

ADOPTED RESOLUTIONS FROM THE APRIL 29<sup>TH</sup> BOARD OF LEGISLATORS MEETING

**INTRODUCTORY**  
**NO. 155**

**F.N. 2009-116**

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 145**

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

**RE: APPROVAL TO REINSTATE POSITION #25, DEPUTY SHERIFF CIVIL, GRADE OJ, STEP 2  
IN AA#A3115 – SHERIFF-CIVIL (\$27,503)**

**WHEREAS,** Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Sheriff Daniel G. Middaugh, requesting authorization to reinstate Position #25, Deputy Sheriff Civil (previously identified as Position #15) which is essential to maintaining the safe and efficient operation of the Sheriff's Civil Division, and

**WHEREAS,** Said position was incorrectly designated as Position #15 and withdrawn by the Budget Director on March 6, 2009 for re-designation as Position #25, and

**WHEREAS,** In accordance with Resolution #27 of 2009, said position cannot be reinstated without prior approval by this Board, now, therefore, be it hereby

**RESOLVED,** That position #25, Deputy Sheriff Civil, Grade OJ, Step 2 (\$27,503) is hereby reinstated in Department #3115, Sheriff-Civil, effective immediately.

**APPROVED:** Public Safety Committee (April 13, 2009)  
Ways & Means Committee ( April 15, 2009)

**DATED:** April 29, 2009

Adopted by the following v.v. vote:  
AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

*INTRODUCTORY  
NO. 156*

*F.N. 2009-159*

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 146***

***INTRODUCED BY: Messrs. Wilcox, Porter  
2ND BY: Mr. Puma***

### **RE: AMENDMENT TO PURCHASE OF SERVICE AGREEMENT BETWEEN THE MENTAL HEALTH DEPARTMENT AND UPSTATE CEREBRAL PALSY**

**WHEREAS,** This Board is in receipt of an Amendment to a Purchase of Service Agreement between the Oneida County Department of Mental Health and United Cerebral Palsy to revise the Appendices packet to include Appendix L: Comprehensive Outpatient Program Services Contract Provisions, and

**WHEREAS,** In accordance with Local Law #3 of 2001, said Agreement 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 approves an Amendment to a Purchase of Service Agreement between the Oneida County Department of Mental Health and United Cerebral Palsy to revise the Appendices packet to include Appendix L: Comprehensive Outpatient Program Services Contract Provisions for the January 1, 2009 through December 31, 2009 term.

APPROVED: Public Health Committee (March 23, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:  
AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 147***

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

**RE: RESOLUTION AUTHORIZING THE FILING OF APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION FOR THE 2007 JOB ACCESS AND REVERSE COMMUTE GRANT AWARDED TO BIRNIE BUS SERVICE, INC.**

Resolution authorizing the filing of an application with the Federal Transit Administration (FTA), an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code, and other Federal statutes administered by the Federal Transit Administration.

**WHEREAS,** The Safe, Affordable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) signed into law on August 10, 2005 authorized the New Freedom Program (Section 5317). Job Access Reverse Commute Program (Section 5316), and Persons with Disabilities and Elderly Program (Section 5310); and requires the establishment of a locally developed, coordinated public transit-human services transportation plan for the three Federal Transit Administration (FTA) Programs; and

**WHEREAS,** The JARC Program relates to the development and maintenance of transportation services to transport welfare recipients and low-income individuals to and from employment; and

**WHEREAS,** The local application process of the HOCTS Coordinated Human Services Transportation Committee awarded \$47,461 of the JARC allocation to Birnie Bus Service, Inc. for three transportation projects, which are Expanded Shuttle Service in Utica, Expanded Fixed Routes in Utica, and a Marketing Program of these two projects; and

**WHEREAS,** Birnie Bus service will provide the required matching funds to this grant; and

**WHEREAS,** Birnie Bus Service has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project; and

**WHEREAS,** The Oneida County Executive has forwarded a request of the Planning Department for the JARC grants under Safe, Affordable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) for the JARC Program as it relates to the development and maintenance of transportation services to transport welfare recipients and low-income individuals to and from employment; now, therefore be it hereby

