



ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5901

David J. Wood
Majority Leader

Patricia A. Hudak
Minority Leader

ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS
NUMBERED 145 THROUGH 169 THAT WERE ACTED UPON BY THE
BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR SESSION
HELD ON APRIL 28, 2010.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.145

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

**RE: APPROVAL FOR REIMBURSEMENT FROM NEW YORK STATE FOR EXPENSES
INCURRED BY THE PUBLIC DEFENDER'S OFFICE**

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

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

WHEREAS, Section 606 of the Correction Law and Title 7, Part 410 of the New York Code of Rules and Regulations (NYCRR) provides for reimbursement to counties when legal defense is provided by public funds, and

WHEREAS, The Oneida County Public Defender, Criminal Division, has certified to the Oneida County Board of Legislators that the expense incurred by him while undertaking said legal representation amounted to \$8,137.51 for the defense of Ian Hunter, Tamar A. Marshall, Lance Pridgen, Edwin Ramos, John A. Rizzi, Jose Rodriguez, Nicholas Rosario, and Jose Santos being inmates of the State of New York, now, therefore, be it hereby

RESOLVED, That the Clerk of the Oneida County Board of Legislators be and hereby is directed to submit a certified copy of this Resolution with attached vouchers, documents, and affidavit of the Oneida County Public Defender to the Budget and Finance Office of the NYS Department of Correctional Services as required by Section 606 of the Correction Law and Title 7, Part 410 of the New York Code of Rules and Regulations (NYCRR) for payment.

APPROVED: Public Safety Committee (April 6, 2010)
Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 146

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

**RE: AMENDMENT TO AN AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND
THE NYSDOH FOR THE WOMEN, INFANTS AND CHILDREN PROGRAM (WIC)**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from the Acting Public Health Director requesting approval of an Amendment to an Agreement between Oneida County and the NYS Department of Health, Division of Nutrition, to provide supplemental food, nutrition education, and referral services for eligible pregnant, postpartum and breast feeding women and for infants and children through the WIC Program and

WHEREAS, This Amendment to said agreement reflects a reduction in the program of 2.64% or \$31,349, and

WHEREAS, In accordance with Local Law #3 of 2001, 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 approves and accepts an amendment to the Purchase of Service Agreement between Oneida County and the NYS Department of Health, Division of Nutrition, to provide supplemental food, nutrition education, and referral services for eligible pregnant, postpartum and breastfeeding women and for infants and children through the WIC Program. The amendment reflects a reduction in the program of 2.64% or \$31,349 during the contract year of October 1, 2009 and ending September 30, 2010.

APPROVED: Public Health Committee (April 7, 2010)
 Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 147

***INTRODUCED BY: Messrs. Mandryck, Porter
2ND BY: Mr. Joseph***

RE: APPROVAL OF AN EXTENSION TO AN AGREEMENT BETWEEN THE ONEIDA COUNTY HEALTH DEPARTMENT AND NEW YORK STATE DEPARTMENT OF HEALTH-HEALTHY NEIGHBORHOOD PROGRAM

WHEREAS, This Board is in receipt of a request to extend an Agreement between the Oneida County Health Department and NYSDOH for the Healthy Neighborhood Program from September 30, 2009 through December 31, 2009, and

WHEREAS, In accordance with Local Law #3 of 2001, said extension of such 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 extension to an Agreement between the Oneida County Health Department and NYSDOH for the Healthy Neighborhood Program from September 30, 2009 through December 31, 2009.

