

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

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

- R-1 Keith Schiebel (Vernon, District 1, 2, 3, 4, 5; Verona, District 5)
- R-2 Colin Idzi (Augusta District 1, 2; Kirkland District 3, 8; Marshall District 1, 2; Sangerfield District 1, 2)
- R-3 Norman Leach (Rome 3rd Ward, District 3; Verona Districts 3, 4, 6; Vienna District 1, 2, 3, 4)
- D-4 Michael J. Clancy (Rome Ward 1, District 1, 2; Ward 2 District 2, 3, Ward 3 District 1, 4, 5; Ward 4 District 5; Ward 7 District 2; Verona District 1, 2)
- R-5 Michael B. Waterman (Annsville, District 1, 2, 3; Camden District 1, 2, 3; Florence District 1; Lee District 3)
- R-6 Michael Boucher (Ava District 1; Boonville District 1, 2, 3, 4; Forestport District 1, 2; Remsen District 1; Steuben District 1)
- R-7 Gerald J. Fiorini (Lee District 5; Rome Ward 6 District 1, 2, 3, 4, Ward 7 District 1, 3, 4, 5)
- R-8 Richard A. Flisnik (Floyd District 2, 3; Marcy District 1, 2, 3, 4; Whitestown District 5)
- D-9 Philip M. Sacco (Deerfield District 1, 2, 3; Floyd District 1; Trenton District 1, 2, 3, 4)
- R-10 George Joseph (Kirkland District 1, 10; Rome Ward 2, District 1; Westmoreland District 1, 2, 3, 4)
- R-11 Robert Koenig (Whitestown District 1, 2, 4, 6, 7, 8, 9, 13, 15)
- D-12 Michael Brown (Rome Ward 3 District 2; Ward 4 District 1, 2, 3, 4; Ward 5 District 1, 2, 3, 4)
- D-13 William B. Goodman (New Hartford Ward 2 District 1, 2; Whitestown District 3, 10, 11, 12, 14, 16)
- D-14 Chad Davis (Kirkland District 2, 4, 5, 6, 7, 9; New Hartford Ward 4 District 1, 2, 3, 4)
- R-15 James M. D’Onofrio (New Hartford Ward 1 District 3, 5; Ward 2 District 3, 4; Ward 3 District 1, 2, 3, 4)
- R-16 Mary A. Pratt (Bridgewater District 1; New Hartford Ward 1 District 1, 2, 4; Paris District 1, 2, 3)
- R-17 Brian P. Mandryck (Lee District 1, 2, 4; Rome Ward 1 District 3, 4; Ward 6 District 5; Western District 1, 2, 3)
- R-18 Joseph Furgol (Utica Ward 4 District 1, 2, 3, 4, 5, 6, 7, 8, 9)
- R-19 Edward P. Welsh (Utica Ward 3 District 1, 2, 3, 4, 5, 6, 7, 8, 9; Ward 5 District 2)
- D-20 William R. Hendricks (Utica Ward 1 District 8; Ward 5 District 1, 3, 4, 5, 6)
- D-21 Lori Washburn (Utica Ward 2 District 1, 3, 4, 5, 6, 7; Ward 3 District 10; Ward 5 District 7)
- D-22 Rose Ann Convertino (Utica Ward 1 District 1, 2, 3, 4, 5, 6, 7; Ward 2 District 2, 8)
- R-23 Emil R. Paparella (Utica Ward 6, District 1, 2, 3, 4, 5, 6, 7, 8, 9)

ROLL CALL: 21 PRESENT

MEMBERS PRESENT: Schiebel, Idzi, Leach, Clancy, Waterman, Boucher, Fiorini, Flisnik, Sacco, Joseph, Brown, Goodman, Davis, D’Onofrio, Pratt, Furgol, Welsh, Hendricks, Washburn, Convertino, Paparella.

ABSENT MEMBERS: Koenig, Mandryck

During the public Comment Section Chairman Fiorini called to the Podium Joe Sallustio from Sylvan Beach. He spoke regarding the flood mitigation at Sylvan Beach and the Mosquito spraying in that area. Ms. Bobbie O’Birien was called to the podium and she spoke in regards to the Erie Canal.

PETITIONS AND COMMUNICATIONS

- FN 2019 – 230 – Deputy Director of Information Technology
- FN 2019 – 242 – Appointment to the Oneida County Ethics Board
- FN 2019 – 243 – Appointment to the Oneida County Ethics Board
- FN 2019 – 244 – Cornell Cooperative Extension Association to provide agriculture education in Oneida County schools.
- FN 2019 – 245 – 2019 Resource Allocation Plan
- FN 2019 - 246 – Taxiway “E” Connector Grant – Design only
- FN 2019 – 248 – Granting of Easement, Niagara Mohawk Power Corporation, Oneida County Water Pollution Plant Upgrades
- FN 2019 – 249 - \$200,000 incentive from Empire State Development for reconstruction of the Railway Express Agency Building
- FN 2019 – 250 - HG-567 – Funding North Utica Interceptor Phase II – Canal Crossing
- FN 2019 – 252 – GRANT: Electronic Poll Books Capital Grant Project
- FN 2019 – 253 – Re-appointment for Carl A. Annese
- FN 2019 – 254 – K-9 and handler to be assigned to the jail
- FN 2019 – 255 – Body Armor and Shields
- FN 2019 – 256 – Fit Test Machine to be housed at the Rome Fire Department
- FN 2019 - 257 - Amendment – Selective STOP-DWI Crackdown Patrols
- FN 2019 – 258 – Project GIVE
- FN 2019 – 259 – Victim and Witness Assistance program grant
- FN 2019 - 260 – Victim/Witness Coordinator positions
- FN 2019 – 261 – Victim and Witness Assistance Grant Program

