

Meeting held on Wednesday, February 9, 2022 at 2:00 P.M.  
FEBRUARY MEETING

The Board met pursuant to statute and 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 3<sup>rd</sup> Ward, District 3; Verona Districts 3, 4, 6; Vienna District 1, 2, 3, 4)
- R-4 Cynthia Rogers-Witt (Rome Ward 1, District 2; Ward 2 District 2, 3, 4, 5; Ward 3 District 1, 4, 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 Steve 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 1 district 1, Ward 6 District 1, 2, 3, 4, Ward 7 District 3, 4, 5)
- R-8 Richard A. Flisnik (Floyd District 2, 3; Marcy District 1, 2, 3, 4; Whitestown District 5)
- D-9 David Buck (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)
- R-12 Brenda McMonagle (Rome Ward 3 District 2; Ward 4 District 1, 2, 3, 4; Ward 5 District 1, 2, 3, 4)
- R-13 Christopher Newton (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 Caroline Gable-Reale (New Hartford Ward 1 District 3, 5; Ward 2 District 3, 4; Ward 3 District 1, 2, 3, 4)
- R-16 Mary Pratt (Bridgewater District 1; New Hartford Ward 1 District 1, 2, 4; Paris District 1, 2, 3)
- R-17 Stephen DiMaggio (Lee District 1, 2, 4; Rome Ward 1 District 3, 4; Ward 7 District 1; Western District 1, 2, 3)
- R-18 Jeffery Daniels (Utica Ward 4 District 1, 2, 3, 4, 5, 6, 7, 8, 9)
- I-19 Timothy Julian (Utica Ward 3 District 1, 2, 3, 4, 5, 6, 7, 8, 9; Ward 5 District 2)
- D-20 Evon M. Ervin (Utica Ward 1 District 8; Ward 5 District 1, 3, 4, 5, 6)
- D-21 Anthony Myers (Utica Ward 2 District 1, 3, 4, 5, 6, 7; Ward 3 District 10; Ward 5 District 7)
- D-22 Maria McNeil (Utica Ward 1 District 1, 2, 3, 4, 5, 6, 7; Ward 2 District 2, 8)
- D-23 Anthony C. Leone Jr. (Utica Ward 6, District 1, 2, 3, 4, 5, 6, 7, 8, 9)

**MEMBERS PRESENT:** Schiebel, Idzi, Leach, Rogers-Witt, Waterman, Boucher, Fiorini, Flisnik, Buck, Koenig, McMonagle, Newton, Davis, Gable-Reale, Pratt, DiMaggio, Daniels, Julian, Myers, McNeil, Leone

**MEMBERS ABSENT:** Joseph, Ervin

Chairman Fiorini called to the podium Cassandra Harris Lockwood regarding the Community Garden in Utica. County Executive Anthony J Picente Jr. gave an update on COVID restrictions.

**PETITION AND COMMUNICATIONS**

- FN 2022-035 – Reappointment of Alicia Caternolo-Vascardi as the Director to Workers’ Compensation
- FN 2022-036- Memorializing Petition urging the Governor and Legislature to remove the state-mandated levying of Fashion Institute of Technology chargebacks on counties for students working toward bachelor’s and master’s degree
- FN 2022-037 –Adopted 2022 Budget for Oneida-Herkimer Solid Waste Authority
- FN 2022-038 – Approval of an extension for a grant agreement for OILS Distribution #6
- FN 2022-039 – Approval to create one part time Senior Confidential Investigator Grade 32W Step 2 \$27.45 per hr.
- FN 2022-040 – Resolution increasing the expenses necessary to collect the Mortgage tax
- FN 2022-041 – Appointment of Alfred Barbato as Director of Purchasing
- FN 2022-042 – Approval of an agreement between Oneida County Planning and the State University of NY Polytechnic
- FN 2022-043 – Approval of an agreement between Oneida County and MV EDGE
- FN 2022-044 – Approval of a Lease agreement between Oneida Count Department of Aviation and NAVMAR Applied Sciences Corporation
- FN 2022-045 – Approval of a Lease Agreement between Oneida County Department of Aviation and N1742 ,LLC
- FN 2022-046 – Supplemental appropriation of \$500,000 to AA#A6446.495 COVIS-Emergency Costs
- FN 2022-047 – Approval of agreement between Oneida County and Various Foster Care Agencies
- FN 2022-048 – Approval of a Lease Agreement between Oneida County Workforce Development and the NYS Office of General Services
- FN 2022-049 – Approval of agreement between Oneida County DPW and Barton & Loguidice
- FN 2022-051 – Approval of agreement between Oneida County Dept. of Water Pollution Control & NYS Empire State Development
- FN 2022-052 – Approval to amend Capital Project H-566 DPW Parking Garage

