

ADOPTED RESOLUTIONS FROM THE AUGUST 27, 2008 BOARD OF LEGISLATORS MEETING

***INTRODUCTORY
NO.328***

F.N. 2008-344

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.329

INTRODUCED BY: Messrs. Welsh, Porter, Clancy

2ND BY: Mr. Goodman

RE: REAPPOINTMENT OF DAVID MATHIS TO THE MOHAWK VALLEY COMMUNITY COLLEGE BOARD OF TRUSTEES

WHEREAS, Pursuant to Article XX, Section 2004, of the Oneida County Charter and Administrative Code, and Section 6306 of the New York State Education Law, County Executive Anthony J. Picente, Jr., has recommended the reappointment of David Mathis to serve on the Board of Trustees of Mohawk Valley Community College, 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 hereby approves and confirms the reappointment of David Mathis to serve on the Board of Trustees of Mohawk Valley Community College for a term ending June 30, 2015, effective immediately.

APPROVED: Education & Youth Committee (August 12, 2008)
Ways & Means Committee (August 13, 2008)

DATED: August 27, 2008

Adopted by the following vote:

AYES 27 NAYS 0 ABSENT 2 (Flisnik, LaBella)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 330

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

**RE: APPROVAL OF CONTRACT BETWEEN ONEIDA COUNTY AND FREEMAN HOLDINGS
OF NEW YORK, LLC FOR THE OPERATION AND MANAGEMENT OF THE FIXED BASE
OPERATION AT GRIFFISS AIRFIELD**

WHEREAS, This Board is in receipt of correspondence from County Executive Anthony J. Picente, Jr., requesting approval of an Agreement between Oneida County and Freeman Holdings of New York, LLC, for operation and management of the Fixed Base Operation at Griffiss Airfield and for performance of services related thereto, and

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

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr., is authorized and directed to enter into an Agreement with Freeman Holdings of New York, LLC, for operation and management of the Fixed Base Operation (FBO) at Griffiss Airfield and for performance of services which include, but are not limited to, repair, service and maintenance of aircraft, sale of aviation fuel, oil and other mechanical fluids, aircraft parking and tie-down, flight service management, management of FBO buildings, grounds and fuel facilities, operation of the Unicom system during business hours when the Control Tower is not operational and furnish utility services in accordance with terms and conditions more specifically set forth in said Agreement on file with the Clerk of this Board, and it is further

RESOLVED, That Freeman Holdings of New York, LLC, shall be obligated to pay the County fuel flowage fees, a percentage of the profits derived from rental of the corporate hangar and T-hangars, 100% of all landing fees, and a percentage of revenue generated from parking, tie-downs and auto rental commissions, and it is further

RESOLVED, That the term of said Lease shall be for a period of ten years commencing on the first day of the month immediately following the month in which a Certificate of Occupancy is issued for the FBO Office Building to be constructed by GLDC on County owned property pursuant to a separate Land Lease, and it is further

RESOLVED, That an option to renew for an additional ten year term may be exercised in accordance with provisions outlined in said Agreement.

APPROVED: Airport Committee (July 22, 2008)
Ways & Means Committee (July 30, 2008)

DATED: August 27, 2008

Adopted by the following roll call vote:

AYES 19 NAYS 8 (Messrs. Hennessy, Stephenson, Tallarino, Kernan, Clancy, Davis, Scott, Tanoury)
ABSENT 2 (Flisnik, LaBella)

ROLL CALL

DATE: August 27, 2008

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT : 2

AYES: 27 **NAYS:** 8 **ABSENT:** 2

INTRODUCTORY NO. 329

RESOLUTION NO. 330

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	X	
D-7	TALLARINO		X
R-8	FLISNIK	ABS	
R-9	WILCOX	X	
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	ABS	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	HUDAK	X	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 331

***INTRODUCED BY: Messrs. Joseph, Porter
2ND BY: Welsh***

RE: APPROVAL OF AGREEMENT WITH C&S ENGINEERS TO PROVIDE CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES ASSOCIATED WITH THE TAXIWAY EDGE LIGHTING, MARKING AND SIGNAGE PROJECT

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from the Commissioner of Public Works requesting approval of a Consultant Agreement between Oneida County and C&S Engineers, Inc., for construction/observation/administration of the Taxiway Edge Lighting, Marking and Signage Project (Bid #1310), 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 approves and authorizes acceptance of a Consultant Agreement between Oneida County and C&S Engineers, Inc., for construction/observation/administration of the Taxiway Edge Lighting, Marking and Signage Project (Bid #1310) at a maximum proposed cost of \$281,631 supported by Federal (\$267,549.45), State (\$7,040.78), and County (\$7,040.78) funds, and it is further

RESOLVED, That funding for Oneida County's share of \$7,040.78 is allocated in Capital Account #H-339.

