherwise upon a contract or obligation to the County, or who may be otherwise disqualified under any act of the legislature not inconsistent with the Charter or this Code.

(d) Mail Services

(1) The Purchasing Director shall establish mailing services for all County Departments utilizing the services of the United States Postal Services and any other 3rd party carrier that can provide cost effective delivery services to administrative units. Additionally, the Mail Services shall process and deliver all inter-office mail by means of a dedicated County Mail Courier.

(e) Printing and Duplication Services

(1) The Purchasing Director shall establish and maintain printing, duplication and bindery services for all administrative units, and can extend those services to other local governments within Oneida County, as well as not-for-profit agencies within Oneida County.

2. This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Sections 20, 21 and 27 of the New York State Municipal Home Rule Law.

APPROVED: Government Operations ()
Ways & Means Committee ()

DATED: December 18, 2019

Adopted by the following vote:
AYES NAYS ABSENT

November 27, 2019

NOVEMBER MEETING

SECOND MEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.

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, November 27, 2019 at 2:00 P.M., typographical errors excepted.

MIKALE BILLARD

November 27, 2019

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SECOND MEEETING

Held on Wednesday, November 27, 2019 at 2:00 P.M.