APPROVED: Public Health Committee (April 7, 2010)
 Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v.vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 148

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Roefaro

RE: AMENDMENT TO A LEASE AGREEMENT BETWEEN ONEIDA COUNTY AND ADRON BLDG., LLC FOR OFFICE SPACE TO BE USED BY THE HEALTH DEPARTMENT

WHEREAS, This Board is in receipt of correspondence from County Executive Anthony J. Picente, Jr., and the Commissioner of Public Works requesting approval of an Amendment to a Lease Agreement between Oneida County and ADRON BLDG., LLC, 185 Genesee Street, Utica, NY, for office space used by the Oneida County Department of Health. The Amendment makes Oneida County responsible of janitorial services and credits the County with the value of the cleaning services currently provided by the landlord, and

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

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr., is authorized and directed to execute such documents as may be necessary to allow the County to amend the Lease Agreement with ADRON BLDG., LLC of Utica, NY to make Oneida County responsible of janitorial services and provide for a credit to the County in the amount of \$7,962. per year representing the value of the cleaning services currently provided by the landlord. . All other terms and conditions of the original lease dated August 29, 2007 shall remain in full force and effect as between parties.

APPROVED: Public Works Committee (April 6, 2010)
 Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:

AYES: 27 NAYS: 0 ABSENT: 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 149

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

**RE: ESTABLISHMENT OF CAPITAL PROJECT HG-448-CONSENT ORDER
SEWER REPAIRS-PHASE IIA**

WHEREAS, This Board is in receipt of a request to establish Capital Project HG-448-Consent Order Sewer Repairs-Phase IIA, and

WHEREAS, Phase IIA will include the comprehensive rehabilitation of the Sauquoit Creek Pumping Station, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes the establishment of Capital Project HG-448-Consent Order Sewer Repairs-Phase IIA as follows:

	<u>PROPOSESD</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonding	\$ 20,500,000.	\$ 0.	\$20,500,000.
Federal Aid	<u>0.</u>	<u>0.</u>	<u>0.</u>
TOTAL	\$20,500,000.	\$ 0.	\$20,500,000.

APPROVED: Public Works Committee (April 6, 2010)
Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following Roll Call vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 NAYS: 0

INTRODUCTORY NO. 150

RESOLUTION NO. 149

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 150

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

**RE: ESTABLISHMENT OF CAPITAL PROJECT HG-447-CONSENT ORDER
SEWER REPAIRS-PHASE I**

WHEREAS, This Board is in receipt of a request to establish Capital Project HG-447-Consent Order Sewer Repairs-Phase I, and

WHEREAS, Phase I will include the rehabilitation of manholes at the Sauquoit Creek Pumping Station, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes the establishment of Capital Project HG-447-Consent Order Sewer Repairs-Phase I as follows:

<u>PROPOSED</u>	<u>CHANGE</u>	<u>PROPOSED</u>	
Bonding	\$ 5,300,000.	\$ 0.	\$5,300,000.
Federal Aid	<u>0.</u>	<u>0.</u>	<u>0.</u>
TOTAL	\$5,300,000.	\$ 0.	\$5,300,000.

APPROVED: Public Works Committee (April 6, 2010)
Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following Roll Call. vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 **NAYS:** 0

INTRODUCTORY NO. 151

RESOLUTION NO. 150

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY LEGISLATORS

RESOLUTION NO. 151

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Mandryck

RE: A RESOLUTION AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT, IN THE COUNTY OF ONEIDA, NEW YORK, AT AN AGGREGATE MAXIMUM ESTIMATED COST OF \$5,300,000, AND AUTHORIZING THE ISSUANCE OF \$5,300,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Oneida, New York, as follows:

Section 1. The increase and improvement of facilities of the Oneida County Sewer District, consisting of a sanitary sewer collection system-manhole rehabilitation project for all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, at a maximum estimated cost of \$5,300,000, together with incidental expenses and improvements in connection therewith, is hereby approved.

Section 2. The plan for the financing of such aggregate maximum estimated cost is by the issuance of \$5,300,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, allocated as heretofore described in Section 1 hereof.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 40 years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of said County of Oneida, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. To the extent not paid by user charges adopted pursuant to County Law Section 266, there shall annually be apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law, an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds as the same shall become due.