APPROVED: Airport Committee (July 29, 2008)
Ways & Means Committee (August 13, 2008)

DATED: August 27, 2008

Adopted by the following v.v. vote:

AYES 26 NAYS 1 (Mr. Tanoury) ABSENT 2 (Flisnik, LaBella)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 332

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

RE: PROPOSED WORKERS' COMPENSATION BUDGET FOR 2009

WHEREAS, The Oneida County Workers' Compensation Committee has filed a budget estimate for the operation of the Oneida County Self- Insurance Plan as hereinafter set forth for the year 2009, and

WHEREAS, It is desirable to authorize the County Comptroller and the Commissioner of Finance to establish in their accounts a budget estimate for the operation of the Oneida County Self-Insurance Plan, now, therefore, be it hereby

RESOLVED, That the following budget estimate for 2009 is hereby ordered to be placed upon the books of the County Comptroller and the Commissioner of Finance, and that the County Comptroller be, and hereby is, authorized to make payments from the respective accounts as hereinafter set forth upon inspection and examination by the Workers' Compensation Committee.

SUPPORT SCHEDULES

ASSESSMENTS TO COMPENSATION BOARD

Section IDP	\$ 28,335
Section 151	\$ 109,765
Section VF60	\$ 17,314
Section 15-8 Second Injury	\$ 455,584
Section 25A Fund for Reopened Cases	\$ 95,798
Special Funds	<u>\$ 23,204</u>
Total Assessments	\$ 730,000

COMPENSATION INDEMNITY AND MEDICAL CLAIMS EXPENSE

Estimated Indemnity and Medical Costs	\$3,900,070
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BUDGET APPROPRIATIONS

PROGRAM ADMINISTRATION AND SUPPORT

S1710.109	Salaries	\$	76,600
S1710.195	Other Fees & Services	\$	236,950
S1710.416	Telephone	\$	338
S1710.418	Meter Postage	\$	134
S1710.454	Travel	\$	1,325
S1710.491	Other Materials & Supplies	\$	125
S1710.495	Other Expenses	\$	15
S1990.9	Contingent Account	\$	40,000
	Total Administrative Expense	\$	355,487

S1720.410	Indemnity & Medical	\$	3,900,070
S1720.412	Insurance & Bonding	\$	802
S1720.495	Other Expenses	\$	730,000
	Total Claims Expense	\$	4,630,872

TOTAL ADMINISTRATIVE & CLAIMS EXPENSES **\$ 4,986,359**

ESTIMATED REVENUES

S2222	Participants Assessments	\$	4,081,198
S2401	Interest Earnings	\$	102,454
S2701	Refund of Prior Years - Expenditures	\$	64,725
S2705	Revenues	\$	737,982

TOTAL ESTIMATED REVENUES **\$ 4,986,359**

RESOLVED, That the Oneida County Board of Legislators hereby approves and accepts the aforementioned Worker's Compensation Budget for 2009.

APPROVED: Workers' Compensation Committee (August 12, 2008)
Ways & Means Committee (August 13, 2008)

DATED: August 27, 2008

Adopted by the following roll call vote:

AYES 27 NAYS 0 ABSENT 2
(Flisnik, LaBella)

ROLL CALL

DATE: August 27, 2008

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT : 2

AYES: 27 **NAYS:** 0 **ABSENT:** 2

INTRODUCTORY NO. 331

RESOLUTION NO. 332

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	X	
D-7	TALLARINO	X	
R-8	FLISNIK	ABS	
R-9	WILCOX	X	
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	ABS	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	HUDAK	X	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 333

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

**RE: APPROVAL TO UPGRADE TITLE OF CONTRACT ADMINISTRATOR FROM GRADE 35W
TO GRADE 40W IN AA#A1420.0, LAW DEPARTMENT**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from County Attorney Linda M.H. Dillon and the Commissioner of Personnel, Paulette Z. Nickerson, requesting authorization to upgrade the competitive position of Contract Administrator from Grade 35W, to Grade 40W, in AA#A1420.0, Law Department, to address an increase in responsibilities for said position which, along with monitoring of the electronic Contract Manager tracking database system, include the following:

- preparation of comprehensive reports, with recommendations, following study of administrative, budgetary or organizational problems and procedures;
- coordination and execution of assigned counsel case management, opening new cases, review and preparation of Appellate Division vouchers, review and approval of monthly vouchers and interfacing with the Public Defender, judges, court personnel and attorneys to ensure completeness and accuracy;
- assist in the preparation and explanation of reports and research data to County officials, civic and legal groups, and other interested bodies, and

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

RESOLVED, That the competitive position of Contract Administrator, is upgraded from Grade 35W (Step 1, \$42,365) to Grade 40W (Step 1, \$50,581) in AA#A1420.0, Law Department, effective immediately.