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- FN 2022-054 – Approval in a Settlement in the Matter of SL and PL vs. Oneida County
- FN 2022-055 – Approval of an agreement between Oneida County Planning and 3B Timber
- FN 2022-056 – Appointments to the NYS DEC Region 6 Fish and Wildlife Board
- FN 2022-057 – Appointments to the Fire Advisory Board
- FN 2022-058 – Approval of an agreement between Oneida County and Planning4Places
- FN 2022-059 – Approval of the 2022 Sewer Rates
- FN 2022-060 – Approval of 1 Refund and 9 Corrections of Erroneous Tax Assessments
- FN 2022-061 – Approval of an agreement between Oneida County and Fisher Associates for design services for various bridges

MOTIONS AND RESOLUTIONS

No. 031 – FN 2022-038 – Messrs. Idzi, Flisnik offered the following resolution and moved its adoption.

- RE: APPROVAL OF AN AMENDMENT TO A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS PUBLIC DEFENDERS’ OFFICE’S (CRIMINAL & CIVIL DIVISIONS), AND NEW YORK STATE THROUGH ITS OFFICE OF INDIGENT LEGAL SERVICES (OILS)**
- WHEREAS,** This Board is in receipt of an Amendment to a Grant Agreement between Oneida County, through its Public Defenders’ Office’s (Criminal & Civil Divisions), and New York State, through its Office of Indigent Legal Services (OILS), to extend the term of the Grant Agreement, and
- WHEREAS,** The original Grant Agreement (Contract # 90271) was for a term commencing January 1, 2016 and ending December 31, 2018, and
- WHEREAS,** The parties entered into an Amendment (Contract # 104642) to extend the term of the Grant Agreement for a term commencing January 1, 2019 and ending December 31, 2020, and
- WHEREAS,** The parties entered into another Amendment (Contract # 136220) to extend the term of the Grant Agreement for a term commencing January 1, 2021 and ending December 31, 2021, and
- WHEREAS,** The parties wish to further extend the Grant Agreement for a term commencing January 1, 2022 ending December 31, 2022, with the grant amount remaining at \$538,146.00, 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 Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to an Amendment to a Grant Agreement between Oneida County, through its Public Defenders’ Office’s (Criminal & Civil Divisions), and New York State, through its Office of Indigent Legal Services (OILS), for a term commencing January 1, 2022 and ending December 31, 2022.
- APPROVED:** Public Safety Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)
- DATED:** February 9, 2022

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

No. 032 – FN 2022-039 – Messrs. Idzi, Flisnik offered the following resolution and moved its adoption.

- RE: APPROVAL TO CREATE ONE (1) PART-TIME SENIOR CONFIDENTIAL INVESTIGATOR POSITION IN THE DISTRICT ATTORNEY’S OFFICE**
- WHEREAS,** This Board is in receipt of correspondence from Commissioner of Personnel, Amanda L. Cortese-Kolasz, requesting authorization to create one (1) part-time Senior Confidential Investigator position (Grade 32W, Step 2, \$27.45/hour) in the District Attorney’s Office, and
- WHEREAS,** Said request must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

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**RESOLVED,** That the Oneida County Board of Legislators hereby authorizes and approves creating one (1) part-time Senior Confidential Investigator position (Grade 32W, Step 2, \$27.45/hour) in the District Attorney's Office – effective immediately.

**APPROVED:** Public Safety Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**No. 033 – FN 2022-040** – Mme. Pratt, Mr. Flisnik offered the following resolution and moved its adoption.