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

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the County, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the County Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the *Observer Dispatch* and in the *Rome Sentinel*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

APPROVED: Public Works Committee (April 6, 2010)
Ways and Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following roll call vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 **NAYS:** 0

INTRODUCTORY NO. 152

RESOLUTION NO. 151

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY LEGISLATORS

RESOLUTION NO.152

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

RE: A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT IN AND FOR THE COUNTY OF ONEIDA, NEW YORK. (HG447)

WHEREAS, By proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Oneida, New York, has established a County sewer district designated and known as the Oneida County Sewer District; and

WHEREAS, the Board of the Oneida County Sewer District has duly caused a map and report, together with an estimate of cost, to be prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase and improvement of the facilities of said Sewer District; and

WHEREAS, said proposed increase and improvement of facilities of said Sewer District consists of a sanitary sewer collection system-manhole rehabilitation project for all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, at a maximum estimated cost of \$5,300,000, together with incidental expenses and improvements in connection with the aforesaid project, as more fully described in such map and report; and

WHEREAS, said County Legislature duly adopted a resolution on March 24, 2010, calling a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, said public hearing to be held at the County Office Building, in Utica, New York, in said County, on the 14th day of April, 2010, at 1:30 P.M., Prevailing Time; and

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

WHEREAS, said public hearing was duly held at the time and place aforesaid; and

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Oneida County Sewer District in the County of Oneida, New York as hereinbefore set forth and as more fully described in the

aforesaid map and report including an estimate of cost, and the same is hereby authorized at an aggregate maximum estimated cost of \$5,300,000, all as more fully described in the preambles hereby.

Section 2. The Board of said Oneida County Sewer District is hereby authorized and directed to proceed with such increase and improvement of the facilities of said Sewer District in the manner provided by Section 262 of the County Law.

Section 3. The Clerk of the County Legislature shall, within ten (10) days, cause a certified copy of such resolution to be recorded in the Office of the Clerk of the County of Oneida and when so recorded such resolution shall be presumptive evidence of the regularity of the proceedings for the authorization of the increase and improvement of the facilities of said Oneida County Sewer District as more fully described herein and of all other actions taken by the County Legislature in relation thereto.

Section 4. This resolution shall take effect immediately.

APPROVED: Public Works Committee (April 6, 2010)

Ways and Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following roll call vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 NAYS: 0

INTRODUCTORY NO. 153

RESOLUTION NO. 152

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY LEGISLATORS

RESOLUTION NO. 153

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Mandryck

RE: A RESOLUTION AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT, IN THE COUNTY OF ONEIDA, NEW YORK, AT AN AGGREGATE MAXIMUM ESTIMATED COST OF \$20,500,000, AND AUTHORIZING THE ISSUANCE OF \$20,500,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Oneida, New York, as follows:

Section 1. The increase and improvement of facilities of the Oneida County Sewer District, consisting of sanitary sewer collection system rehabilitation/replacement project for all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, at a maximum estimated cost of \$20,500,000, together with incidental expenses and improvements in connection therewith, is hereby approved.

Section 2. The plan for the financing of such aggregate maximum estimated cost is by the issuance of \$20,500,000 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 40 years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of said County of Oneida, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. To the extent not paid by user charges adopted pursuant to County Law Section 266, there shall annually be apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law, an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Comptroller, the chief fiscal officer. Such

notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Comptroller, consistent with the provisions of the Local Finance Law.

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the County, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the County Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the *Observer Dispatch* and in the *Rome Sentinel*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

APPROVED: PUBLIC WORKS COMMITTEE (APRIL 6, 2010)
WAYS AND MEANS COMMITTEE (APRIL 14, 2010)

DATED: APRIL 28, 2010

Adopted by the following roll call vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 **NAYS:** 0

INTRODUCTORY NO. 154

RESOLUTION NO. 153

DIST MEMBERS AYES NAYS

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY LEGISLATORS

RESOLUTION NO. 154

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

RE: A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT IN AND FOR THE COUNTY OF ONEIDA, NEW YORK. (HG-448)

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Oneida, New York, has established a County sewer district designated and known as the Oneida County Sewer District; and

WHEREAS, the Board of the Oneida County Sewer District has duly caused a map and report, together with an estimate of cost, to be prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase and improvement of the facilities of said Sewer District; and