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- FN 2019 – 262** – RFP 2019-268 Professional Services for Onsite Scanning vendor recommendation
- FN 2019 – 263** – 2019 Early Voting Poll Site Agreement – Town of New Hartford
- FN 2019 – 264** – 2019 Early Voting Poll Site Agreement – Westmoreland Fire Dept.
- FN 2019 – 265** – NYSDOT Grant PIN 2905.75, Nose Dock 782 Construction
- FN 2019 – 266** – Design Grant, Building 100 phase II, NYSDOT 2905.76
- FN 2019 – 267** – Capital Project H-589 – Griffiss Intl. – Building 100 Phase II
- FN 2019 – 268** – Request for Two Airport Maintenance Worker
- FN 2019 – 270** – Flood Mitigation Committee Projects
- FN 2019 – 271** – Building and Grounds – Automotive Equipment
- FN 2019 – 272** – Capital Project H-523. RE: 301 W. Dominick Street
- FN 2019 – 273** – Capital Project H-498 DPW County Highway and Bridge –PHASE IV
- FN 2019 – 274** – Capital Project H-298 DPW Highway Bridge Replacement/Rehab Program (ISTEA)
- FN 2019 – 275** - Purchase of Service Agreement between Oneida County, Through its Department of Social Services and Cedarbrook Village 101 Sitrin Lane New Hartford
- FN 2019 – 276** – Purchase of Service Agreement between Oneida County, Through its Department of Social Services and Cedarbrook Village, 105 Sitrin Lane, New Hartford
- FN 2019 – 277** – Third Amendment to a purchase of services Agreement between the Oneida County Department of Mental Health and Upstate Cerebral Palsy, Inc.
- FN 2019 – 278** – Transportation Service for preschool students classified with disabilities – Auburn Limousines Inc.
- FN 2019 – 279** – Memorandum of Understanding to coordinate identification and remediation of Lead Hazards
- FN 2019 – 280** - Transportation Service for preschool students classified with disabilities – Birnie Bus Services, Inc.
- FN 2019 – 281** – Public Health Emergency Preparedness
- FN 2019 – 282** – Lease Agreement – AX
- FN 2019 – 283** – Design Agreement, Electronic & Optic Labs Building 100
- FN 2019 – 284** – 2019 Early Voting Poll Site Agreement
- FN 2019 – 285** – Resubmit modified version of the Animal Abuse Registry.

MOTIONS AND RESOLUTIONS

NO. 223 – FN 2019 – 227.1 B – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-523 – DPW – ROME FAMILY COURT

WHEREAS, This Board is in receipt of correspondence from County Executive, Anthony J. Picente, Jr., requesting the amendment of Capital Project H-523 – DPW – Rome Family Court, and

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

RESOLVED, That Capital Project H-523 – DPW – Rome Family Court is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Transfer from General	\$ 795,000.00	\$325,000.00	\$1,120,000.00
Bonding	<u>\$4,500,000.00</u>	<u>\$ 0.00</u>	<u>\$4,500,000.00</u>
Total	\$5,295,000.00	\$325,000.00	\$5,620,000.00

APPROVED: Public Works Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

Seconded by Mr. Davis and adopted by the following roll call vote:
AYES 19 NAYS 2 (Messrs. Joseph, Flisnik) ABSENT 2 (Messrs. Koenig, Mandryck)

ROLL CALL SHEET

<u>DIST</u>	<u>MEMBERS</u>	<u>AYES</u>	<u>NAYS</u>
R-1	SCHIEBEL	x	

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Held on Wednesday, August 14, 2019 at 2:00 P.M.

DATE: August 14, 2019

SESSION: Regular

MEMBERS PRESENT: 21

MEMBERS ABSENT: 2

AYES: 19 NAYS: 2 ABSENT:2

INTRODUCTORY NO. 223

RESOLUTION NO. 223

R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	
R-8	FLISNIK		x
D-9	SACC0	x	
R-10	JOSEPH		x
R-11	KOENIG	absent	
D-12	BROWN	x	
D-13	GOODMAN	x	
D-14	DAVIS	x	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	absent	
R-18	FURGOL	x	
R-19	WELSH	x	
D-20	HENDRICKS	x	
D-21	WASHBURN	x	
D-22	CONVERTINO	x	
R-23	PAPARELLA	x	

NO. 224 – FN 2019 – 227-2 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$325,000.00 TO AA#A9950.9 – BUDGET – TRANSFER TO CAPITAL

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$325,000.00 to AA#A9950.9 – Budget – Transfer to Capital, and

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

RA# A2674	Sale of County Owned Real Property	\$325,000.00
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now, therefore, be it hereby

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Held on Wednesday, August 14, 2019 at 2:00 P.M.

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

TO:

AA#A9950.9 Transfer to Capital Fund \$325,000.00

APPROVED: Public Works Committee (August 7, 2019)
 Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 20 NAYS 1 (Mr. Joseph) ABSENT (Messrs. Koenig, Mandryck)

NO. 225 – FN 2019 – 227 – 3 Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$325,000.00 TO AA#H523 – ROME FAMILY COURT

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$325,000.00 to AA#H523 – Rome Family Court, and

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

RA#H523/5031 Transfer from General Fund \$325,000.00

now, therefore, be it hereby

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

TO:

AA#H523 Rome Family Court \$325,000.00

APPROVED: Public Works Committee (August 7, 2019)
 Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 20 NAYS 1 (Mr. Joseph) ABSENT: (Messrs. Koenig and Mandryck)

NO. 226 – FN 2019 – 228 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND BONACCI ARCHITECTS, PLLC – ONEIDA COUNTY OFFICE BUILDING PLAZA DECK RECONSTRUCTION

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Department of Public Works, and Bonacci Architects, PLLC to provide professional consulting services for preparation of plans and specifications, performance of asbestos abatement project monitoring, and performance of on-site project representation during construction relative to the reconstruction of the plaza deck at the Oneida County Office Building, and

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WHEREAS, Bonacci Architects, PLLC will provide professional consulting services to Oneida County in the sum of \$110,520.00 for a term commencing upon execution and ending upon completion of the project, anticipated to be before December 31, 2020, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves an Agreement between Oneida County, through its Department of Public Works, and Bonacci Architects, PLLC, for professional consulting services associated with the reconstruction of the plaza deck at the Oneida County Office Building for a term commencing upon execution and ending upon completion of the project.