**RESOLVED,** By the Oneida County Board of Legislators:

1. That the Oneida County Executive is hereby authorized to execute and file an application for Federal assistance on behalf of Oneida County with the Federal Transit Administration to aid in the financing of operating costs for the local transit operators, human service agencies and related service providers pursuant to Safe, Affordable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU), and
2. That the County Executive is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation, and
3. That the Oneida County Executive is authorized to execute the cooperative agreement insuring the New York State and transportation service providers will provide the required local matching funds, and
4. That the Oneida County Commissioner of Planning is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for program of projects and budget, and
5. That the Oneida County Executive be, and hereby is, authorized and directed to file and execute all necessary grant agreements and contracts on behalf of Oneida County with the U.S. Department of Transportation, New York State and other relevant parties or delegate authority to the Oneida County Planning Department Commissioner for execution of a Federal Transit Administration agreement through Transportation Electronic Award and Management System (TEAM) for aid in the financing of the capital and/or operating assistance, program of projects and budget.

APPROVED: Economic, Development and Tourism Committee (April 15, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 148**

**INTRODUCED BY: Messrs. Paparella, Porter, LaBella, Hennessy  
2ND BY: Mr. Davis**

**RE: TRANSFER \$9,000 TO AA#A6011.49537, DSS-CHILD ADVOCACY CENTER**

**WHEREAS,** There is a need for additional funds in AA#A6011.49537, DSS-Child Advocacy Center, 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 of the total sum of \$9,000 from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A6011.102, Services Temporary Help..... \$9,000

TO:

AA#A6011.49537, Child Advocacy Center..... \$9,000

APPROVED: Human Resources Committee (March 25, 2009)  
                  Ways & Means Committee (April 15, 2009)

DATED:       April 29, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 149**

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

**RE: SUPPLEMENTAL APPROPRIATION OF \$24,000 TO AA#A3120.103, SHERIFF-LAW  
ENFORCEMENT, OVERTIME**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$24,000 to AA#A3120.103, Sheriff-Law Enforcement, Overtime, and

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

A3387, State Aid: Safety Traffic..... \$24,000  
now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

TO:  
A3120.103, Overtime..... \$24,000

APPROVED: Public Safety Committee (April 13, 2009)  
                  Ways & Means Committee (April 15, 2009)

DATED:       April 29, 2009

Adopted by the following v.v. vote:  
AYES 26 NAYS 1 (Mr. Scott) ABSENT 2 (Messrs. Fiorini, Paparella)

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 150**

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

**RE: SUPPLEMENTAL APPROPRIATION OF \$6,200 TO AA#A3120.295, SHERIFF-LAW  
ENFORCEMENT, EQUIPMENT**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$6,200 to AA#A3120.295 Sheriff-Law Enforcement, Equipment, and

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

A3387, State Aid: Safety Traffic..... \$6,200  
now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

TO:  
A3120.295, Law Enforcement Equipment..... \$6,200

APPROVED: Public Safety Committee (April 13, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:  
AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 151**

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

**RE: SUPPLEMENTAL APPROPRIATION OF \$5,000 TO AA#A3120, SHERIFF-LAW  
ENFORCEMENT, OVERTIME**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$5,000 to AA#A3120 Sheriff-Law Enforcement, Overtime, and

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

A3387, State Traffic Safety Grant..... \$5,000  
now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

TO:  
A3120.103, Law Enforcement Overtime..... \$5,000

APPROVED: Public Safety Committee (April 13, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:  
AYES 27 NAYS 1 (Mr. Scott) ABSENT 2 (Messrs. Fiorini, Paparella)



**INTRODUCTORY  
NO. 162**

**F.N. 2009-184**

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 152**

**INTRODUCED BY: Messrs. Wilcox, Porter  
2ND BY: Mr. Waterman**

### **RE: AMENDMENT TO PURCHASE OF SERVICE AGREEMENT BETWEEN THE MENTAL HEALTH DEPARTMENT AND HUMAN TECHNOLOGIES CORPORATION**