**RE: RESOLUTION APPROVING AN INCREASE IN THE EXPENSES NECESSARY TO COLLECT THE MORTGAGE TAX**

**WHEREAS,** Pursuant to Section 262 of the New York State Tax Law, Recording Officers and County Treasurers are entitled to receive all necessary expenses for the purpose of collecting mortgage tax, being first approved and allowed by the New York State Commissioner of Taxation and Finance, after audit by the New York State Comptroller, and to retain funds received by them for such purposes, and

**WHEREAS,** Oneida County Executive, Anthony J. Picente, Jr., is in receipt of correspondence from Oneida County Clerk, Sandra J. DePerno, advising that the allowances presently received by the County Clerk's Office do not adequately compensate for the collection of such tax, and

**WHEREAS,** The necessary expenses associated with the collection of mortgage tax are estimated to total \$521,815.34 and the County Clerk is requesting authorization to request such amount from the anticipated mortgage tax receipts for 2022, now, therefore, be it hereby

**RESOLVED,** That the Oneida County Clerk is entitled to request, and if approved and allowed, retain the sum of \$521,815.34, from the collection of the 2022 mortgage tax for the County of Oneida, and it is further

**RESOLVED,** That, if approved and allowed, the Oneida County Clerk is authorized to retain this total necessary expense annually, pursuant to Section 262 of the New York Tax Law.

**APPROVED:** Government Operations Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**No. 034 – FN 2022-0041** – Mme. Pratt, Mr. Flisnik offered the following resolution and moved its adoption.

**RE: APPOINTMENT OF ALFRED BARBATO AS DIRECTOR OF PURCHASING**

**WHEREAS,** In accordance with the provisions of Article III, Section 306, of the Oneida County Charter, Oneida County Executive, Anthony J. Picente, Jr., has requested confirmation of the appointment of Alfred Barbato to serve as the Director of Purchasing (Grade 44H, Step 7, \$90,107.00), 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 confirms the appointment of Alfred Barbato to serve as the Director of Purchasing (Grade 44H, Step 7, \$90,107.00) – effective immediately.

**APPROVED:** Government Operations Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

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

No. 035 – FN 2022-042 – Messrs. Schiebel, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PLANNING, AND SUNY POLYTECHNIC INSTITUTE**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County, through its Department of Planning, and SUNY Polytechnic Institute, in the sum of \$16,000.00, for the creation of a special abbreviated Teen Assessment Project (TAP) Survey for students who are and will be in the 7th, 9th and 11th grades during the 2021 and 2022 academic year, and

**WHEREAS,** SUNY Polytechnic Institute will create sixty (60) survey questions for the TAP Survey and will conduct analytics from the TAP Survey, and

**WHEREAS,** The Agreement shall be for a term commencing January 13, 2022 and ending July 13, 2022, 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 Planning, and SUNY Polytechnic Institute, in the sum of \$16,000.00, for a term commencing January 13, 2022 and ending July 13, 2022.

**APPROVED:** Economic Development & Tourism Committee (February 8, 2022)  
Ways & Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

No. 036 – FN 2022-043 – Messrs. Schiebel, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY AND THE ECONOMIC DEVELOPMENT GROWTH ENTERPRISES CORPORATION, D/B/A MOHAWK VALLEY EDGE**

**WHEREAS,** This Board is in receipt of a proposed Agreement between Oneida County and the Economic Development Growth Enterprises Corporation, d/b/a Mohawk Valley EDGE, for the purpose of providing support, expertise and other initiatives that showcase the advantages of Oneida County and the Mohawk Valley as a desirable area for businesses to locate and expand, and

**WHEREAS,** In accordance with the terms set forth therein, the County agrees to pay Mohawk Valley EDGE the sum of \$349,874.00, and

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

**RESOLVED,** That County Executive Anthony J. Picente, Jr., is authorized to execute an Agreement between Oneida County and the Economic Development Growth Enterprises Corporation, d/b/a Mohawk Valley EDGE, for a period commencing January 1, 2022 and ending December 31, 2022.

**APPROVED:** Economic Development & Tourism Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

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AYES 21      NAYS 0      ABSENT 2 (Mme. Ervin, Mr. Joseph)

No. 037 – FN 2022-044 – Messrs. Schiebel, Flisnik offered the following resolution and moved its adoption.

**RE:                    APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND NAVMAR APPLIED SCIENCES CORPORATION**

**WHEREAS,**      This Board is in receipt of correspondence from Commissioner of Aviation, Edward A. Arcuri, requesting approval of a Lease Agreement between Oneida County, through its Department of Aviation, and Navmar Applied Sciences Corporation for office space and hangar space located at 752 Hangar Road (“Building 41”) at Griffiss International Airport, and

**WHEREAS,**      In accordance with terms set forth therein, Navmar Applied Sciences Corporation shall lease 1,190 +/- square feet of office space and 4,750 +/- square feet of hangar space at a total cost of \$338,068.00 for a ten (10) year term commencing November 1, 2021 and ending October 31, 2031, containing a three percent (3%) escalator on the base rent charged every other year, unless terminated on notice, and

**WHEREAS,**      In accordance with Oneida County Charter Section 2202, said Lease 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 Lease Agreement on behalf of the County of Oneida, through its Department of Aviation, and Navmar Applied Sciences Corporation for office space and hangar space located at 752 Hangar Road (“Building 41”) at Griffiss International Airport for a ten (10) year term commencing November 1, 2021 and ending October 31, 2021, and it is further

**RESOLVED,**      That the terms and conditions of said Lease Agreement shall be as more fully set forth in the document on file with the Clerk of this Board.