APPROVED: Public Works Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 227 – FN 2019 – 229 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND BONACCI ARCHITECTS, PLLC – 120 AIRLINE STREET

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Department of Public Works, and Bonacci Architects, PLLC to provide professional consulting services for preparation of plans and specifications required to construct offices at 120 Airline Street in Oriskany for the Department of Social Services personnel, asbestos abatement project monitoring services and on-site project representation during construction, and

WHEREAS, Bonacci Architects, PLLC will provide professional consulting services to Oneida County for the sum of \$65,175.00 for a term commencing upon execution and ending upon completion of the project, anticipated to be before December 31, 2020, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves an Agreement between Oneida County, through its Department of Public Works, and Bonacci Architects, PLLC, for professional consulting services associated with the construction of offices at 120 Airline Street in Oriskany for a term commencing upon execution and ending upon completion of the project.

APPROVED: Public Works Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 228 – FN 2019 – 230 -1 Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL TO SET THE SALARY FOR THE POSITION TITLE OF DEPUTY DIRECTOR OF INFORMATION TECHNOLOGY, GRADE 44M, STEP 2, \$74,069

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel, John P. Talerico, requesting approval to establish the salary for the position title of Deputy Director of Information Technology, and

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WHEREAS, The Commissioner of Personnel recommends that the starting salary for the position be set at Grade 44M, Step 2, \$74,069.00, and

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

RESOLVED, That the Oneida County Board of Legislators establishes the salary for the position title of Deputy Director of Information Technology, at Grade 44M, Step 2, \$74,069.00, effective immediately.

APPROVED: Government Operations Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 **NAYS** 0 **ABSENT** 2 (Messrs. Koenig, Mandryck)

NO. 229- FN 2019 – 230 – 2 Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL TO SET THE SALARY FOR THE POSITION TITLE OF INFORMATION TECHNOLOGY PROJECT MANAGER, GRADE 36M, STEP 2, \$54,956

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel, John P. Talerico, requesting approval to establish the salary for the position title of Information Technology Project Manager, and

WHEREAS, The Commissioner of Personnel recommends that the starting salary for the position be set at Grade 36M, Step 2, \$54,956.00, and

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

RESOLVED, That the Oneida County Board of Legislators establishes the salary for the position title of Information Technology Project Manager, at Grade 36M, Step 2, \$54,956.00, effective immediately.

APPROVED: Government Operations Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 **NAYS** 0 **ABSENT** 2 (Messrs. Koenig, Mandryck)

NO. 230 – FN 2019 – 231 – Mr. D’Onfrio offered the following resolution and moved its adoption

RE: RESOLUTION ADOPTING THE CLIMATE SMART COMMUNITIES PLEDGE

WHEREAS, The County of Oneida believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, The effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, We believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, We believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

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WHEREAS, We believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED, that the County of Oneida, in order to reduce greenhouse gas emissions and adapt to a changing climate, *adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:*

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action.

APPROVED: Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 18 NAYS 3 (Messrs. Joseph, Schiebel, Flisnik) ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 231 – FN 2019 -232 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPOINTMENT OF KIRK B. HINMAN TO THE ONEIDA COUNTY LOCAL DEVELOPMENT CORPORATION BOARD OF DIRECTORS

WHEREAS, Pursuant to Article XX, Section 2002, of the Oneida County Charter and Article III, Section 1, of the By-Laws of the Oneida County Local Development Corporation Oneida County Executive, Anthony J. Picente, Jr., has recommended the appointment of Kirk B. Hinman to the Oneida County Local Development Corporation Board of Directors, and

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

RESOLVED, That the Oneida County Board of Legislators approves and confirms the appointment of Kirk B. Hinman to serve as a member of the Oneida County Local Development Corporation Board of Directors, effective immediately.

APPROVED: Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 232 – FN 2019 – 233 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AGREEMENTS BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF WORKFORCE DEVELOPMENT, AND VARIOUS PUBLIC CORPORATIONS

WHEREAS, This Board is in receipt of correspondence from David L. Mathis, Director of Oneida County Workforce Development, requesting approval of the 2019 Financial Agreement for the Oneida County College Student Corps Internship Program between Oneida County, through its Office of Workforce Development, and the City of Sherrill to provide a work experience site for eligible interns in Oneida County, and

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WHEREAS, Mr. Mathis has requested that this Agreement be approved as a Master Template for all Agreements for the 2019 Summer Internship Program, which are of the same content, with the exception of the public corporation name, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Agreements 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 Oneida County Executive, Anthony J. Picente, Jr., to execute the 2019 Financial Agreement for the Oneida County College Student Corps Internship Program between Oneida County, through its Office of Workforce Development, and the City of Sherrill for a term commencing May 1, 2019 and ending September 30, 2019, and it is further

RESOLVED, That the Oneida County Board of Legislators hereby approves the 2019 Financial Agreement for the Oneida County College Student Corps Internship Program to be used as a Master Template to enter into all Agreements for the 2019 Summer Internship Program and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute such Agreements between Oneida County and various public corporations.

APPROVED: Health and Human Services Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 233 – FN 2019 – 234 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A MASTER TEMPLATE FOR THE ONEIDA COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM (SYEP) BETWEEN THE HERKIMER-MADISON-ONEIDA CONSORTIUM AND VARIOUS COMMUNITY AGENCIES

WHEREAS, This Board is in receipt of correspondence from David L. Mathis, Director of Oneida County Workforce Development, requesting approval of a TANF Summer Youth Employment Program Agreement, which will be used as a Master Template to enter into Agreements with various community entities, and

WHEREAS, The Master Template will be used to enter into Agreements with community entities in order to fund programs that will help Oneida County youth learn the skills needed to succeed at work, and

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

RESOLVED, That the Board of Legislators hereby approves the Master Template for the Oneida County Summer Youth Employment Program (SYEP) to be used between the Herkimer-Madison-Oneida Consortium and various community entities, and it is further

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr. is authorized to enter into agreements between the Herkimer-Madison-Oneida Consortium and various community entities, including:

- Elderlife, Inc. d/b/a The Parkway Center \$ 5,000.00
- Utica Municipal Housing Authority \$13,500.00
- Oneida-Herkimer-Madison BOCES \$19,448.00
- Resource Center for Independent Living, Inc. \$ 7,500.00
- Mohawk Valley Community College \$15,534.00
- Mohawk Valley Community Action Agency, Inc. \$ 2,668.00

APPROVED: Health and Human Services Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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Held on Wednesday, August 14, 2019 at 2:00 P.M.