**WHEREAS,** This Board is in receipt of an Amendment to a Purchase of Service agreement between the Oneida County Department of Mental Health and Human Technologies Corporation, Inc., to revise the Appendices packet to include Appendix L: Comprehensive Outpatient Program Services Contract Provisions, and

**WHEREAS,** In accordance with Local Law #3 of 2001, 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 accepts an Amendment to a Purchase of Service agreement between the Oneida County Department of Mental Health and Human Technologies Corporation, Inc., to revise the Appendices packet to include Appendix L: Comprehensive Outpatient Program Services Contract Provisions upon execution through December 31, 2009.

APPROVED: Public Health Committee (April 6, 2009)  
                  Ways & Means Committee (April 15, 2009)

DATED:       April 29, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 153***

***INTRODUCED BY: Messrs. Wilcox, Porter***

***2ND BY: Mr. Joseph***

**RE: LETTER OF AGREEMENT BETWEEN THE OFFICE FOR THE AGING AND THE  
RESEARCH FOUNDATION OF SUNY**

**WHEREAS,** This Board is in receipt of a Letter of Agreement between the Oneida County Office for the Aging/Office of Continuing Care and the Research Foundation of SUNY to provide research, development, technical assistance, and evaluation of a service delivery program for individuals at risk for Medicaid spend downs and Nursing Home Placement, and

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

**RESOLVED,** That the Oneida County Board of Legislators authorizes and accepts an Agreement between the Oneida County Office for the Aging/Office of Continuing Care and the Research Foundation of SUNY to provide research, development, technical assistance, and evaluation of a service delivery program for individuals at risk for Medicaid spend downs and Nursing Home Placement during a term commencing upon execution thereof and ending March 31, 2010 at a proposed cost of \$200,000 supported, in full, by a Federal Grant.

APPROVED: Public Health Committee (April 6, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### *RESOLUTION NO. 154*

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

**RE: APPROVAL OF CONTRACT BETWEEN THE PUBLIC WORKS DEPARTMENT AND  
BONACCI ARCHITECTS, UTICA, NY, FOR PROFESSIONAL CONSULTING SERVICES  
RELATED TO ASBESTOS ABATEMENT**

**WHEREAS,** County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Public Works requesting approval of a Consultant Agreement between Oneida County and Bonacci Architects of Utica, NY, for the preparation of plans and specifications related to asbestos abatement and reconstruction of the 2<sup>nd</sup> floor in the Oneida County Office Building, and

**WHEREAS,** In accordance with Local Law #3 of 2001, said Agreement must be approved by the Oneida County Board of Legislators now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators authorizes and approves acceptance of a Consultant Agreement between Oneida County and Bonacci Architects of Utica, NY, for the preparation of plans and specifications related to asbestos abatement and reconstruction of the 2<sup>nd</sup> floor in the Oneida County Office Building, and it is further

**RESOLVED,** That funding for said services in the amount of \$118,600, plus monitoring fees, shall be supported, in full, by Capital Account #H-305.

APPROVED: Public Works Committee (April 13, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:  
AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 155***

***INTRODUCED BY: Messrs. Miller, Porter***

***2ND BY: Mr. Roefaro***

**RE: APPROVAL OF CONTRACT BETWEEN THE PUBLIC WORKS DEPARTMENT AND  
CRG CONSTRUCTION FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO  
ASBESTOS ABATEMENT**

**WHEREAS,** County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Public Works requesting approval of a Consultant Agreement between Oneida County and CRG Construction, LLC, of New Hartford, NY, to provide construction management services related to asbestos abatement and reconstruction of the 2<sup>nd</sup> floor in the Oneida County Office Building, and

**WHEREAS,** In accordance with Local Law #3 of 2001, said Agreement must be approved by the Oneida County Board of Legislators now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators authorizes and approves acceptance of a Consultant Agreement between Oneida County and CRG Construction, LLC, of New Hartford, NY, to provide construction management services related to asbestos abatement and reconstruction of the 2<sup>nd</sup> floor in the Oneida County Office Building, and it is further

**RESOLVED,** That funding for said services in the amount of \$129,000, plus monitoring fees, shall be supported, in full, by Capital Account #H-305.