WHEREAS, said proposed increase and improvement of facilities of said Sewer District consists of a sanitary sewer collection system rehabilitation/replacement project for all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, at a maximum estimated cost of \$20,500,000, together with incidental expenses and improvements in connection with the aforesaid project, as more fully described in such map and report; and

WHEREAS, said County Legislature duly adopted a resolution on March 24, 2010, calling a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, said public hearing to be held at the County Office Building, in Utica, New York, in said County, on the 14th day of April, 2010, at 1:45 P.M., Prevailing Time; and

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

WHEREAS, said public hearing was duly held at the time and place aforesaid; and

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Oneida County Sewer District in the County of Oneida, New York as hereinbefore set forth and as more fully described in the

aforesaid map and report including an estimate of cost, and the same is hereby authorized at an aggregate maximum estimated cost of \$20,500,000, all as more fully described in the preambles hereby.

Section 2. The Board of said Oneida County Sewer District is hereby authorized and directed to proceed with such increase and improvement of the facilities of said Sewer District in the manner provided by Section 262 of the County Law upon receipt of consent from the State Comptroller as to the expenditures for such project.

Section 3. The Clerk of the County Legislature shall, within ten (10) days, cause a certified copy of such resolution to be recorded in the Office of the Clerk of the County of Oneida and when so recorded such resolution shall be presumptive evidence of the regularity of the proceedings for the authorization of the increase and improvement of the facilities of said Oneida County Sewer District as more fully described herein and of all other actions taken by the County Legislature in relation thereto.

Section 4. This resolution shall take effect immediately.

APPROVED: Public Works Committee (April 6, 2010)
Ways and Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following roll call vote:

AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 NAYS: 0

INTRODUCTORY NO. 155

RESOLUTION NO. 154

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 155

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

RE: APPROVAL OF WORK ORDER #7-3 WITH SHUMAKER ENGINEERING

WHEREAS, On July 25, 2007, the Oneida County Board of Legislators authorized hiring Shumaker Consulting Engineering and Land Surveying, PC to provide engineering services to assist the County in complying with the consent order issued by the New York State Department of Environmental Conservation and in resolving permit issues affecting the Oneida County Water Control Pollution Plant, and

WHEREAS, Said contract calls for the Board to approve all Work Orders with associated pricing for specific tasks that are needed as the project develops, and

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Steven P. Devan, Commissioner of Water Quality and Water Pollution Control, requesting approval of Work Order #7-3 (\$66,000) for Shumaker Consulting Engineering and Land Surveying, PC as required by the Consent Order issued by NYSDEC to provide support for the Steering Committee, the Working Group and any of the subcommittees formed by said Steering Committee, now therefore be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves and authorizes acceptance of Work Order #7-3 for Shumaker Consulting Engineering and Land Surveying, PC for the purpose set forth therein at a total cost of \$66,000 supported in full by capital project HG406.

APPROVED: Public Works Committee (April 6, 2010)
 Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:

AYES 25 NAYS 2 (Flisnik, Brennan) ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 156

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

**RE: APPROVAL OF WORK ORDER #7-4, #13-1, #14, AND #16 FOR SHUMAKER
CONSULTING ENGINEERING AND LAND SURVEYING**

WHEREAS, On July 25, 2007, the Oneida County Board of Legislators authorized hiring Shumaker Consulting Engineering and Land Surveying, PC to provide engineering services for compliance with the consent order issued by the New York State Department of Environmental Conservation and to resolve permit issues affecting the Oneida County Water Pollution Control Plant, and

WHEREAS, Said contract calls for the Board to approve all Work Orders with associated pricing for specific tasks that are needed as the project develops, and

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Steven P. Devan, Commissioner of Water Quality and Water Pollution Control, requesting approval of said Work Order's #7-4 (\$50,000), #13-1 (\$188,000), #14 (\$149,000) and #16 (\$60,000) for Shumaker Consulting Engineering and Land Surveying, PC as required by the Consent Ordered issued by NYSDEC to pay for the scopes of work as set forth in detail in such Work Orders, now therefore be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves and authorizes acceptance of Work Orders #7-4, #13-1, #14, and #16 for Shumaker Consulting Engineering and Land Surveying, PC for the purposes and scopes of work as set forth in said work orders at a total cost of \$447,000 supported in full by the Water Pollution Control operating budget account #G8110.195.