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 234 – FN 2019-235 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A SECOND AMENDMENT TO A PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF MENTAL HEALTH, AND INTEGRATED COMMUNITY ALTERNATIVES NETWORK, INC. F/K/A KIDS ONEIDA, INC.

WHEREAS, This Board is in receipt of a Second Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Mental Health, and Integrated Community Alternatives Network, Inc. f/k/a Kids Oneida, Inc., and

WHEREAS, Pursuant to a Purchase of Services Agreement entered into between Oneida County and Integrated Community Alternatives Network, Inc. f/k/a Kids Oneida, Inc. on May 14, 2018, Integrated Community Alternatives Network, Inc. f/k/a Kids Oneida, Inc. agreed to provide Children & Family Intervention services to Oneida County children and youth with a serious emotional disturbance and/or severe behavioral disorder, and their parents and families, with a term commencing January 1, 2018 and ending December 31, 2020 (the “Agreement”), and

WHEREAS, On or about April 10, 2019, Oneida County and Integrated Community Alternatives Network, Inc. f/k/a Kids Oneida, Inc. agreed to amend the Purchase of Services Agreement to reflect an increase in OMH State Aid

WHEREAS, As a result of Integrated Community Alternatives Network, Inc. f/k/a Kids Oneida, Inc. agreeing to provide additional services previously performed by another agency that no longer has the ability to do so, the County and Integrated Community Alternatives Network, Inc. f/k/a Kids Oneida, Inc. need to further amend the Agreement, and

WHEREAS, The Second Amendment will result in a new maximum gross amount of \$607,679.00, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and accepts a Second Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Mental Health, and Integrated Community Alternatives Network, Inc. f/k/a Kids Oneida, Inc., with a term commencing April 1, 2019 and ending December 31, 2020.

APPROVED: Health and Human Services Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 235 – FN 2019 – 236 - Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND MOHAWK VALLEY COMMUNITY COLLEGE

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Mohawk Valley Community College, for an amount not to exceed \$96,919.43, to provide an ongoing workflow analysis, review of the TA/SNAP position duties, and development of a best practice manual based on the workflow study previously completed to be used for training and staff development purposes, and

WHEREAS, The Agreement shall be for a term commencing upon execution and ending September 30, 2019, with either party having the right to terminate the Agreement upon thirty (30) days written notice to the other party, and

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

RESOLVED, That this Board authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Mohawk Valley Community College, for a term commencing upon execution and ending September 30, 2019.

APPROVED: Health and Human Services Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 236 – FN 2019 – 237 – Messrs. D’Onofrio, Schiebel, Idzi offered the following resolution and moved its adoption.

RE: TRANSFER OF \$1,550,000.00 TO AA#A6411. – VARIOUS ACCOUNTS – COMMUNITY ASSISTANCE

WHEREAS, There is a need for additional funds in AA #A6411. – Various Accounts – Community Assistance, and

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

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

FROM:

AA# A1998.1992	Contingent – Community Host Benefit (Budget)	\$1,400,000.00	
AA# A1992.9	Contingent – Salaries (Budget)		\$
<u>150,000.00</u>			

\$1,550,000.00

TO:

AA# A6411.495115	City of Sherrill (Community Assistance)		\$
190,000.00			
AA# A6411.495116	Village of Vernon (Community Assistance)		\$
60,000.00			
AA# A6411.495117	Town of Augusta (Community Assistance)		\$
75,000.00			
AA# A6411.495118	Town of Vienna (Community Assistance)		\$
100,000.00			
AA# A6411.495119	Village of Sylvan Beach (Community Assistance)		\$
50,000.00			
AA# A6411.495120	Town of Verona (Community Assistance)		\$
250,000.00			
AA# A6411.495121	Town of Vernon (Community Assistance)		\$
125,000.00			
AA# A6411.495122	VVS Central School District (Community Assistance)	<u>\$ 700,000.00</u>	
			\$1,550,000.00

APPROVED: Ways and Means Committee (August 14, 2019)

DATED: (August 14, 2019)

Seconded by Mr. Sacco and adopted by the following vote:
AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

NO. 237 – FN 2019 – 238 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AMENDMENT B TO THE MUNICIPAL AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS AND NEW YORK STATE, THROUGH ITS DEPARTMENT OF TRANSPORTATION, FOR SNOW AND ICE REMOVAL FOR THE 2018-2019 SNOW SEASON

WHEREAS, Oneida County, through its Department of Public Works, and New York State, through its Department of Transportation, entered into a Municipal Agreement on November 20, 2018 for snow and ice removal for the 2018-2019 Snow Season, and

WHEREAS, As a result of expenditures exceeding the original estimate by \$899,942.65, Oneida County and the State of New York need to amend the Municipal Agreement to reflect the increased amount for the 2018-2019 Snow Season, and

WHEREAS, Amendment B will result in a new gross amount of \$3,340,969.65 for the Municipal Agreement for the 2018-2019 Snow Season, and

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

RESOLVED, That this Board authorizes and accepts Amendment B to a Municipal Agreement between Oneida County, through its Department of Public Works, and New York State, through its Department of Transportation, in the sum of \$3,340,969.65, for a term commencing July 1, 2018 and ending June 30, 2019.