**APPROVED:**      Airport Committee (February 8, 2022)  
                         Ways and Means Committee(February 9, 2022)

**DATED:**              February 9, 2022

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

No. 038 – FN 2022-045 – Messrs. Koenig, Flisnik offered the following resolution and moved its adoption.

**RE:                    APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND N17426, LLC**

**WHEREAS,**      This Board is in receipt of correspondence from Commissioner of Aviation, Edward A. Arcuri, requesting approval of a Lease Agreement between Oneida County, through its Department of Aviation, and N17426, LLC for hangar space located at 592 Hangar Road (“Building 101”) at Griffiss International Airport, and

**WHEREAS,**      In accordance with terms set forth therein, N17426, LLC shall lease 3,659 +/- square feet of hangar space at a total cost of \$18,000.00 for an initial term commencing October 1, 2021 and ending September 30, 2022, with four (4) automatic one (1) year renewals through September 30, 2026, containing a three percent (3%) escalator on the base rent charged in the initial term, unless terminated on notice, and

**WHEREAS,**      In accordance with Oneida County Charter Section 2202, said Lease 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 Lease Agreement on behalf of the County of Oneida, through its Department of Aviation, and N17426, LCC for hangar space located at 592 Hangar Road (“Building 101”) at Griffiss International Airport for a one (1) year term commencing October 1, 2021 and ending September 30, 2022, with four (4) automatic one (1) year renewals through September 30, 2026, and it is further

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**RESOLVED,** That the terms and conditions of said Lease Agreement shall be as more fully set forth in the document on file with the Clerk of this Board.

**APPROVED:** Airport Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**No. 039 – FN 2022-046** – Messrs. Boucher, Flisnik offered the following resolution and moved its adoption.

**RE: SUPPLEMENTAL APPROPRIATION OF \$500,000.00 TO A6446.495 – COVID-19 EMERGENCY COSTS**

**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 A6446.495 – COVID-19 Emergency Costs, and

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

A599-/599	Appropriated Fund Balance	\$500,000.00
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now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2021 funds, as hereinafter set forth, is hereby approved:

TO:

A6446.495	COVID-19 Emergency Costs	\$500,000.00
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**APPROVED:** Health & Human Services Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**No. 040 – FN 2022-047** – Messrs. Boucher, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF A PURCHASE OF SERVICES AGREEMENT TEMPLATE TO BE USED BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, AND VARIOUS FOSTER CARE INSTITUTION PROVIDERS**

**WHEREAS,** This Board is in receipt of correspondence from Colleen Fahy-Box, Commissioner of Family and Community Services, requesting approval of a Purchase of Services Agreement template to be used for Purchase of Services Agreements between Oneida County, through its Department of Family and Community Services, and various Foster Care Institution Providers, and

**WHEREAS,** These Providers will provide institutional foster care for children under the age of eighteen (18) who: (1) have been adjudicated as a Person In Need of Supervision (PINS) or a Juvenile Delinquent (JD); (2) whose parents or legal guardians have voluntarily transferred custody to the Oneida County Department of Family and Community Services; or (3) whose custody has been involuntarily committed by the court to an authorized agency or a foster parent in accordance with Section 384-b of the Social Services Law; Article 6 of the Family Court Act; or Article 10 of the Family Court Act, and

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**WHEREAS,** Commissioner Fahy-Box has requested that the Purchase of Services Agreement be approved as a template for similar arrangements with various Foster Care Institution Providers, for a five (5) year term commencing June on or after 1, 2021 and ending May 31, 2026, and

**WHEREAS,** The estimated combined total cost for the Purchase of Services Agreements with the various Foster Care Institution Providers will be approximately \$79,856,125.00, and

**WHEREAS,** In accordance with Oneida County Charter Section 2202, said Purchase of Services 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 Purchase of Services Agreement template to be used for Purchase of Services Agreements between Oneida County, through its Department of Family and Community Services and various Foster Care Institution Providers, and be it further

**RESOLVED,** That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute Agreements between Oneida County, through its Department of Family and Community Services, and various Foster Care Institution Providers, for a term commencing on or after June 1, 2021 and ending May 31, 2026.