APPROVED: Public Works Committee (April 6, 2010)
 Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:

AYES 25 NAYS 2 (Flisnik, Brennan) ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 157

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

RE: APPROVAL OF AN EXTENSION AGREEMENT BETWEEN THE ONEIDA COUNTY DEPARTMENT OF FINANCE AND CHASE BANK FOR ON-ROUTE PICKUP AND DELIVERY BY LOOMIS ARMORED US, INC.

WHEREAS, This Board is in receipt of an extension agreement between the Oneida County Department of Finance and Chase Bank for on-route pickup and delivery by Loomis Armored US, Inc., 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 extension agreement between the Oneida County Department of Finance and Chase Bank for on-route pickup and delivery by Loomis Armored US, Inc. commencing upon execution and ending December 31, 2010. All associated costs shall be paid by JP Morgan Chase Bank.

APPROVED: Internal Affairs Committee (March 24, 2010)
 Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 158

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

**RE: APPROVAL OF AN AMENDMENT TO AN AGREEMENT BETWEEN THE
HEALTH DEPARTMENT AND THE NEW YORK STATE DEPARTMENT OF
HEALTH - CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM**

WHEREAS, This Board is in receipt of an Amendment to a Purchase of Service Agreement between the Oneida County Health Department and the NYS Department of Health for the Children With Special Health Care Needs Program in Oneida County for a cost of living adjustment of \$1,111, and

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

RESOLVED, That the Oneida County Board of Legislators authorizes and accepts a Cost of Living Adjustment of \$1,111.00 between the Oneida County Health Department and the NYS Department of Health for the Children With Special Health Care Needs Program in Oneida County for the calendar year of April 1, 2009 and ending March 31, 2010. The funds must be used to promote the recruitment and retention of staff or respond to other critical non-personal service costs during this fiscal year..

APPROVED: Public Health Committee (April 7, 2010)
 Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 159

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

**RE: APPROVAL OF A CONTRACT IN THE AMOUNT OF \$80,285. BETWEEN THE
ONEIDA COUNTY DEPARTMENT OF HEALTH AND THE NEW YORK STATE
DEPARTMENT OF HOMELAND SECURITY**

WHEREAS, This Board is in receipt of a Contract between the Oneida County Department of Health and The New York State Office of Homeland Security to support health emergency preparedness planning efforts to prepare for and respond to a health emergency, and

WHEREAS, 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 Service Agreement between the Oneida County Department of Health and The New York State Office of Homeland Security to support health emergency preparedness planning efforts to prepare for and respond to a health emergency during a two year term commencing August 10, 2009 and ending August 10, 2011 at a cost of \$80,285 supported in full by federal funds.

APPROVED: Public Health Committee (April 7, 2010)
Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 160

***INTRODUCED BY: Messrs. Mandryck, Porter
2ND BY: Mr. Hendricks***

RE: APPROVAL OF COST OF LIVING AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY AND THE NYSDOH-CHILDHOOD LEAD POISONING PREVENTION PROGRAM

WHEREAS, This Board is in receipt of a Cost of Living Amendment to an Agreement between Oneida County through its Health Department and the NYS Department of Health Childhood Lead Poisoning Prevention Program to promote the recruitment and retention of staff or to respond to other critical non personal service costs, and

WHEREAS, In accordance with Local Law #3 of 2001, said amendment to the 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 a Cost of Living Amendment to the Agreement between Oneida County through its Health Department and the NYS Department of Health Childhood Lead Poisoning Prevention Program in the amount of \$11,716 for the calendar year of April 1, 2009 and ending March 31, 2010.

