



ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini
Chairman
(315) 798-5900

Susan L. Crabtree
Clerk
(315) 798-5901

James M. D'Onofrio
Majority Leader

Michael J. Hennessy
Minority Leader

ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS
NUMBERED 170 THROUGH 187 THAT WERE ACTED UPON BY THE
BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR SESSION
HELD APRIL 16, 2008.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 170

INTRODUCED BY: Messrs. Fiorini, D'Onofrio, Porter, Hennessy
2ND BY: Mr. Goodman

RE: RESOLUTION OF THE BOARD OF LEGISLATORS OVERRIDING THE COUNTY EXECUTIVE'S VETO OF LOCAL LAW INTRODUCTORY "A" OF 2008

WHEREAS, Local Law Introductory "A" of 2008 (a local law increasing the annual compensation paid to the Sheriff of Oneida County pursuant to Article VI, Section 614 of the Oneida County Charter), was duly enacted by the Board of Legislators on March 26, 2008, and

WHEREAS, on March 27, 2008, the Clerk of the Board presented to the County Executive a certified copy of such local law for his approval, and

WHEREAS, on March 27, 2008, pursuant to Section 21 of the Municipal Home Rule Law, the County Executive returned Local Law Introductory "A" of 2008 to the Clerk of the Board together with his objections to such law, which objections constitute the County Executive's veto of the local law, and

WHEREAS, said objections are as more fully set forth in the letter from the County Executive dated March 27, 2008, which letter is attached to this resolution and made a part of the record of the proceedings of the Board this date, and

WHEREAS, after due consideration to such objections, the Board of Legislators now wishes to override the veto of the County Executive and adopt Local Law Introductory "A" of 2008, now, therefore, be it

RESOLVED, Local Law Introductory "A" of 2008 be and the same is hereby is approved and adopted.

DATED: April 16, 2008

Adopted by the following roll call vote:

AYES 23 NAYS 2 (Scott, Tanoury) ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)



COUNTY OF ONEIDA
OFFICE OF THE COUNTY EXECUTIVE

ANTHONY J. PICENTE JR.

County Executive
ce@ocgov.net

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7/1/2008-220

March 27, 2008

Susan L. Crabtree
Clerk
Oneida County Board of Legislators
Oneida County Office Building
800 Park Ave.
Utica, NY 13501

READ & FILED

Dear Mrs. Crabtree:

I wish to inform you of my intention to use the powers granted to my office under terms of the County Charter and pursuant to Section 21 of the Municipal Home Rule Law to veto the salary increase that has been proposed for the Oneida County Sheriff.

First, allow me to say that I recognize, as do many of the honorable members of the Board, that the position of the Oneida County Sheriff needs to be upgraded in terms of its salary. I also agree that the person who bears the ultimate responsibility for leadership and administration of any office or department should have a higher base salary than his subordinates.

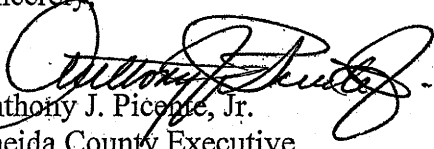
Further, I respect Sheriff Daniel Middaugh as an outstanding law enforcement officer, a dedicated public official and a man who has devoted his career to public safety. My concerns with the proposed raise should not be misconstrued as any concerns over or criticism of the performance of Sheriff Middaugh.

I do, however, strongly oppose increasing the salaries of elected officials during their terms of office. I have made this position known throughout the discussion of this issue and I continue to maintain this position. When candidates seek elective office, they run knowing the salary of that position and I believe that, in doing so, they have made a commitment to serve at that salary for the duration of that term. It is my firm opinion that enacting an increase in the salary of any elected official during their term of office negatively impacts the public trust and I oppose doing so for any office.

As I have also stated publicly, I do not believe it is appropriate to arbitrarily take the salary of one position, in the middle of a term and adjust it to the extent of approving a 30 percent salary increase. This action is not fair to the public we serve or to our valued employees.