**APPROVED:** Health and Human Services Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**No. 041 – FN 2022-048 –** Messrs. Boucher, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF WORKFORCE DEVELOPMENT, AND NEW YORK STATE, THROUGH ITS OFFICE OF GENERAL SERVICES**

**WHEREAS,** This Board is in receipt of correspondence from David Mathis, Director of Workforce Development, requesting approval of a Memorandum of Understanding between Oneida County, through its Office of Workforce Development, and New York State, through its Office of General Services, to lease approximately 1,697 square feet of office space in the County owned Working Solutions building located at 300 West Dominick Street, Rome, New York, and

**WHEREAS,** Said Memorandum of Understanding shall be for a term commencing May 1, 2020 and ending April 30, 2025, with New York State paying Oneida County rent in the amount of \$20,364.00 annually, and

**WHEREAS,** In accordance with Oneida County Charter section 2202, said Memorandum of Understanding must be approved by this Board, 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 Memorandum of Understanding on behalf of the County of Oneida, through its Office of Workforce Development, and New York State, through its Office of General Services, to lease approximately 1,697 square feet of office space in the County owned Working Solutions building located at 300 West Dominick Street, Rome, New York for a term commencing May 1, 2020 and ending April 30, 2025, and it is further

**RESOLVED,** That the terms and conditions of said Memorandum of Understanding shall be as more fully set forth in the document on file with the Clerk of this Board.

**APPROVED:** Health and Human Services (February 8, 2022)  
Ways & Means Committee (February 9, 2022)

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AYES 21 NAYS 0 ABSENT 2 (Mme. Ervin, Mr. Joseph)

No. 042 – FN 2022-049 – Messrs. Waterman, Flisnik, Mme. Reale offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND BARTON & LOGUIDICE, D.P.C.**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County, through its Department of Public Works, and Barton & Loguidice, D.P.C. to provide construction phase services for the reconstruction of Middle Settlement Road, and

**WHEREAS,** Barton & Loguidice, D.P.C. will provide construction phase services to Oneida County for a maximum approximate amount of \$316,100.00, for a term commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2023, 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 Barton & Loguidice, D.P.C. for construction phase services for the reconstruction of Middle Settlement Road, for a term commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2023.

APPROVED: Public Works Committee (February 8, 2022)  
Ways & Means Committee (February 9, 2022)

DATED: February 9, 2022

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

No. 043 – FN 2022-051 – Messrs. Waterman, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF WATER QUALITY & WATER POLLUTION CONTROL, AND NEW YORK STATE, THROUGH ITS EMPIRE STATE DEVELOPMENT CORPORATION**

**WHEREAS,** This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Water Quality & Water Pollution Control, and New York State, through its Empire State Development Corporation, in the sum of \$830,525.00, to be used to offset capital costs related to the construction of anaerobic digesters with energy recovery at the Oneida County Water Pollution Control Plant, and

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

**RESOLVED,** That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to a Grant Agreement between Oneida County, through its Department of Water Quality & Water Pollution Control, and New York State, through its Empire State Development Corporation, in the sum of \$830,525.00.

APPROVED: Public Works Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

DATED: February 9, 2022

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



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No. 044 – FN 2022-052 – Messrs. Waterman, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-566 – DPW – PUBLIC PARKING GARAGE**

**WHEREAS,** This Board is in receipt of a request for an amendment to Capital Project H-566 – DPW – Public Parking Garage, and

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

**RESOLVED,** That Capital Project H-566 – DPW – Public Parking Garage is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonds	\$20,900,000.00	\$10,000,000.00	\$30,900,000.00
State Aid	\$10,000,000.00	\$ 0.00	\$10,000,000.00
Federal (APR)	<u>\$10,000,000.00</u>	<u>\$ 0.00</u>	<u>\$10,000,000.00</u>
	\$40,900,000.00	\$10,000,000.00	\$50,900,000.00

**APPROVED:** Public Works Committee (February 8, 2022)  
 Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

Seconded by Mme. McNiel and adopted by the following roll call vote:  
 AYES 21 NAYS 0 ABSENT 2 (Mme. Ervin, Mr. Joseph)