APPROVED: Public Health Committee (April 7, 2010)
Ways & Means Committee: (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 161

*INTRODUCED BY: Messrs. Mandryck, Porter
2ND BY: Mr. Clancy*

RE: APPROVAL OF COST OF LIVING AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY AND THE NYSDOH-IMMUNIZATION PLAN

WHEREAS, This Board is in receipt of a Cost of Living Amendment to the Agreement between Oneida County, through its Health Department, and the NYS Department of Health Immunization Plan. The purpose of this agreement is to promote the recruitment and retention of staff or to respond to other critical non personal service costs, 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 a Cost of Living Amendment to the Agreement between Oneida County through its Health Department and the NYS Department of Health Immunization Plan in the amount of \$8,853 for the calendar year of April 1, 2009 and ending March 31, 2010.

APPROVED: Public Health Committee (April 7, 2010)
Ways & Means Committee: (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:
AYES 27 NAYS 2 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 162

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

**RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES
DEPARTMENT AND THE RESOURCE CENTER FOR INDEPENDENT LIVING (RCIL)**

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and the Resource Center for Independent Living (RCIL) for two disability services specialists to provide services for TANF/Safety Net Family Recipients with disabilities, 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 accepts a Purchase of Service Agreement between the Oneida County Department of Social Services and the Resource Center for Independent Living (RCIL) for two disability services specialists to provide services for TANF/Safety Net Family Recipients with disabilities commencing May 1, 2010 and ending April 30, 2010 at a proposed cost of \$79,141, which cost covered in full by Federal funds.

APPROVED: Human Resources Committee (April 7, 2010)
Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 163

**INTRODUCED BY: Messrs. Paparella, Porter and Ms. Convertino
2ND BY: Mr. Joseph**

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

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and the Neighborhood Center of Utica to ensure that the individuals providing advocacy services are competent and trained in the area of child sexual abuse investigation, 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 accepts a Purchase of Service Agreement between the Oneida County Department of Social Services and the Neighborhood Center of Utica to ensure that the individuals providing advocacy services are competent and trained in the area of child sexual abuse investigation, for a term of one year commencing June 1, 2010 and ending May 31, 2011 at a proposed cost of \$78,867 which requires a County commitment of 23.81% or \$18,778.23.

APPROVED: Human Resources Committee (April 7, 1010)
Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 164

***INTRODUCED BY: Messrs. Paparella, Porter and Ms. Convertino
2ND BY: Mr. Hendricks***

**RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES
DEPARTMENT AND THE DEPARTMENT OF WORKFORCE DEVELOPMENT FOR THE
“PRIDE IN WORK” PROGRAM**

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and the Department of Workforce Development for the “Pride in Work” Program to help public assistance recipients or applicants obtain employment, 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 this Board authorizes and approves a Purchase of Service Agreement between the Oneida County Department of Social Services and the Department of Workforce Development for the “Pride in Work” Program to help public assistance recipients or applicants obtain employment, commencing July 1, 2010 and ending June 30, 2011 at a proposed cost of \$311,000. No County dollars will be expended for this program.

APPROVED: Human Resources Committee (April 7, 2010)
Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 165

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

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES DEPARTMENT AND JUNIOR JUNCTION DAY CARE

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and Junior Junction Day Care of Utica NY, to provide day care services for eligible families at two locations, 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 this Board authorizes and accepts a Purchase of Service Agreement between the Oneida County Department of Social Services and Junior Junction Day Care of Utica, NY, to provide day care services for eligible families at two locations (St. Lukes, 1714 Burrstone Road, New Hartford, NY, and St. Elizabeth's, 2215 Genesee Street, Utica, NY) during a term of one year commencing September 1, 2010 through August 31, 2011 at Market Rates determined by the State of New York which requires a County share of 4%.

APPROVED: Human Resources Committee (April 7, 2010)
Ways & Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ONEIDA COUNTY LEGISLATORS

RESOLUTION NO. 166

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Brennan

RE: A RESOLUTION APPROVING THE ESTABLISHMENT OF A ZONE OF ASSESSMENT IN CONNECTION WITH AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT IN AND FOR THE COUNTY OF ONEIDA, NEW YORK.

