



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 248 THROUGH 258 THAT WERE ACTED UPON BY THE
BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR SESSION
HELD ON JULY 28, 2010.**

County Legislator	Brian Paul Mandryck	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	8.93
County Legislator	Emil R. Paparella	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	29.28
County Legislator	Stephen A. Roefaro	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	12.17
County Legislator	Frederick Sadallah	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	17.10
County Legislator	Frank D. Tallarino	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	5.08
County Legislator	Michael B. Waterman	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	13.5
County Legislator	Edward P. Welsh	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	12.11
County Legislator	David K. Wilcox	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	3.72
County Legislator	David J. Wood	XXXX	XXXX	6	01/01/2010 – 12/31/2011	N	19.99
<u>Appointed Officials</u>							
Clerk of the Board	Mikale P. Billard	XXXX	XXXX		01/01/2010-12/31/11	Yes	N/A
Deputy Clerk of the Board	Phyllis Parry	XXXX	XXXX		01/01/2010-12/31/11	Yes	N/A
Secretary to the Board of Legislators	Genevieve Messa	XXXX	XXXX		01/01/2010-12/31/11	Yes	N/A
Majority Analyst	Rose Grimaldi	XXXX	XXXX		01/01/2010-12/31/11	Yes	N/A
Minority Analyst	Cami L. Greene	XXXX	XXXX		01/01/2010-12/31/11	Yes	N/A
Worker's Compensation Director	Michael Lally	XXXX	XXXX		6/30/2010-12/31/2010	Yes	N/A

APPROVED: Ways & Means Committee (July 14, 2010)

DATED: July 28, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Davis, Roefaro)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 249

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN THE ONEIDA COUNTY HEALTH
DEPARTMENT AND THE FAMILY NURTURING CENTER OF CENTRAL NEW YORK**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is receipt of correspondence from Gayle D. Jones, Director of Health, requesting approval of an Agreement between Oneida County and the Family Nurturing Center of Central NY, for implementation of the national home visiting program, 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 Purchase of Service Agreement between Oneida County and the Family Nurturing Center of Central NY for implementation of the national home visiting program as directed by the NYS Office of Children and Family Services commencing July 1, 2010 and ending June 30, 2011 at a proposed cost of \$698,956 supported, in full, by State funds.

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

DATED: July 28, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Messrs. Davis, Roefaro)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 250

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN THE ONEIDA COUNTY HEALTH
DEPARTMENT AND THE NYSDOH FOR THE EARLY INTERVENTION PROGRAM**

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Health and the NYS Department of Health to provide evaluation and coordination services for the Early Intervention Program, 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 accepts a Purchase of Service Agreement between the Oneida County Department of Health and the NYS Department of Health to provide evaluation and coordination services for the Early Intervention Program commencing October 1, 2009 through September 30, 2011 at a proposed cost of \$92,526 supported, in full, by the NYS Department of Health.

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

DATED: July 28, 2010

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

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 251

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

**RE: RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE
ANNUAL SERVICE AGREEMENT WITH BIRNIE BUS SERVICE**

WHEREAS, The Federal Transit Administration approved Oneida County's Grant application NY-90-X635 under the Federal Transit Administration through the Transportation Electronic Award and Management System (TEAM) to aid in the financing of capital expenses and/or operating deficits for Birnie Bus Tours, Inc., and

WHEREAS, The Federal Transportation Administration approved \$459,711 to cover operating and preventive maintenance expenses and grant administration expenses, and

WHEREAS, Birnie Bus Tours, Inc., will provide the required local share, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and directs County Executive Anthony J. Picente, Jr., to execute the Annual Service Agreement with Birnie Bus Tours, Inc., insuring that the transportation service provider will provide stipulated services and the required local matching funds.

APPROVED: Economic Development & Tourism Committee (July 6, 2010)
Ways & Means Committee (July 14, 2010)

DATED: July 28, 2010

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

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 252

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

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY AND THE NYS OFFICE OF CHILDREN AND FAMILY SERVICES, COMMISSION FOR THE BLIND AND VISUALLY HANDICAPPED

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Public Works requesting approval of a Memorandum of Agreement between Oneida County and the New York State Office of Children and Family Services, Commission for the Blind and Visually Impaired, for operation of a newsstand/vending facility on the first and third floors of the County Office Building and vending concessions in the Courthouse, and

WHEREAS, Said Agreement shall be for an indefinite period of time commencing March, 1, 2010 with the express right of either party to terminate same by giving sixty days written notice prior to subject termination, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves a Memorandum of Agreement between Oneida County and the New York State Office of Children and Family Services, Commission for the Blind and Visually Impaired, for operation of a newsstand/vending facility on the first and third floors of the County Office Building and vending concessions in the Courthouse, for an indefinite period of time commencing March 1, 2010 in accordance with terms and conditions more specifically set forth in said Agreement on file with the Clerk of this Board.

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

DATED: July 28, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Davis, Roefaro)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 253

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN THE ONEIDA COUNTY
DEPARTMENT OF PUBLIC WORKS AND SHUMAKER CONSULTING
ENGINEERING**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Dennis S. Davis, Commissioner of Public Works, requesting approval of an Agreement with Shumaker Consulting Engineering for the preparation of plans and specifications for Phase 2 of the 2010 bridge and structure replacement/rehabilitation program, 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 the acceptance of an Agreement with Shumaker Consulting Engineering for the preparation of plans and specifications for Phase 2 of the 2010 bridge and structure replacement/rehabilitation program at a proposed cost of \$158,100 supported, in full, by Capital Project H-374, County Highway Bridge Program (Phase 3).