**ROLL CALL SHEET**

**DATE:** February 9, 2022

**SESSION:** Regular

**MEMBERS PRESENT:** 21

**MEMBERS ABSENT:** 0

**AYES:** 21 **NAYS:** 0 **ABSENT:** 2

**INTRODUCTORY NO. 044**

<b>DIST</b>	<b>MEMBERS</b>	<b>AYES</b>	<b>NAYS</b>
R-1	SCHIEBEL	X	
R-2	IDZI	X	
R-3	LEACH	X	
R-4	ROGERS-WITT	X	
R-5	WATERMAN	X	
R-6	BOUCHER	X	
R-7	FIORINI	X	
R-8	FLISNIK	X	
D-9	BUCK	X	
R-10	JOSEPH		X
R-11	KOENIG	X	
R-12	MCMONAGLE	X	
R-13	NEWTON	X	
D-14	DAVIS	X	
R-15	REALE	X	
R-16	PRATT	X	

Meeting held on Wednesday, February 9, 2022 at 2:00 P.M.  
**FEBRUARY MEETING**

**RESOLUTION NO. 044**

<b>R-17</b>	<b>DIMAGGIO</b>	<b>X</b>	
<b>R-18</b>	<b>DANIELS</b>	<b>X</b>	
<b>I-19</b>	<b>JULIAN</b>	<b>X</b>	
<b>D-20</b>	<b>ERVIN</b>		<b>x</b>
<b>D-21</b>	<b>MYERS</b>	<b>X</b>	
<b>D-22</b>	<b>MCNIEL</b>	<b>X</b>	
<b>D-23</b>	<b>LEONE</b>	<b>X</b>	

**No. 045 – FN 2022-054** – Mr. Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF A SETTLEMENT IN THE MATTER OF S.L. & P.L., INDIVIDUALLY AND AS PARENTS AND NATURAL GUARDIANS OF M.L., AN INFANT**

**WHEREAS,** Oneida County Executive, Anthony J. Picente, Jr., is in receipt of correspondence from County Attorney, Peter M. Rayhill, requesting Board approval of a settlement in the matter of S.L. & P.L., individually and as parents and natural guardians of M.L., an infant, and

**WHEREAS,** All parties have agreed to settle this matter for the sum of \$750,000.00, with The House of the Good Shepherd (co-defendant) contributing \$725,000.00 and Oneida County contributing \$25,000.00, now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators hereby approves and authorizes payment of the County’s share of a settlement in the matter of S.L. & P.L., individually and as parents and natural guardians of M.L., an infant, in the sum of \$25,000.00.

**APPROVED:** Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**No. 046 – FN 2022-055** – Messrs. Waterman, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF A PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PLANNING, AND 3B TIMBER COMPANY, INC.**

**WHEREAS,** This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Planning, and 3B Timber Company, Inc., in the sum of approximately \$200,000.00, for harvesting services on County-owned property (Tax Map ID# 105.000-1-1) in the Town of Rensen, and

**WHEREAS,** 3B Timber Company, Inc. will pay Oneida County a variable sum of \$40.00 per ton for red pine poles that are harvested and \$12.00 per ton for all other red pine that is harvested, with said harvesting to occur primarily between March 2022 and March 2023, and

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

**RESOLVED,** That this Board authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Planning, and 3B Timber Company, Inc.

**APPROVED:** Public Works Committee (February 8, 2022)

Meeting held on Wednesday, February 9, 2022 at 2:00 P.M.  
FEBRUARY MEETING

Ways and Means Committee (February 9, 2022)

DATED: February 9, 2022

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

No. 047 – FN 2022-056.1 – Mr. Flisnik offered the following resolution and moved its adoption

**RE: REAPPOINTMENT OF LEGISLATIVE REPRESENTATIVE CHRISTOPHER NEWTON TO THE REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

**WHEREAS,** Pursuant to Section 11-0501 of the New York State Environmental Conservation Law, Oneida County Executive, Anthony J. Picente, Jr., has requested the reappointment of Legislative Representative Christopher Newton to serve on the Region 6, Fish and Wildlife Management Board, and

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

**RESOLVED,** That the Oneida County Board of Legislators approves and confirms the reappointment of Legislative Representative Christopher Newton to serve on the Region 6 Fish and Wildlife Management Board for a two year term commencing January 1, 2022 and ending December 31, 2023.