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Oneida, New York, has established a County sewer district designated and known as the Oneida County Sewer District; and

WHEREAS, the Board of the Oneida County Sewer District has duly caused a map and report, together with an estimate of cost, to be prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase and improvement of the facilities of said Sewer District; and

WHEREAS, said proposed increase and improvement of facilities of said Sewer District consists of a sanitary sewer collection system rehabilitation/replacement project, at a maximum estimated cost of \$5,300,000, together with incidental expenses and improvements in connection with the aforesaid project, as more fully described in such map and report; and

WHEREAS, such project will be of special benefit to all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, which is to be assessed for the cost of such project by establishing the boundaries thereof as a zone of assessment; and

WHEREAS, said County Legislature duly adopted a resolution on March 24, 2010, calling a public hearing on the aforesaid increase and improvement of facilities and the creation of the zone of assessment in accordance with the provisions of the County Law, said public hearing to be held at the County Office Building, in Utica, New York, in said County, on the 14th day of April, 2010, at 1:30 P.M., Prevailing Time; and

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

WHEREAS, said public hearing was duly held at the time and place aforesaid; and

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to create a zone of assessment within the Sewer District consisting of real property served by the Sewer District in the Towns of Paris and Whitestown, the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and the portion of the Town of New Hartford (other than those properties described in Exhibit A), all in connection with the increase and improve the facilities of the Oneida County Sewer District in the County of Oneida, New York as hereinbefore set forth and as more fully described in the aforesaid map and report including an estimate of cost.

Section 2. This resolution is adopted subject to permissive referendum.

APPROVED: Public Works Committee (April 6, 2010)
Ways and Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following roll call vote:
AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 NAYS: 0

INTRODUCTORY NO. 167

RESOLUTION NO. 166

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY LEGISLATORS

RESOLUTION NO. 167

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Brennan

RE: A RESOLUTION APPROVING THE ESTABLISHMENT OF A ZONE OF ASSESSMENT IN CONNECTION WITH AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT IN AND FOR THE COUNTY OF ONEIDA, NEW YORK.

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Oneida, New York, has established a County sewer district designated and known as the Oneida County Sewer District; and

WHEREAS, the Board of the Oneida County Sewer District has duly caused a map and report, together with an estimate of cost, to be prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase and improvement of the facilities of said Sewer District; and

WHEREAS, said proposed increase and improvement of facilities of said Sewer District consists of a sanitary sewer collection system rehabilitation/replacement project, at a maximum estimated cost of \$20,500,000, together with incidental expenses and improvements in connection with the aforesaid project, as more fully described in such map and report; and

WHEREAS, such project will be of special benefit to all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, which is to be assessed for the cost of such project by establishing the boundaries thereof as a zone of assessment; and

WHEREAS, said County Legislature duly adopted a resolution on March 24, 2010, calling a public hearing on the aforesaid increase and improvement of facilities and the creation of the zone of assessment in accordance with the provisions of the County Law, said public hearing to be held at the County Office Building, in Utica, New York, in said County, on the 14th day of April, 2010, at 1:45 P.M., Prevailing Time; and

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

WHEREAS, said public hearing was duly held at the time and place aforesaid; and

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to create a zone of assessment within the Sewer District consisting of real property served by the Sewer District in the Towns of Paris and Whitestown, the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and the portion of the Town of New Hartford (other than those properties described in Exhibit A), all in connection with the increase and improve the facilities of the Oneida County Sewer District in the County of Oneida, New York as hereinbefore set forth and as more fully described in the aforesaid map and report including an estimate of cost.

Section 2. This resolution is adopted subject to permissive referendum.