APPROVED: Public Works Committee (April 13, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

**INTRODUCTORY  
NO. 166**

**F.N. 2009-190**

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 156**

**INTRODUCED BY: Messrs. Wood, Porter**

**2ND BY: Mr. Miller**

**RE: APPROVAL TO TRANSFER A SMALL PARCEL OF COUNTY OWNED PROPERTY TO THE TOWN OF FORESTPORT**

**WHEREAS,** The Town of Forestport has expressed an interest in acquiring a parcel of land adjacent to NYS Route 28 in the Town of Forestport which was abandoned by New York State and transferred to Oneida County as a result of a State highway reconstruction project, and

**WHEREAS,** Said parcel has no value to Oneida County and its proximity to NYS Route 28 creates a potential liability exposure, now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators authorizes and approves the transfer of real property, comprised of  $\frac{1}{4}$  acre adjacent to Route 28 in the Town of Forestport (identified as NYSDOT Survey Report File #M6227.061) from the County to the Town of Forestport to be used for municipal purposes, and it is further

**RESOLVED,** That the Chairman of the Oneida County Board of Legislators is hereby authorized and directed to execute a quit claim deed, on behalf of the County of Oneida, to effect conveyance of said parcel to the Town of Forestport.

APPROVED: Public Works Committee (April 13, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 157***

***INTRODUCED BY: Messrs. Wood, Porter***

***2ND BY: Mr. Leach***

**RE: APPROVAL OF CONTRACT BETWEEN THE PUBLIC WORKS DEPARTMENT AND MITCHELL GIURGOLA ARCHITECTS, LLP FOR PROFESSIONAL CONSULTING SERVICES ASSOCIATED WITH PREPARATION OF A MASTER PLAN FOR THE MVCC UTICA AND ROME CAMPUSES**

**WHEREAS,** County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Public Works requesting approval of a Consultant Agreement between Oneida County and Mitchell Giurgola Architects, LLP, of New York, NY, to provide professional consulting services associated with the development of a Master Plan for the Utica and Rome Campuses of Mohawk Valley Community College, and

**WHEREAS,** In accordance with Local Law #3 of 2001, said Agreement must be approved by the Oneida County Board of Legislators now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators authorizes and approves acceptance of a Consultant Agreement between Oneida County and Mitchell Giurgola Architects, LLP, of New York, NY, to provide professional consulting services associated with the development of a Master Plan for the Utica and Rome Campuses of Mohawk Valley Community College at a proposed cost of \$287,250, supported, in full, by Capital Account's H-365 (\$49,750) and H-431 (\$237,500).

APPROVED: Public Works Committee (April 13, 2009)  
Ways & Means Committee (April 15, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 158**

**INTRODUCED BY: Mr. Porter**

**2ND BY: Mr. Mandryck**

**RE: FINAL APPROVAL OF THE “OPEN ENROLLMENT” PERIOD FOR FARM LAND OWNERS**

**WHEREAS,** On December 10, 2003, the Oneida County Board of Legislators adopted Resolution #365 wherein a designated “Open Enrollment” period (January 1 through January 31) was established to consider the inclusion of any viable agricultural land in an Agricultural District prior to its sanctioned review period, and

**WHEREAS,** Following a review of landowner applications under consideration for inclusion in existing Agricultural Districts, and a Public Hearing on March 3, 2009, the Oneida County Agricultural & Farmland Protection Board has determined that 23 parcels, comprised of 10 landowners and 1,003 acres, are acceptable and approved same for the January 1 through January 31, 2009 “Open Enrollment” period, and

**WHEREAS,** Said recommendation 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 confirms recommendations made by the Oneida County Agricultural & Farmland Protection Board to accept 23 parcels, comprised of 10 landowners and 1,003 acres, as represented in documentation filed with the Clerk of this Board, for “Open-Enrollment”.

APPROVED: Ways & Means Committee (April 29, 2009)

DATED: April 29, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)