In summary, the contention that has been made that the salary for the office should be raised is not without merit, but I believe the action taken by the Board is the wrong way to remedy the situation. Pursuant to Section 21 of the Municipal Home Rule Law, I am returning the subject local law to the Board of Legislators for its further consideration of the objections to such increase which I have raised herein.

Sincerely,



Anthony J. Picopie, Jr.
Oneida County Executive

RECEIVED
ONEIDA COUNTY LEGISLATURE
2008 MAR 27 PM 4:10

ROLL CALL**DATE** April 16, 2008**SESSION** Regular**MEMBERS PRESENT** 25**MEMBERS ABSENT** 4**VACANT** 0**AYES** 23 **NAYS** 2**INTRODUCTORY NO.** 170**RESOLUTION NO.** 170

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

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 171

INTRODUCED BY: Mrs. Mandryck, Mr. Porter

2ND BY: Mr. Waterman

RE: APPROVAL OF TRANSFER OF COUNTY OWNED PARCEL TO THE VILLAGE OF BARNEVELD FOR MUNICIPAL USE

WHEREAS, Certain real property located on Boon Street in the Town of Trenton, identified as Tax Map #194.015-1-2, was acquired by the County for delinquent taxes, and

WHEREAS, The Village of Barneveld has expressed an interest in acquiring said parcel for the municipal purpose, of creating a parking lot, and

WHEREAS, It is the recommendation of the Oneida County Commissioner of Finance that such conveyance be approved by this Board pursuant to Section 72-h of the General Municipal Law, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves the transfer of real property located on Boon Street in the Town of Trenton, identified as Tax Map #194.015-1-2, from the County to the Village of Barneveld to be used for the municipal purpose, of creating a parking lot, and

RESOLVED, That the Chairman of the Oneida County Board of Legislators is hereby authorized and directed to execute a quit claim deed, on behalf of the County of Oneida, to effect conveyance of such property to the Village of Barneveld.

APPROVED: Internal Affairs Committee (February 20, 2008)
Ways & Means Committee (March 26, 2008)

DATED April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 172

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

**RE: APPROVAL OF CONTRACT BETWEEN THE LAW DEPARTMENT AND CSI FOR CLAIMS
ADMINISTRATION SERVICES**

WHEREAS, The County of Oneida has negotiated an Agreement with CSI Claims Services, Inc., of Saratoga, NY, to provide claims administration and reporting services to the County's Law Department, and

WHEREAS, Said 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 authorized and directed to execute an Agreement, on behalf of the County, with CSI Claims Services, Inc., of Saratoga, NY, to provide claims administration and reporting services to the County's Law Department during a term commencing January 1, 2008 and ending December 31 2010 at a cost of at a cost of \$58,340, annually.

APPROVED: Courts, Laws & Rules Committee (March 12, 2008)
Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 173

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

**RE: APPROVAL TO REINSTATE THE POSITION OF SENIOR CLERK, GRADE W12-1, IN
COUNTY CLERK'S OFFICE**

WHEREAS, This Board is in receipt of correspondence from Oneida County Clerk Sandra J. DePerno, requesting the reinstatement of position #15, Senior Clerk, Grade W12, Step 1, to support the daily workload in the Office of County Clerk-Registrar, and

WHEREAS, Said request must be approved by this Board, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves reinstatement of position #15, Senior Clerk, Grade W12, Step 1 (\$18,550), in the Office of County Clerk-Registrar, effective immediately.