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

DATED: July 28, 2010

Adopted by the following v.v. vote:
AYES 26 NAYS 1 (Mr. Porter) ABSENT 2 (Davis, Roefaro)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 254

INTRODUCED BY: Messrs. Mandryck, Porter

2ND BY: Mr. Wood

RE: SUPPLEMENTAL APPROPRIATION OF \$26,425 TO AA#A4059.0 PUBLIC HEALTH, EARLY INTERVENTION ADMINISTRATION

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$26,425 to AA#A4059.0 Public Health, Early Intervention Administration, and

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

RA#A4451, Federal Aid-Early Intervention	\$26,425
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now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2010 funds, as hereinafter set forth, be and the same is hereby approved:

TO:	
AA#A4059.211, Office Equipment.	\$13,500
AA#A4059.411, Office Supplies	\$ 1,000
AA#A4059.413, Rent/Lease-Equipment.	\$ 925
AA#A4059.491, Other Materials and Supplies.	\$ 1,000
AA#A4059.495, Other Expenses.	\$10,000
TOTAL	\$26,425

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

DATED: July 28, 2010

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

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 255

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

RE: APPROVAL OF TWELVE REFUNDS AND NINE CORRECTIONS OF ERRONEOUS TAX ASSESSMENTS

WHEREAS, The Commissioner of Finance has forwarded twelve applications for refunds totaling \$3,081.38 in the City of Utica and the Towns of Augusta, Marshall and Vienna and nine corrections for erroneous tax assessments in the Towns of Lee, New Hartford, Remsen and Vienna totaling \$6,718.00, and

WHEREAS, Title 3 of Article 5 of the Real Property Tax Law outlines the procedure that must be followed to process the applications for refunds and for correction of taxes, and

WHEREAS, The Commissioner of Finance has transmitted his written report to the Board and this Board has reviewed said applications and claimed errors and made its recommendations, now, therefore, be it hereby

RESOLVED, That this Board concurs with the recommendations of the Oneida County Commissioner of Finance and directs that the Clerk of the Board take such action as required by Title 3 of Article 5 of the Real Property Tax Law, so as to reflect the corrected taxes as determined by said Commissioner, and be it further

RESOLVED, That this Board does hereby order that the taxes be corrected as recommended by the Commissioner of Finance and that the officer having jurisdiction of the tax rolls correct such rolls accordingly.

APPROVED: Internal Affairs Committee (July 6, 2010)
Ways & Means Committee (July 14, 2010)

DATED: July 28, 2010

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

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 256

INTRODUCED BY: *Messrs. Waterman, Porter, Welsh, Sadallah, Paparella, Hendricks, Caruso, Furgol, Welch, Ms. Convertino*
2ND BY: *Mr. Wood*

RE: APPROVAL OF AN INTER MUNICIPAL AGREEMENT BETWEEN ONEIDA COUNTY AND THE CITY OF UTICA FOR THE DISPOSITION OF TAX SALE PROPERTIES

WHEREAS, Oneida County and the City of Utica have reached an Inter Municipal Agreement in the levy and collection of their respective real property taxes which will allow for a more efficient and effective way to restore tax delinquent properties to their respective tax rolls and will allow each municipality to coordinate their respective tax sales to provide the greatest opportunity to collect unpaid taxes, now, therefore, be it hereby

RESOLVED, The Board approves and accepts the proposed Inter-Municipal Agreement for disposition of Tax Sale Properties in the City of Utica, a copy of which is filed with the Clerk of this Board and is available for public inspection, and be it further

RESOLVED, That the Oneida County Board of Legislators authorizes and directs County Executive Anthony J. Picente, Jr., to execute the Inter Municipal Agreement with the City of Utica to facilitate the restoration of delinquent tax properties to the tax rolls and to provide for greater coordination of tax sales to maximize the collection of unpaid property taxes. Said Inter Municipal Agreement shall take affect upon execution.

APPROVED: Internal Affairs Committee (July 6, 2010)
 Ways & Means Committee (July 14, 2010)

DATED: July 28, 2010

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

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 257

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

RE: GRANT BETWEEN ONEIDA COUNTY HEALTH DEPARTMENT AND THE NYSDOH FOR THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM

WHEREAS, This Board is in receipt of an Agreement between Oneida County and the NYS Department of Health for the Childhood Lead Poisoning Prevention Program in Oneida County, 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 approves an Agreement between Oneida County and the NYS Department of Health for the Childhood Lead Poisoning Prevention Program in Oneida County commencing April 1, 2010 and ending September 30, 2010 at a State funded cost of \$73,044.

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

DATED: July 28, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Davis, Roefaro)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 258

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

**RE: RESOLUTION SCHEDULING A PUBLIC HEARING ON THE PROPOSED 2010-2011 MVCC
OPERATING BUDGET FOR AUGUST 11, 2010 AT 1:30 IN THE LEGISLATIVE CHAMBER**

WHEREAS, The proposed Mohawk Valley Community College Budget for 2010-2011 has been duly presented to this Board by the County Executive, and

WHEREAS, Pursuant to Section 606 of the Oneida County Administrative Code, it is necessary to have a Public Hearing on said proposed Budget, now, therefore, be it hereby

RESOLVED, That the Clerk of this Board be, and hereby is, authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the County stating the time, place and purpose of such Hearing, and it is further

RESOLVED, That said Public Hearing shall be held in the Legislative Chamber, Oneida County Office Building, tenth floor, 800 Park Avenue Utica, NY, on August 11, 2010, at 1:30 PM.

Approved: Ways & Means Committee (July 28, 2010)

DATED: July 28, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Davis, Roefaro)