APPROVED: Public Works Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 238 – FN 2019 – 239 – Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL TO EXTEND THE CURRENT ADMINISTRATIVE AGREEMENT WITH NATIONWIDE RETIREMENT SOLUTIONS TO ADMINISTER THE DEFERRED COMPENSATION 457 PLAN

WHEREAS, The New York State Deferred Compensation Board (the “Board”), pursuant to Section 5 of the New York State Finance Law (“Section 5”) and the Regulations of the New York State Deferred Compensation Board (the “Regulations”), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Oneida County (the “Model Plan”) and offers the Model Plan for adoption by local employers, and

WHEREAS, The Oneida County Deferred Compensation Plan has been provided administrative services by Nationwide Retirement Solutions, with Nationwide Financial Services, Inc. serving as financial organization and Nationwide Trust Company serving as Trustee, and

WHEREAS, Agreements between the County and such entities to provide such services expires on July 31, 2019, and

WHEREAS, The County has the option of extending such agreements for one (1) additional year until July 31, 2020, and

WHEREAS, The Oneida County Deferred Compensation Committee met on July 2, 2019 to discuss the option of extending the above agreement for a one (1) year period described hereinabove, and has deemed it in the best interest of the Plan participants to extend the agreements for a one (1) year period, now therefore, be it hereby

RESOLVED, That the above referenced agreements be renewed for a one (1) year period, commencing August 1, 2019 and ending July 31, 2020.

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

APPROVED: Government Operations Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 239 – FN 2019-240 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AGREEMENTS BETWEEN ONEIDA COUNTY, THROUGH ITS SHERIFF’S OFFICE, AND VARIOUS SCHOOL DISTRICTS

WHEREAS, This Board is in receipt of correspondence from Oneida County Sheriff, Robert M. Maciol, requesting approval of an Agreement between Oneida County, through its Sheriff’s Office, and New York Mills Union Free School District, for the provision of two (2) part-time Special Patrol Officers (SPOs) to be utilized within the New York Mills school facilities to increase law enforcement presence, to decrease the number of incidents at the school, and to ensure building safety and security measures are in place and are followed by students, staff, parents and other visitors, and

WHEREAS, Sheriff Maciol has requested that this Agreement be approved as a template for similar arrangements with other school districts, which are of the same content, with the exception of school district name, locality and number of SPOs, and

WHEREAS, Oneida County will provide and pay the SPO’s hourly rate and employment benefits in accordance with the applicable salary schedules and employment practices of the County, and will be reimbursed fifty percent (50%) by the school districts, and

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

RESOLVED, That the Oneida County Board of Legislators approves an Agreement between Oneida County, through its Sheriff’s Office, and New York Mills Union Free School District, for a term commencing September 1, 2019 and ending August 31, 2020, and it is further

RESOLVED, That the Oneida County Board of Legislators hereby approves the template for Special Patrol Officers (SPOs) to be used between Oneida County, through its Sheriff’s Office, and various school districts, and it is further

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr. is hereby authorized to execute Agreements between Oneida County, through its Sheriff’s Office, and various school districts for the provision of Special Patrol Officers (SPOs).

APPROVED: Public Safety Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 240 – FN 2019 – 242 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPOINTMENT OF MATTHEW SHANNON TO THE ONEIDA COUNTY ETHICS BOARD – COUNTY EXECUTIVE APPOINTMENT

WHEREAS, This Board is in receipt of correspondence from Oneida County Executive, Anthony J. Picente, Jr., nominating an appointee to the Oneida County Ethics Board pursuant to Local Law No. 2 of 2017, and

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

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

RESOLVED, That Matthew Shannon, 8090 Halsey Road, Whitesboro, New York 13492, is hereby appointed to serve as a member of the Oneida County Ethics Board for a term commencing January 1, 2018 and ending December 31, 2020.

APPROVED: Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 241 – FN 2019 – 243 – Mr. D’Onofrio offered the following resolution and moved its resolution

RE: APPOINTMENT OF JON PAUL KIDWELL TO THE ONEIDA COUNTY ETHICS BOARD – COUNTY EXECUTIVE APPOINTMENT

WHEREAS, This Board is in receipt of correspondence from Oneida County Executive, Anthony J. Picente, Jr., nominating an appointee to the Oneida County Ethics Board pursuant to Local Law No. 2 of 2017, and

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

RESOLVED, That Jon Paul Kidwell, 716 Pleasant Street, Utica, New York 13501, is hereby appointed to serve as a member of the Oneida County Ethics Board for a term commencing January 1, 2019 and ending December 31, 2021.

APPROVED: Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 242 – FN 2019 – 244 – Messrs. Welsh, D’Onofrio and Ms. Convertino offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DIVISION OF BUDGET, AND CORNELL COOPERATIVE EXTENSION ASSOCIATION OF ONEIDA COUNTY

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Division of Budget, and Cornell Cooperative Extension Association of Oneida County, in the sum of \$24,003.96, to provide Agriculture in the Classroom instruction, and agriculture education consulting services to benefit all school-aged children in Oneida County, and

WHEREAS, The Agreement shall be for a term commencing upon execution and ending December 31, 2019, and

WHEREAS, In accordance with Oneida County Charter Section 2202, and County Law Section 224, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves an Agreement between Oneida County, through its Division of Budget, and Cornell Cooperative Extension Association of Oneida County, for a total amount of \$24,003.96, with a term commencing upon execution and ending December 31, 2019.

APPROVED: Economic Development & Tourism Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

NO. 243 – FN 2019 – 245 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF THE 2019 YOUTH BUREAU RESOURCE ALLOCATION PLAN

WHEREAS, This Board is in receipt of correspondence from Kevin Green, Director of the Oneida County Youth Bureau, requesting approval of a Resource Allocation Plan authorizing the distribution of funds in the amount of \$304,485.00 from the New York State Office of Children and Family Services among various agencies and municipalities who have contractual agreements with the Oneida County Youth Bureau for FY2019, and

WHEREAS, Said Allocation Plan 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 Oneida County Youth Bureau’s Resource Allocation Plan for FY2019, and it is further

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr. is authorized to enter into agreements between Oneida County and various agencies and municipalities to disperse said funds.

APPROVED: Health and Human Services Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 244 – FN 2019 -246 -1 – Messrs. Koenig and D’Onofrio offered the following resolution and moved its adoption.