APPROVED: Internal Affairs Committee (March 12, 2008)
Ways & means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 22 NAYS 3 (Davis, Joseph, Scott) ABSENT (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 174

INTRODUCED BY: Messrs. Wilcox, Porter
2ND BY: Mr. Roefaro

RE: SUPPLEMENTAL APPROPRIATION OF \$272,307 TO AA#A4310.0, MENTAL
HEALTH ADMINISTRATION ACCOUNTS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$272,307 to AA#A4310.0, Mental Health Administration Accounts, and

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

A3490, State Aid-OMH.....	\$253,786
A3493, State Aid-OASAS.....	\$ 18,521
TOTAL	\$272,307

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2008 funds, in the amount of \$272,307, as hereinafter set forth, be and the same is hereby made:

TO:

A4310.49515, Insight House.....	\$ 18,521
A4310.49517, Upstate Cerebral Palsy.....	\$ 75,180
A4310.49519, Central NY Services.....	\$ 50,800
A4310.49523, Catholic Charities.....	\$127,806
TOTAL	\$272,307

APPROVED: Public Health Committee (March 11, 2008)
 Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 175

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

**RE: SUPPLEMENTAL APPROPRIATION OF \$10,000 TO AA#A1162.295, DISTRICT
ATTORNEY, LAW ENFORCEMENT**

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$10,000 to AA#A1162.295, District Attorney, Law Enforcement, and

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

A1207, Law Enforcement, Approp. F.B. Year Forfeitures..... \$10,000

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2008 funds, in the amount of \$10,000, as hereinafter set forth, be and the same is hereby made:

TO:
A1162.295, Other Equipment..... \$10,000

APPROVED: Public Safety Committee (March 25, 2008)
 Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 176

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Davis

RE: RESOLUTION APPROVING CERTAIN OBLIGATIONS OF THE COLORADO EDUCATIONAL AND CULTURAL FACILITIES AUTHORITY AS REQUIRED BY SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986

WHEREAS, Educational Media Foundation, a California nonprofit corporation which operates a non-commercial radio station located north of the intersection of Smith Hill Road and Grace Road near Deerfield Heights, New York, in Oneida County, New York (the "Borrower") has requested the Colorado Educational and Cultural Facilities Authority (the "Issuer") to issue its Tax-Exempt Obligation for the benefit of the Borrower, in the aggregate principal amount of approximately \$52,000,000 (the "Obligation"), and

WHEREAS, The proceeds of the Obligation will be used for the purposes of: (a) refinancing the cost of acquiring a Federal Communications Commission (FCC) non-commercial license to operate a radio station (WRCK) assigned to the City of Utica, New York, by the FCC that offers contemporary Christian music, public affairs programming, public service announcements and personal counseling by phone to listeners and (b) paying certain costs of issuance of the Obligation, and

WHEREAS, In order to achieve interest savings, the Borrower desires that the Obligation be issued in compliance with the requirement of the Internal Revenue Code of 1986, as amended (the "Code") so that interest on the Obligation will be excludable from the gross income of the holders, and

WHEREAS, Section 147(f) of the Code requires, as a condition to receiving tax-exempt treatment of the interest on the Obligation, that an authorized, elected representative approve the Obligation and the County Board of Legislators of Oneida County, New York (the "Board"), constitutes such an authorized, elected representative, and

WHEREAS, It is deemed necessary and advisable that this Resolution be adopted; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF LEGISLATORS OF ONEIDA COUNTY, NEW YORK, AS FOLLOWS:

Section 1: The issuance of the Obligation by the Issuer in an aggregate amount not to exceed \$52,000,000 is hereby approved.

Section 2: Such approval shall be solely for the purpose of Section 147(f) of the Internal Revenue Code of 1986, and Oneida County, New York, shall have no liabilities for the payment of the Obligation nor shall any of its assets of the County be pledged to the payment of the Obligation.

Section 3: This Resolution shall take effect and be in full force immediately after its adoption by the Board.