APPROVED: Ways and Means Committee (February 9, 2022)

DATED: February 9, 2022

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

No. 048 – FN 2022-056.2 – Mr. Flisnik offered the following resolution and moved its adoption.

**RE: REAPPOINTMENT OF SPORTSMAN REPRESENTATIVE ARTHUR SMOLINSKI TO THE REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

**WHEREAS,** Pursuant to Section 11-0501 of the New York State Environmental Conservation Law, Oneida County Executive, Anthony J. Picente, Jr., has requested the reappointment of Sportsman Representative Arthur Smolinski to serve on the Region 6, Fish and Wildlife Management Board, and

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

**RESOLVED,** That the Oneida County Board of Legislators approves and confirms the reappointment of Sportsman Representative Arthur Smolinski to serve on the Region 6 Fish and Wildlife Management Board for a two year term commencing January 1, 2022 and ending December 31, 2023.

APPROVED: Ways and Means Committee (February 9, 2022)

DATED: February 9, 2022

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

No. 049 – FN 2022-056.3 – Mr. Flisnik offered the following resolution and moved its adoption.

**RE: APPOINTMENT OF LANDOWNER REPRESENTATIVE RICHARD STORY TO THE REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

**WHEREAS,** Pursuant to Section 11-0501 of the New York State Environmental Conservation Law, Oneida County Executive, Anthony J. Picente, Jr., has requested the appointment of Landowner Representative Richard Story to serve the remainder of former Landowner Representative Michael Candella's term on the Region 6, Fish and Wildlife Management Board, and

Meeting held on Wednesday, February 9, 2022 at 2:00 P.M.  
FEBRUARY MEETING

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

**RESOLVED,** That the Oneida County Board of Legislators approves and confirms the appointment of Landowner Representative Richard Story to serve on the Region 6 Fish and Wildlife Management Board for the remainder of former Landowner Representative Michael Candella's term ending December 31, 2022.

**APPROVED:** Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

No. 050 – FN 2022-057 – Mr. Flisnik offered the following resolution and moved its adoption.

**RE: APPOINTMENTS TO THE ONEIDA COUNTY FIRE ADVISORY BOARD**

**WHEREAS,** Pursuant to County Law Section 225-a and Article XX, Section 2002, of the Oneida County Charter Oneida County Executive, Anthony J. Picente, Jr., has recommended appointments of the following persons to the Oneida County Fire Advisory Board for two (2) year terms that will expire December 31, 2023, and

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

**RESOLVED,** That the following appointments to the Oneida County Fire Advisory Board are hereby confirmed pursuant to County Law Section 225-a and Article XX, Section 2002 of the Oneida County Charter, effective immediately, and for a term of two (2) years to expire on December 31, 2023:

Steven Boucher	9812 Twin Rock Road, Remsen, New York 13438
Cynthia Rogers-Witt	401 E. Garden Street, Rome, New York 13440
Robert Koenig	5585 Westmoreland Road, Whitesboro, New York 13492
Anthony Leone	501 Mary Elaine Drive, Utica, New York 13502
Christopher Newton	20 Devereux Lane, Whitesboro, New York 13492
Stephen DiMaggio	7065 Stokes Westernville Road, Rome, New York 13302
David Buck	5423 Croissant Circle, Deerfield, New York 13502

**APPROVED:** Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

No. 051 – FN 2022-058 – Messrs. Schiebel, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF A CONSULTANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PLANNING, AND PLANNING4PLACES, LLC**

**WHEREAS,** This Board is in receipt of a Consultant Agreement between Oneida County, through its Department of Planning, and Planning4Places, LLC to provide Community & Transportation Planning Services for the Oneida County Main Streets Program and the Local Transportation Planning Assistance Program for the Herkimer-Oneida Counties Transportation Council (HOCTC), and

**WHEREAS,** Planning4Places, LLC will provide said services for the sum of \$610,000.00, for a term commencing February 11, 2022 and ending February 11, 2024, 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

Meeting held on Wednesday, February 9, 2022 at 2:00 P.M.  
FEBRUARY MEETING

**RESOLVED,** That the Oneida County Board of Legislators hereby authorizes and approves a Consultant Agreement between Oneida County, through its Department of Planning, and Planning4Places, LLC, for a term commencing February 11, 2022 and ending February 11, 2024.