RE: ACCEPTANCE OF A GRANT OFFER BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND THE UNITED STATES OF AMERICA, THROUGH THE FEDERAL AVIATION ADMINISTRATION

WHEREAS, This Board is in receipt of correspondence from Amanda Lynn Cortese, Special Assistant County Attorney, requesting acceptance of a Grant Offer between Oneida County, through its Department of Aviation, and the United States of America, through the Federal Aviation Administration, through the Airport Improvement Program (AIP), in the sum of \$140,400.00, for Taxiway “E” Connector design at Griffiss International Airport, and

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

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to the acceptance of a Grant Offer between Oneida County, through its Department of Aviation, and the United States, through the Federal Aviation Administration, through the Airport Improvement Program (AIP) for Taxiway “E” Connector design at Griffiss International Airport.

APPROVED: Airport Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 245 – FN 2019 -246 -2 – Messrs. Koenig and D’Onofrio offered the following resolution and moved its adoption.

RE: ESTABLISHMENT OF CAPITAL PROJECT H-593 – GRIFFISS – TAXIWAY “E” CONNECTOR

WHEREAS, This Board is in receipt of a request to establish “Capital Project H-593 – Griffiss – Taxiway “E” Connector,” with approval of funding for such project, now, therefore, it is hereby

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

RESOLVED, That the Oneida County Board of Legislators authorizes the establishment of “Capital Project H-593 – Griffiss – Taxiway “E” Connector”, with approval of funding for such project as follows:

H-593-4597	Federal – FAA	\$140,400.00
H-593-3597	State Aid	\$ 7,800.00
H-593-5031	Transfer from General	<u>\$ 7,800.00</u>
		\$156,000.00

APPROVED: Airport Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

Seconded by Mr. Joseph and adopted by the following roll call vote:
AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

ROLL CALL SHEET

DATE: August 14, 2019

SESSION: Regular

MEMBERS PRESENT: 21

MEMBERS ABSENT: 2

AYES: 21 NAYS: 0 ABSENT:2

INTRODUCTORY NO. 245

RESOLUTION NO. 245

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	x	
R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	
R-8	FLISNIK	x	
D-9	SACCO	x	
R-10	JOSEPH	x	
R-11	KOENIG	absent	
D-12	BROWN	x	
D-13	GOODMAN	x	
D-14	DAVIS	x	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	absent	
R-18	FURGOL	x	
R-19	WELSH	x	
D-20	HENDRICKS	x	
D-21	WASHBURN	x	
D-22	CONVERTINO	x	

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

R-23	PAPARELLA	x	

NO. 246 – FN 2019 – 248 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A PERPETUAL EASEMENT THROUGH PROPERTY OWNED BY ONEIDA COUNTY TO NIAGARA MOHAWK POWER CORPORATION

WHEREAS, This Board is in receipt of correspondence from Steven P. Devan, P.E., Commissioner of Water Quality and Water Pollution Control, requesting approval of a perpetual Easement to Niagara Mohawk Power Corporation through property owned by Oneida County, identified as part of Parcel No. 27 on Map No. 16 of the Oneida County Sewer District dated September 1, 1967 and filed in the Oneida County Clerk’s office, to install the necessary equipment and to power the new substation at the Oneida County Water Pollution Control Plan, and

WHEREAS, In accordance with the Oneida County Charter Section 2202, said Easement is subject to approval by this Board prior to execution, now, therefore, be it hereby

RESOLVED, That the Board of Legislators hereby approves a perpetual Easement to the County of Oneida, through property owned by Oneida County, as set forth on the “Easement” document and attached Description on file with the Clerk of the Board of Legislators, and be it further

RESOLVED, That the Chairman of the Oneida County Board of Legislators is hereby authorized to execute any and all documents necessary to effectuate the granting of said Easement.

APPROVED: Public Works Committee (August 7, 2019)
Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

Seconded by Mr. Joseph and adopted by the following vote:
AYES 21 NAYS 0 ABSENT 2 (Koenig, Mandryck)

NO. 247 – FN 2019 – 249 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A GRANT DISBURSEMENT AGREEMENT AMENDMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND EMPIRE STATE DEVELOPMENT

WHEREAS, The Oneida County Executive, Anthony J. Picente, Jr., is in receipt of correspondence from Commissioner of Public Works, Dennis Davis, requesting approval of a Grant Disbursement Agreement Amendment between Oneida County, through its Department of Public Works, and Empire State Development, and

WHEREAS, This Board previously approved the Grant Disbursement Agreement, in the sum of \$200,000.00, relating to the reconstruction of the Railway Express Agency Building by Resolution No. 372 of 2018, and

WHEREAS, The Grant Disbursement Agreement Amendment will adjust obligatory renovation and construction costs to equal actual expenditures, and

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

RESOLVED, That the Oneida County Board of Legislators approves and authorizes County Executive, Anthony J. Picente, Jr., to execute a Grant Disbursement Agreement Amendment between Oneida County, through its Department of Public Works, and Empire State Development related to the reconstruction of the Railway Express Agency Building.

APPROVED: Public Works Committee (August 7, 2019)

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

Adopted by the following vote:

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 248 – FN 2019 – 250 – 1 Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: TRANSFER OF \$500,000.00 TO HG567-5031 – TRANSFER FROM WATER POLLUTION

WHEREAS, There is a need for additional funds in HG567-5031 – Transfer from Water Pollution, and

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

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

FROM:

HG567-5710	Bonds – N Utica Interceptor Ph II	\$500,000.00
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TO:

HG567-5031	Transfer from Water Pollution	\$500,000.00
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APPROVED: Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 249 – FN 2019-250-2 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$500,000.00 TO G-9950.9 – TRANSFER TO SEWER CAPITAL FUND

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$500,000.00 to G-9950.9 – Transfer to Sewer Capital Fund, and

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

G599	Appropriated Fund Balance	\$500,000.00
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now, therefore, be it hereby

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

TO:

G-9950.9	Transfer to Sewer Capital Fund	\$500,000.00
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APPROVED: Ways and Means Committee (August 14, 2019)