APPROVED: Ways & Means Committee (April 16, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 177

**INTRODUCED BY: Mrs. Mandryck and Mr. Porter
2ND BY: Mr. Welsh**

**RE: TRANSFER \$8,000 TO AA#A1450.493, BOARD OF ELECTIONS, MAINTENANCE,
REPAIR AND SERVICE CONTRACTS**

WHEREAS, There is a need for additional funds in AA#A1450.493, Board of Elections, Maintenance, Repair and Service contracts, and

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

RESOLVED, That a transfer of the total sum of \$8,000 from 2008 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A1992.9, Budget/Special Items-Contingent, Salaries..... \$8,000

TO:

AA#A1450.493, Maintenance, Repair and Services Contracts..... \$8,000

APPROVED: Internal Affairs Committee (March 12, 2008)
Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 178

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

**RE: SUPPLEMENTAL APPROPRIATION OF \$32,082 TO AA#A1165.495125, DISTRICT
ATTORNEY, OTHER EXPENSES**

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$32,082 to AA#A1165.495125, District Attorney, Other Expenses, and

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

A3041, District Attorney-Impact Grant..... \$32,082

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2008 funds, in the amount of \$32,082, as hereinafter set forth, be and the same is hereby made:

TO:
A1165.495125, District Attorney-Other Expenses..... \$32,082

APPROVED: Public Safety Committee (March 25, 2008)
Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:
AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 179

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

RE: TRANSFER \$33,145 TO AA#A4082.0, PUBLIC HEALTH-WIC PROGRAM ACCOUNTS

WHEREAS, There is a need for additional funds in AA#A4082.0, Public Health-WIC Program Accounts, and

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

RESOLVED, That a transfer of the total sum of \$33,145 from 2008 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:	
AA#A4082.195, Other Fees and Services.....	\$33,145
TO:	
AA#A4082.101, Salaries.....	\$21,056
AA#A4082.810, Retirement.....	\$ 2,139
AA#A4082.830, Social Security.....	\$ 1,611
AA#A4082.840, Workers' Compensation.....	\$ 611
AA#A4082.850, Unemployment Insurance.....	\$ 53
AA#A4082.860, Health Insurance.....	<u>\$ 7,675</u>
TOTAL	\$33,145

APPROVED: Public Health Committee (March 11, 2008)
Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 180

INTRODUCED BY: Messrs. Wilcox, Porter

2ND BY: Mrs. Mandryck

RE: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE HEALTH DEPARTMENT AND THE ONEIDA COUNTY HEALTH COALITION

WHEREAS, This Board is in receipt of correspondence from County Executive Anthony J. Picente, Jr., and the Director of Health requesting approval of a Memorandum of Understanding between Oneida County and the Oneida County Health Coalition to jointly improve the public health system, utilize an increased information sharing structure, provide community education and insure the competency and professional development of health care workers, and

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

RESOLVED, That this Board authorizes and approves a Memorandum of Understanding between Oneida County and the Oneida County Health Coalition intended to improve the public health system, utilize an increased information sharing structure, provide community education, and insure the competency and professional development of health care workers, at no cost, during a term of one year commencing February 1, 2008 and ending February 1, 2009, with an option to renew annually, by letter.

APPROVED: Public Health Committee (March 11, 2008)
Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 181

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

RE: APPROVAL OF CONTRACT BETWEEN THE PUBLIC WORKS DEPARTMENT AND LOCHNER ENGINEERING FOR CONSTRUCTION INSPECTION SERVICES FOR BRIDGE REPLACEMENT/REHABILITATION PROJECTS

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from John J. Williams, Commissioner of Public Works, requesting approval of an Agreement between the County and Lochner Engineering, P.C., of Utica, NY, to provide construction inspection services for County funded bridge replacement/rehabilitation projects during the 2008-2009 construction season, and

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

RESOLVED, That the Oneida County Board of Legislators authorizes acceptance of an Agreement between Oneida County and Lochner Engineering, P.C., of Utica, NY to provide construction inspection services for County funded bridge replacement/rehabilitation projects during the 2008/2009 construction season at a proposed cost of \$100,000 supported, in full, by Capital Project H-374, County Highway Bridge Program (Phase 3).