APPROVED: Public Works Committee (April 6, 2010)
Ways and Means Committee (April 14, 2010)

DATED: April 28, 2010

Adopted by the following roll call vote:

AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 **NAYS:** 0

INTRODUCTORY NO. 168

RESOLUTION NO. 167

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.168

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Brennan

RE: HOME RULE REQUEST SUPPORTING SENATE BILL NO. S7188 AND ASSEMBLY BILL NO. A10297 TO AMEND THE STATE FINANCE LAW IN RELATION TO THE ONEIDA INDIAN NATION REAL PROPERTY TAX DEPOSITORY FUND

WHEREAS, In 2005, the U.S. Supreme Court, in its City of Sherrill Decision, ruled that properties owned by the Oneida Indian Nation (OIN) would be subject to property taxes resulting in uncertainty as to when, or to what extent, such taxes would be paid, and

WHEREAS, The U.S. District Court further ruled that the County of Oneida would be barred from enforcing tax foreclosure procedures, and

WHEREAS, In an effort to protect the interests of the citizens of Oneida County, the State enacted Chapter 521 of the Laws of 2005 commonly known as the "Meier Law" which limits the effects of unpaid OIN taxes on the County's tax guarantees to localities, limits the effects of assessments on OIN lands to our sales tax distribution to localities, limits the effect of those assessments on the VVS pupil wealth ratio thereby preserving that Districts' State Aid, and creates a separate fund to fairly distribute such tax payments when they are eventually made, and

WHEREAS, Said Law is set to expire June 30, 2010 and the U.S. District Court Order, which is on appeal, remains unsettled thereby necessitating the extension of such law through June 30, 2012 unless taxes are paid sooner, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators sends a Home Rule Request to Representatives in the NYS Senate and NYS Assembly urging the introduction and passage of Senate Bill No. S7188 and Assembly Bill No.A10297 to amend the State Finance Law in relation to the Oneida Indian Nation Real Property Tax Depository Fund and to extend such provisions through June 30, 2012, unless such taxes are paid sooner, and it is further

RESOLVED, That the Clerk of this Board is hereby authorized and directed to forward a certified copy of this Resolution and Home Rule Request on the appropriate form to Senators Joseph A. Griffo and David J. Valesky, Assemblywoman RoAnn M. Destito and Assemblymen David R. Townsend and William D. Magee and to the Home Rule Counsels for the New York State Senate and Assembly.

APPROVED: Ways & Means Committee (April 28, 2010)

DATED: April 28, 2010

Adopted by the following roll call vote:

AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 **NAYS:** 0

INTRODUCTORY NO. 169

RESOLUTION NO. 168

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	

ONEIDA COUNTY LEGISLATORS

RESOLUTION NO. 169

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

**RE: A RESOLUTION APPROVING AN APPLICATION TO THE STATE
COMPTROLLER'S OFFICE IN CONNECTION WITH PROPOSED EXPENDITURES
FOR THE COUNTY SEWER DISTRICT**

WHEREAS, after all proceedings were duly had and taken the County Board of Legislators has duly approved the increase and improvement of the County Sewer District and the construction of the improvements therefore, subject to State Comptroller's approval as to the expenditures therefore;
NOW, THEREFORE, BE IT

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

Section 1. The application to the State Comptroller's office attached hereto as Exhibit A has been prepared at the direction of the Board of Legislators and the Board believes the contents of such application to be accurate.

Section 2. The Board of Legislators has determined that the improvements for the District are in the public interest and will not constitute an undue burden on the property which will bear the cost thereof and that all real property to be so assessed will be benefited by the proposed improvements and no benefited property has been excluded from the boundaries of the District.

Section 3. This resolution shall take effect immediately.

APPROVED: Public Works Committee (April 28, 2010)
Ways and Means Committee (April 28, 2010)

DATED: April 28, 2010

Adopted by the following roll call vote:

AYES 27 NAYS 0 ABSENT 2 (Wood, Hudak)

ROLL CALL

DATE April 28, 2010

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: 2

AYES: 27 NAYS: 0

INTRODUCTORY NO. 170

RESOLUTION NO. 169

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	ABS	
D-29	HUDAK	ABS	