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 250 – FN 2019-251 – Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A RESOLUTION ESTABLISHING THE STANDARD WORK DAY AND REPORTING DAYS FOR THE NEW YORK STATE AND LOCAL EMPLOYEES RETIREMENT SYSTEM FOR CERTAIN COUNTY OFFICIALS

RESOLVED, that the Oneida County Board of Legislators hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this legislative body:

TITLE	NAME	Social Security Number (Last 4 Digits)	Registration Number	STANDARD WORK DAY (Hrs/Day)	TERM BEGINS/ ENDS	PARTICIPATES IN EMPLOYER’S TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH (Based on Record of Activities)
<u>Elected Officials</u>							
County Clerk	Sandra DePerno			7	1/1/2019-12/31/2022	N	21.67

APPROVED: Ways & Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2 (Messrs. Koenig, Mandryck)

NO. 251 – FN 2019 – 252 – Mr. D’Onofrio offered the following resolution and moved its adoption.

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

RE: APPROVAL OF A STATE OF NEW YORK MASTER CONTRACT FOR GRANTS AGREEMENT BETWEEN THE ONEIDA COUNTY BOARD OF ELECTIONS AND THE NEW YORK STATE BOARD OF ELECTIONS

WHEREAS, This Board is in receipt of a State of New York Master Contract for Grants between the Oneida County Board of Elections and the New York State Board of Elections, in the sum of \$154,605.14, for the purchase of Electronic Poll Books and Ballot-on-Demand Printers that will be required to implement the State’s Early Voting laws for this year, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said State of New York Master Contract for Grants must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to a State of New York Master Contract for Grants between the Oneida County Board of Elections and the New York State Board of Elections, in the sum of \$154,605.14, for a term commencing April 12, 2019 and ending December 31, 2020.

August 14, 2019

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

APPROVED: Ways and Means Committee (August 14, 2019)

DATED: August 14, 2019

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

AYES 21 NAYS 0 ABSENT 2(Messrs. Koenig, Mandryck)

LEFT ON LEGISLATORS FOR REVIEW

LOCAL LAW INTRO. ____ OF 2019

LOCAL LAW NO. ____ OF 2019

A LOCAL LAW ESTABLISHING AN ANIMAL ABUSER REGISTRY AND PROHIBITING ANIMAL OWNERSHIP BY ANIMAL ABUSE OFFENDERS WITHIN ONEIDA COUNTY

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

SECTION 1. PURPOSE AND INTENT.

The State of New York has criminalized the cruel treatment of animals. However, animal abuse and cruelty continues to occur in Oneida County and throughout New York State.

Requiring animal abusers to register with their law enforcement agency will provide members of the community, particularly animal shelters and pet sellers, with the identities of convicted animal abusers. The registry will also warn potential employers that may be looking to hire an individual to work closely with animals in pet shops, shelters, or veterinary offices.

The Oneida County Legislature hereby finds that it is in the best interest of the residents of Oneida County and their animals that an online registry be established identifying individuals residing in Oneida County who have been convicted of animal abuse crimes in order to prevent these individuals from adopting, purchasing or otherwise obtaining animals from any animal shelter or pet seller.

SECTION 2. DEFINITIONS.

As used in this Local Law, the following terms have the meanings indicated:

“Animal Abuse Crime” - Any of the following crimes listed in subsections (a) through (e):

- a) A violation of any of the following provisions of the NYS Agriculture Markets Law (AML Article 26):

- Section 351 - Prohibition of animal fighting
- Section 353 - Overdriving, torturing and injuring animals; failure to provide proper sustenance
- Section 353-a - Aggravated cruelty to animals
- Section 355 - Abandonment of animals
- Section 356 - Failure to provide proper food and drink to impounded animal
- Section 359 - Carrying animal in a cruel manner

August 14, 2019

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Held on Wednesday, August 14, 2019 at 2:00 P.M.

Section 360 - Poisoning or attempting to poison animals
Section 361 - Interference with or injury to certain domestic animals
Section 362 - Throwing substance injurious to animals in public place
Section 365 - Clipping or cutting the ears of dogs
Section 366 - Companion animal stealing
Section 366-a - Removing, seizing or transporting dogs for research purposes

- b) Sexual misconduct with an animal in violation of NYS Penal Law (PL) § 130.20(3)
- c) Harming a service animal in violation of PL §242.10 and PL §242.15
- d) Killing or injuring a police animal in violation of PL §195.06
- e) Harming an animal trained to aid a person with a disability in violation of PL §195.12

“Animal” - Any living mammal (except a human being), bird, reptile, amphibian or fish.

“Animal Abuse Offender” - Any person eighteen (18) years of age or older, convicted of an Animal Abuse Crime, except youthful offenders with convictions contained within sealed records.

“Animal Abuser Registry” - The online registry established by this Local Law for registering any person residing in Oneida County convicted of an Animal Abuse Crime.

“Animal Shelter” - Any organization which maintains buildings, structures or other property for the purpose of harboring Animals which may be stray, unwanted, lost, abandoned or abused and seeks to find appropriate temporary or permanent homes for such Animals, including, but not limited to, any duly incorporated humane society, pound, Animal protective association or Animal rescue group.

“Conviction” - An adjudication of guilt by any court of competent jurisdiction, whether upon a verdict after trial, upon a plea of guilty, or an Alford Plea.

“Farm” – A business engaged in a farming operation, as defined by New York State Agriculture and Markets Law §301(11).

“Pet Seller” - Any individual, person, partnership, firm, corporation, or other entity which routinely offers Animals for sale or is otherwise routinely engaged in the business of selling, exchanging or otherwise transferring ownership of Animals.

SECTION 3. ESTABLISHING AN ANIMAL ABUSER REGISTRY.