APPROVED: Public Works Committee (March 2, 2008)
Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 24 NAYS 0 ABSTAIN 1 (Mrs. Mandryck) ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 182

INTRODUCED BY: Messrs. Wilcox, Porter

2ND BY: Mr. Tanoury

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE MENTAL HEALTH DEPARTMENT AND HUMAN TECHNOLOGIES CORPORATION

WHEREAS, This Board is in receipt of an Agreement between the Oneida County Department of Mental Health and Human Technologies Corporation, Inc., to provide programs related to compulsive gambling, advocacy services and integrated supported employment for eligible individuals, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and accepts a Purchase of Service Agreement between Oneida County Department of Mental Health and Human Technologies Corporation, Inc., to provide programs related to compulsive gambling, advocacy services and integrated supported employment for eligible individuals during a one year term commencing January 1, 2008 through December 31, 2008 at a gross cost of \$346,786 supported, in full, by the NYS Office of Mental Health, Office of Alcoholism and Substance Abuse Services, Program Revenue, and State Aid.

APPROVED: Public Health Committee (March 12, 2008)
Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 183

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Roefaro

**RE: APPOINTMENT OF LEGISLATORS PAMELA MANDRYCK AND MICHAEL CLANCY
TO THE GOVERNING BOARD OF THE ONEIDA COUNTY SOIL AND WATER
CONSERVATION DISTRICT**

WHEREAS, Pursuant to Article XX, Section 2004 of the Oneida County Charter and Section 7 of the New York State Soil and Water Conservation District Law, County Executive Anthony J. Picente, Jr., has recommended the appointments of Legislator Pamela N. Mandryck, R-17, and Legislator Michael J. Clancy, D-12, to serve on the governing board of the Oneida County Soil and Water Conservation District, and

WHEREAS, Said appointments 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 appointments of Legislator Pamela N. Mandryck, R-17, and Legislator Michael J. Clancy, D-12, to serve as members of the Oneida County Soil and Water Conservation Board, effective immediately, for terms expiring December 31, 2008.

APPROVED: Ways & Means Committee (March 26, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 184

INTRODUCED BY: Mr. Welsh

2ND BY: Mr. Miller

**RE: APPOINTMENT OF GEORGE JOSEPH TO SERVE AS THE BOARD OF LEGISLATORS'
REPRESENTATIVE ON THE BOARD OF DIRECTORS OF THE CORNELL COOPERATIVE
EXTENSION ASSOCIATION**

WHEREAS, Pursuant to the by-laws of the Cornell Cooperative Extension and Article XX, Section 2004 of the Oneida County Charter, County Executive Anthony J. Picente, Jr., has recommended the appointment of Legislator George Joseph, R-10th, to serve on the Board of Directors of the Cornell Cooperative Extension Association, and

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 Legislator George Joseph, R-10th, to serve on the Board of Directors of the Cornell Cooperative Extension Association, effective immediately, for a term expiring December 31, 2008.

APPROVED: Education, Youth & Agriculture Committee (April 1, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 0 ABSENT 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 185

INTRODUCED BY: Messrs. D'Onofrio, Hennessy, Leach, Clancy, Davis, Stephenson

2ND BY: Mr. Roefaro

RE: RESOLUTION AUTHORIZING THE APPROPRIATION OF \$50,000. TO ENGAGE THE SERVICES OF A CONSULTANT OR LEGAL COUNSEL TO ASSIST THE COUNTY IN ITS RESPONSE TO THE ONEIDA INDIAN LAND INTO TRUST PROCESS

WHEREAS, Oneida County wishes to obtain the services of a consultant or legal counsel who has expertise in the area of Indian Land into Trust proceedings and Indian Law in general, and

WHEREAS, the County is seeking such assistance in order to assist the County's current legal team in developing arguments and strategies, and to elicit another viewpoint on the land into trust process and any defense the County may have to same, now therefore, be it hereby

RESOLVED, that the Board of Legislators shall appropriate and set aside the sum of \$50,000 in order to obtain the services of a consultant or legal counsel who specializes in Indian Law and who has experience in dealing with Indian Land in to Trust issues and history, and it is further

RESOLVED, that the Board approve the following 2008 supplemental appropriation:

TO:

AA# A1240.195-Law Department – Land Claim Task Force.....\$50,000.

