



ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5404

George Joseph
Majority Leader

Frank D. Tallarino
Minority Leader

*** NOTICE OF SPECIAL MEETINGS ***

Notice is hereby given that the Oneida County Board of Legislators will meet in Special Session in accordance with the following schedule on Wednesday, April 23rd, 2014 at the County Office Building.

6:00 P.M. - WAYS & MEANS COMMITTEE – ROOM 1040

6:45 P.M. –FULL BOARD SESSION IN LEGISLATIVE CHAMBER

File No. 2014-152 - Introductory No. 119 - “Re: A Resolution for the Retention of Herbert J. Cully, Esq. as Counsel for the Oneida County Board Of Legislators in the Matter Of Frank Tallarino vs. the Oneida County Board of Legislators and the County Of Oneida.”

MEETING REMINDERS:

Please see meeting schedule

NO. 119

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Fiorini, Joseph
2ND BY:

RE: RETENTION OF HERBERT J. CULLY, ESQ. AS COUNSEL FOR THE ONEIDA COUNTY BOARD OF LEGISLATORS IN THE MATTER OF FRANK TALLARINO VS. THE ONEIDA COUNTY BOARD OF LEGISLATORS AND THE COUNTY OF ONEIDA

WHEREAS, On April 9, 2014 Frank Tallarino, Oneida County Legislator, Legislative District 12, did commence a legal proceeding against the Oneida County Board of Legislators and the County of Oneida by service of a Summons and Complaint and Notice of Petition and Petition, and

WHEREAS, The Charter for the County of Oneida and the Administrative Code for the County of Oneida both provide that the County Attorney shall defend the Board of Legislators in all civil actions and proceedings, and

WHEREAS, The County Attorney has provided the Board of Legislators with an opinion that the proceeding commenced by Legislator Tallarino presents a conflict of interest for the County Attorney and therefore constitutes an exception to the provisions of the County Charter and Administrative Code pertaining to the defense of the Board of Legislators in civil actions and proceedings by the County Attorney, and

WHEREAS, In accordance with Section 202 of the Oneida County Charter, the Oneida County Board of Legislators is empowered to employ legal advisers as may be necessary, now, therefore, be it hereby

RESOLVED, That Herbert J. Cully, Esq., is retained as counsel to Oneida County in the matter of "Frank Tallarino Individually and as Minority Leader Of the Oneida County Board of Legislators, Plaintiff, vs. The Oneida County Board of Legislators and the County of Oneida, Defendants", to be compensated at a rate of Two Hundred and 00/100ths Dollars per hour (\$200.00/hr.) with a total amount fees and disbursements not to exceed Ten Thousand and 00/100ths Dollars (\$10,000.00) without further authorization of this Board.

APPROVED: Ways & Means Committee ()

DATED: April 23, 2014

Adopted by the following vote:

AYES NAYS ABSENT