**APPROVED:** Economic Development & Tourism Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**No. 052 – FN 2022 – 059** – Messrs. Waterman, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF THE PROPOSED ONEIDA COUNTY SEWER DISTRICT RATE SCHEDULE**

**WHEREAS,** Upon recommendation from Karl E. Schrantz, P.E., Commissioner of Water Quality and Water Pollution Control, and pursuant to Article 5-A, Section 266 of New York County Law, County Executive Anthony J. Picente, Jr. has submitted to the Oneida County Board of Legislators for its approval, a proposed rate schedule establishing fees to be paid by the customers of the Oneida County Sewer District for services provided by the District, and

**WHEREAS,** The proposed rate schedule was filed with the Clerk of the Board and a Notice of Public Hearing was posted in the Oneida County Courthouse and published in the Utica Observer Dispatch, and

**WHEREAS,** A public hearing on said rate schedule was held December 15, 2021 and a public comment period on said rate schedule was open through December 22, 2021, now, therefore, be it hereby

**RESOLVED,** That said rate schedule is approved and adopted as a basis for establishing fees to be paid by the customers of the Oneida County Sewer District for services provided by the District, and be it further

**RESOLVED,** That the proposed rate schedule will take effect as of January 1, 2022, but will not be implemented until April 1, 2022, and will remain in effect until modified by this Board.

**APPROVED:** Public Works Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

Seconded by Mr. Davis and adopted by the following vote:  
AYES 13 NAYS 8 (Mme. Reale, McNiel, Messrs. Leone, Myers, Newton, Koenig, Julian, Daniels)  
ABSENT 2 (Mme. Ervin, Mr. Joseph)

**No. 053 – FN 2022-060** – Mme. Pratt, Mr. Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF ONE REFUND AND NINE CORRECTIONS TO VARIOUS ERRONEOUS TAX ASSESSMENTS**

**WHEREAS,** The Commissioner of Finance has forwarded one application for a refund totaling \$191.50 in the Town of Westmoreland and nine corrections for erroneous tax assessments in the Towns of Camden, Sangerfield, Steuben, Trenton, Marcy, Remsen and the City of Utica totaling \$18,532.60, 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 this Board and this Board has reviewed said applications and corrections and made its recommendations, now, therefore, be it hereby

February 9, 2022

Meeting held on Wednesday, February 9, 2022 at 2:00 P.M.  
FEBRUARY MEETING

**RESOLVED,** That this Board hereby concurs with and approves 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:** Government Operations Committee (February 8, 2022)  
Ways and Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**No. 054 – FN 2022-061** – Messrs. Waterman, Flisnik offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County, through its Department of Public Works, and Fisher Associates, P.E., L.S., L.A., D.P.C. to provide design services for the following projects: Replacement of Structure C2-7, Summit Road over Sauquoit Creek, Town of Paris; Replacement of Structure C2-58, Floyd-Camroden Road over Branch Hurlbut Glen Brook, Town of Floyd; Replacement of Structure C1A-58, Floyd-Camroden Road over Slate Creek, Town of Floyd; Replacement of Structure C6A-32, Valley Road over Niemier Brook, Town of Whitestown; Replacement of Structure C6A-53, Stokes-Westernville Road over Branch Mohawk River, Town of Western; and Slope Stabilization – Blossvale Road, CR66, Town of Annsville, and

**WHEREAS,** Fisher Associates, P.E., L.S., L.A., D.P.C. will provide design services to Oneida County for an amount not to exceed \$127,300.00, for a term commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2022, 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 Fisher Associates, P.E., L.S., L.A., D.P.C. for design services for the following projects: Replacement of Structure C2-7, Summit Road over Sauquoit Creek, Town of Paris; Replacement of Structure C2-58, Floyd-Camroden Road over Branch Hurlbut Glen Brook, Town of Floyd; Replacement of Structure C1A-58, Floyd-Camroden Road over Slate Creek, Town of Floyd; Replacement of Structure C6A-32, Valley Road over Niemier Brook, Town of Whitestown; Replacement of Structure C6A-53, Stokes-Westernville Road over Branch Mohawk River, Town of Western; and Slope Stabilization – Blossvale Road, CR66, Town of Annsville, for a term commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2022.

**APPROVED:** Public Works Committee (February 8, 2022)  
Ways & Means Committee (February 9, 2022)

**DATED:** February 9, 2022

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

**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, February 9, 2022 at 2:00 P.M., typographical errors excepted.

**MIKALE BILLARD**