This appropriation will be fully supported by unanticipated revenue from:

RA#A3035 - Law Dept. Land Claim – State Aid / Land Claim Task Force.....\$50,000.

and it is further

RESOLVED, that, in the event that such services shall exceed the amount appropriated herein, the Board shall meet to approve any further monies dedicated to this purpose.

APPROVED: Ways & Means Committee (April 16, 2008)

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES: 22 NAYS: 3 (Tanoury, Wood, Scott) **ABSENT: 4** (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 186

INTRODUCED BY: ALL MEMBERS

2ND BY: Mr. Paparella

RE: RESOLUTION URGING GOVERNOR DAVID PATERSON TO REVERSE THE DECISION TO DELAY COLLECTION OF SALES TAXES ON SALES TO NON-INDIANS AT ONEIDA INDIAN NATION OWNED ENTERPRISES

- WHEREAS,** The New York State Legislature authorized the collection of sales, use, and excise taxes at the wholesale level on sales to non-Indians at Indian owned enterprises, and
- WHEREAS,** Oneida County has estimated that the County loses between \$3-\$6 million in uncollected sales tax at Nation owned enterprises, and
- WHEREAS,** It is estimated that there has been approximately \$28 million+ lost in uncollected sales tax revenue over the last seven years because the Oneida Indian Nation has not remitted sales tax on goods sold to non-Indians, and
- WHEREAS,** The Oneida Indian Nation enterprises enjoy a competitive advantage over non-Oneida businesses, and
- WHEREAS,** Collection of sales taxes would benefit the local property taxpayer, as well as the State of New York's budget, and
- WHEREAS,** This Honorable Board previously adopted Resolutions No. 43 dated February 15, 2006 and No. 393 dated December 13, 2006 urging former Governors George Pataki and Eliot Spitzer, respectively, to reverse the decision to delay collection of sales taxes on sales to non-Indians at Oneida Indian Nation owned enterprises, NOW THEREFORE BE IT,
- RESOLVED,** The Oneida County Board of Legislators urges Governor David Paterson to reverse the decision to delay collection of sales taxes in regards to sales to non-Indians at Oneida Indian Nation owned enterprises, and BE IT FURTHER
- RESOLVED,** That the Board of Legislators hereby requests that the local State Senate and Assembly delegation take all steps necessary and proper to ensure the collection of sales taxes, and BE IT FURTHER
- RESOLVED,** That the Board of Legislators respectfully requests that the state reimburse the County and the City of Sherrill for uncollected sales taxes up to the date of collection, and Be It Further
- RESOLVED,** That the Clerk of the Board shall transmit copies of this resolution to Governor David Paterson, New York State Assembly Speaker Sheldon Silver, New York State Majority Leader Joseph L. Bruno, New York State Senators Joseph A. Griffo (R-47) and David Valesky (D-49), and New York State Assembly Representatives RoAnn M. Destito (D-116), David R. Townsend (R-115), and William Magee (D-111).

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES: 25 NAYS: 0 ABSENT: 4 (Porter, Flisnik, Wilcox, Furgol)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 187

**INTRODUCED BY: Mr. Fiorini
2ND BY: Mr. Miller**

**RE: RESOLUTION RESCINDING RESOLUTION NO. 131 ADOPTED MARCH 12, 2008
APPROPRIATING DUPLICATE AMOUNT TO AA#A3120.103, SHERIFF-LAW ENFORCEMENT**

WHEREAS, on February 13, 2008, the Board of Legislators passed Resolution No. 62 wherein a supplemental appropriation of \$22,800. was made to AA#A3120.103, Sheriff-Law Enforcement, Overtime, and

WHEREAS, on March 12, 2008, the Board passed Resolution No. 131 appropriating the same sum to the same account, now therefore, be it

RESOLVED, that Resolution No.131 of 2008 be and is hereby rescinded.

DATED: April 16, 2008

Adopted by the following v.v. vote:

AYES: 25 NAYS: 0 ABSENT: 4 (Porter, Flisnik, Wilcox, Furgol)