The Oneida County Sheriff is hereby directed to create, manage, and maintain an Animal Abuser Registry containing the names and residence information of registered Animal Abuse Offenders living in Oneida County who are hereby prohibited from owning Animals.

a) The Oneida County Sheriff’s Office shall have a link to the Animal Abuser Registry on the Oneida County Sheriff’s Office webpage, together with the links to other County Animal Abuser registries that are available in the State of New York. Such other County Animal Abuser registries may be used as informational resources by Animal Shelters and Pet Sellers.

b) The Animal Abuser Registry shall contain the required information about each Animal Abuse Offender, as outlined in Section 4(c) below, for fifteen (15) years following his or her release from incarceration or, if not incarcerated, from the date of the judgement of Conviction.

c) Any currently or previously registered Animal Abuse Offender convicted of a subsequent Animal Abuse Crime shall be placed on the Animal Abuser Registry for life following the second Conviction. These Convictions are not limited to Convictions within Oneida County, but extend to other counties who also maintain an Animal Abuser Registry.

d) Upon notification to the Oneida County Sheriff’s Office of a successful appeal of a Conviction of an Animal Abuse Crime by an individual that has been required to register pursuant to this Local Law, the registration information for that individual shall be removed from the Oneida County Animal Abuser Registry within five (5) business days following the notification. In the case where a second Conviction has been successfully appealed, that Animal Abuse Offender will remain on the Oneida County Animal Abuser Registry for fifteen (15) years.

e) The Animal Abuser Registry shall be used for the limited purpose of determining whether such Animal Abuse Offender is prohibited from owning an Animal under this Local Law.

AUGUST MEETING

Held on Wednesday, August 14, 2019 at 2:00 P.M.

f) The provisions of Agriculture and Markets Law § 42 shall not apply as it relates to this Local Law. In the event a person acting for or employed by a Farm owner, association or corporation is placed on the Animal Abuser Registry, the prohibition of ownership of Animals shall not extend to the Farm owner, association or corporation for which such person is employed, nor shall it extend to common owners of a Farm in the event one owner is adjudicated to be an Animal Abuse Offender. Only the Animal Abuse Offender shall be required to register with the Animal Abuser Registry.

SECTION 4. REGISTRATION REQUIREMENTS.

a) When a person is convicted of an Animal Abuse Crime in any court within Oneida County, the Oneida County District Attorney shall forward to the Oneida County Sheriff's Office the name and address of the convicted person along with the specific Animal Abuse Crime of which such person was convicted, thereby notifying the Oneida County Sheriff's Office that the person is an Animal Abuse Offender and required to register with the Animal Abuser Registry.

b) All Animal Abuse Offenders must register with the Animal Abuser Registry within five (5) business days of their release from incarceration or, if not incarcerated, from the date of the Conviction.

c) Each Animal Abuse Offender shall submit to the Oneida County Sheriff's Office on a form prepared by the Oneida County Sheriff's Office, the following:

- i. Their name and any other name by which they may be known;
- ii. Their residence address;
- iii Their date of birth; and
- iv. A description of the offense for which such person was convicted, the date of Conviction, and the sentence imposed.

d) The Oneida County Sheriff's Office shall photograph the front of the Animal Abuse Offender's head and shoulders.

e) The Oneida County Sheriff's Office shall update Animal Abuse Offender information on the Animal Abuser Registry when new Convictions are made within Oneida County and/or when updates to the Registry are provided by Animal Abuse Offenders, and may provide a press release regarding the same, and make it available to:

- i. Other law enforcement entities within New York State, including Animal control agencies, and
- ii. Animal Shelters, Pet Sellers, animal-welfare organizations, and other groups involved in Animal adoption and the sale of Animals.

f) Every Animal Abuse Offender shall update their Registry information within five (5) days of any change of residence address and/or upon any official change of name. The obligation to provide such updates continues throughout the entire period in which such person is required to be registered.

g) Every Animal Abuse Offender shall pay a fee of one hundred twenty-five dollars (\$125.00) to the Oneida County Sheriff's Office at the time of registration. All such fees shall be used to help pay the administrative and maintenance costs of maintaining the Registry. Updates to the Animal Abuser Registry are made at no additional fee.

SECTION 5. EXAMINATION OF REGISTRY.

Prior to the sale, exchange or other transfer of ownership of any Animal, an Animal Shelter, Pet Seller or other person or entity involved in transferring ownership of Animals is encouraged to examine the Animal Abuser Registry of Oneida County, as well as any other applicable New York County Animal Abuser registry to confirm that the name of the potential owner of the Animal is not listed as an Animal Abuse Offender, and may contact the Oneida County Sheriff's Office to confirm a potential owner's identify.

SECTION 6. PENALTIES.

a) Any Animal Abuse Offender required to register with the Animal Abuser Registry who fails to so register shall be guilty of a class A misdemeanor punishable by incarceration for a period of not more than one (1) year and/or a fine not to exceed one thousand dollars (\$1,000.00).

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b) Any Animal Abuse Offender who violates the prohibition against owning an Animal shall be guilty of a class A misdemeanor punishable by incarceration for a period of not more than one (1) year and/or a fine not to exceed one thousand dollars (\$1,000.00).

i. It shall not be a violation of this Local Law if an Animal Abuse Offender owns an Animal used as a service animal, either utilized by themselves or by another person residing at the same address as the Animal Abuse Offender. A service animal is to be defined in a manner consistent with Federal or State Law for person with disabilities.

SECTION 7. RULES AND REGULATIONS.

The Oneida County Sheriff, or the Oneida County Sheriff's designee, is hereby authorized and empowered to take such steps as may be reasonably necessary to implement this Local Law.

SECTION 8. SEVERABILITY.

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

SECTION 9. EFFECTIVE DATE.

This Local Law shall apply to those Animal Abuse Offenders with Convictions occurring on or after the effective date of this Local Law.

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

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

DATED:

Adopted by the following vote:
AYES NAYS ABSENT

CERTIFICATION OF THE CLERK

STATE OF NEW YORK, County of Oneida, ss:

I hereby certify that the foregoing is a true report of the proceedings of the Board of Legislators of the County of Oneida on Wednesday, August 14, 2019 at 2:00 P.M., typographical errors excepted.

MIKALE BILLARD, Clerk

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