APPROVED: Courts, Laws & Rules Committee (August 12, 2008)
 Ways & Means Committee (August 13, 2008)

DATED: August 27, 2008

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

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 334

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

RE: APPROVAL OF PROPOSED 2008-2009 MOHAWK VALLEY COMMUNITY COLLEGE OPERATING BUDGET

WHEREAS, The Board of Trustees of Mohawk Valley Community College has submitted its proposed 2008-2009 Operating Budget, and

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., has forwarded his recommendation that the 2008-2009 Operating Budget for Mohawk Valley Community College be approved for a total sum of \$43,417,142, and

WHEREAS, Said Budget recommendation has been reviewed, and approved, by the Education & Youth Committee and Ways & Means Committee of this Board and has been the subject of a Public hearing held pursuant to Section 6304 of the NYS Education Law, now, therefore, be it hereby

RESOLVED, That the Operating Budget of Mohawk Valley Community College for 2008-2009 be and hereby is approved and adopted for a total cost of \$43,417,142 which reflects a contribution by the County of Oneida of \$7,280,100.

APPROVED: Education, Youth & Agriculture Committee (August 19, 2008)
Ways & Means Committee (August 27, 2008)

DATED: August 27, 2008

Adopted by the following roll call vote:

AYES 26 NAYS 0 ABSTAIN 1 (Tanoury) ABSENT 2 (Flisnik, LaBella)

ROLL CALL

DATE: August 27, 2008

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT : 2

AYES: 26 **NAYS:** 0 **ABSENT:** 2

ABSTENTIONS: 1

INTRODUCTORY NO. 333

RESOLUTION NO. 334

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	X	
D-7	TALLARINO	X	
R-8	FLISNIK	ABS	
R-9	WILCOX	X	
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	abstain	
D-26	LABELLA	ABS	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	HUDAK	X	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 335

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

**RE: SUPPLEMENTAL APPROPRIATION OF \$1,900,000 TO AA#A5620.457, DEPARTMENT
OF AVIATION-AVIATION SUPPLIES FOR RESALE**

**WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has
requested a supplemental appropriation be made in the amount of \$1,900,000 to
AA#A5620.457, Department of Aviation-Aviation Supplies for Resale, and**

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

A1791, Dept. of Aviation-Griffiss Fuel Sales and Services..... \$1,900,000

now, therefore, be it hereby

**RESOLVED, That a supplemental appropriation, from 2008 funds, in the amount of \$1,900,000, as hereinafter
set forth, be and the same is hereby made:**

TO:
A5620.457, Dept. of Aviation-Aviation Supplies for Resale..... \$1,900,000

APPROVED: Airport Committee (August 27, 2008)
Ways & Means Committee (August 27, 2008)

DATED: August 27, 2008

Adopted by the following v.v. vote:

AYES 26 NAYS 1 (Mr. Tanoury) ABSENT 2 (Flisnik, LaBella)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 336

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

RE: APPROVAL OF AGREEMENT BETWEEN ONEIDA COUNTY AND NYSDOT FOR THE JUDD ROAD CONNECTOR WETLAND MITIGATION IN THE TOWN OF WHITESTOWN

WHEREAS, A Project for the Judd Road Connector Wetland Mitigation consisting of construction of 1969 feet of stream channel providing an overflow channel from an existing tributary into the Mohawk River, Town of Whitestown, Oneida County, P.I.N. 2801.27 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, The County of Oneida desires to advance the above Project by paying in the first instance 100% of the costs of the total project, or portions thereof, now, therefore, be it hereby

RESOLVED, That the Board of Legislators hereby authorizes the County of Oneida to pay in the first instance 100% of the costs of the Project or portions thereof, and it is further

RESOLVED, That the sum of \$522,000 is hereby appropriated from Account AA#A8730.495, Budget, Home & Community/Oneida County Soil & Water Conservation District, and made available to cover the cost of participation in the above phase of the Project, and it is further

RESOLVED, That nothing in the Agreement binds the County to advance any funds in excess of those federal and state shares set forth in Schedule A of the Agreement, and it is further

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr., be and hereby is authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Oneida with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the Federal-aid and State-aid eligible Project costs, and it is further

RESOLVED, That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

APPROVED: Ways & Means Committee (August 27, 2008)

DATED: August 27, 2008

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Flisnik, LaBella)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 337

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

RE: SUPPLEMENTAL APPROPRIATION OF \$522,000 TO AA#A8730.495, BUDGET-HOME & COMMUNITY/OC SOIL & WATER CONSERVATION

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$522,000 to AA#A8730.495, Budget-Home & Community/Oneida County Soil & Water Conservation, and

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

RA#A4755, Federal Aid – OC Soil & Water \$522,000
now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2008 funds, as hereinafter set forth, be and the same is hereby approved:

TO:
AA#A8730.495, Budget-Home & Community/OC Soil & Water \$522,000

APPROVED: Ways & Means Committee (August 27, 2008)

DATED: August 27, 2008

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