

February 10, 2021

FEBRUARY MEETING

Meeting held on Wednesday, February 10, 2021 at 2:00 P.M.

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

- R-1 Keith Schiebel (Vernon, District 1, 2, 3, 4, 5; Verona, District 5)
- R-2 Colin Idzi (Augusta District 1, 2; Kirkland District 3, 8; Marshall District 1, 2; Sangerfield District 1, 2)
- R-3 Norman Leach (Rome 3rd Ward, District 3; Verona Districts 3, 4, 6; Vienna District 1, 2, 3, 4)
- 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 Philip M. Sacco (Deerfield District 1, 2, 3; Floyd District 1; Trenton District 1, 2, 3, 4)
- R-10 George Joseph (Kirkland District 1, 10; Rome Ward 2, District 1; Westmoreland District 1, 2, 3, 4)
- R-11 Robert Koenig (Whitestown District 1, 2, 4, 6, 7, 8, 9, 13, 15)
- 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 James M. D'Onofrio (New Hartford Ward 1 District 3, 5; Ward 2 District 3, 4; Ward 3 District 1, 2, 3, 4)
- R-16 Mary 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 Lori Washburn (Utica Ward 2 District 1, 3, 4, 5, 6, 7; Ward 3 District 10; Ward 5 District 7)
- D-22 Rose Ann Convertino (Utica Ward 1 District 1, 2, 3, 4, 5, 6, 7; Ward 2 District 2, 8)
- 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, Sacco, Joseph, Koenig, McMonagle, Newton, Davis, D'Onofrio, Pratt, DiMaggio, Daniels, Julian, Ervin, Washburn, Convertino, Leone

Public Speaker Comments: Mr. Peter Bianco spoke via Webex regarding Covid 19 testing.

PETITIONS AND COMMUNICATIONS

- FN. 2021-008** – County Clerk Sandra DePerno requesting an increase in expenses necessary to collect mortgage tax receipts based on Section 262 of the Tax Law.
- FN. 2021-018** – Consulting Services from the John F Finn Institute for Public Safety
- FN. 2021-019** – STOP-DWI Crackdown Patrols
- FN. 2021-020** – Use Permit for the SPTC NY State Division of Homeland Security
- FN. 2021-021** – Department of Mental Health was awarded additional funds from New York State Delivery System Reform Incentive Payment (DSRIP) Project.
- FN.2021-022** – Daniel Gilmore, Oneida County Public Health Director requesting that the Environmental Health Director salary be reallocated from 38M to 46M.
- FN. 2021-023** – Reconstruct Middle Settlement Rd (County Route 30) in the town of New Hartford

MOTIONS AND RESOLUTIONS

No.017 – FN 2021-008 – Messrs. Idzi and D'Onofrio 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

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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 \$507,234.41 and the County Clerk is requesting authorization to request such amount from the anticipated mortgage tax receipts for 2021, now, therefore, be it hereby

RESOLVED, That the Oneida County Clerk is entitled to request, and if approved and allowed, retain the sum of \$507,234.41, from the collection of the 2021 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 4, 2021)
Ways and Means Committee (February 10, 2021)

DATED: February 10, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 018- FN 2021-018 – Messrs. Flisnik, D'Onofrio, Julian, Mme. Washburn and Ervin

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DISTRICT ATTORNEY'S OFFICE, AND THE JOHN F. FINN INSTITUTE FOR PUBLIC SAFETY, INC.

WHEREAS, This Board is in receipt of correspondence from District Attorney, Scott D. McNamara, requesting approval of an Agreement between Oneida County, through its District Attorney's Office, and the John F. Finn Institute for Public Safety, Inc. to operate as a planning group to implement and coordinate strategies to reduce crime throughout Oneida County, and provide a researcher to assist with crime intelligence analysis, and

WHEREAS, The John F. Finn Institute for Public Safety, Inc. will provide consultant services to Oneida County, in the sum of \$99,118.00, for a term commencing July 1, 2020 and ending June 30, 2021, and

WHEREAS, In accordance with Section 2202 of the Oneida County Charter, 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 any and all documents related to an Agreement between Oneida County, through its District Attorney's Office, and the John F. Finn Institute for Public Safety, Inc., for a term commencing July 1, 2020 and ending June 30, 2021.

APPROVED: Public Safety Committee (February 4, 2021)
Ways and Means Committee (February 10, 2021)

DATED: February 10, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 019 – FN 2021-019 – Messrs. Flisnik and D'Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AGREEMENTS BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF TRAFFIC SAFETY/STOP DWI PROGRAM, AND VARIOUS POLICE AGENCIES

WHEREAS, This Board is in receipt of correspondence from Edward T. Stevens, Director of Emergency Services / STOP DWI Coordinator, requesting approval of an Agreement between Oneida County, through its Office of Traffic Safety/STOP DWI Program, and the Town of Whitestown, through its Police Department, to provide funding to conduct DWI Crackdown Patrols, and

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WHEREAS, Mr. Stevens has requested that this Agreement be approved as a template for similar arrangements with other municipalities, which are of the same content, with the exception of municipality name, locality, and dollar amount, and

WHEREAS, The template will be utilized to enter into Agreements between Oneida County, through its Office of Traffic Safety/STOP DWI Program, and the following municipalities: Town of New Hartford, Village of New York Mills, Oneida County Sheriff's Office, City of Rome, City of Utica, Village of Whitesboro, Town of Whitestown, and the Village of Yorkville, and

WHEREAS, No County dollars are being used for these Agreements, as funding is 100% reimbursable to Oneida County from the New York State STOP-DWI Foundation Crackdown grant, and

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

RESOLVED, That the Oneida County Board of Legislators approves Agreements between Oneida County, through its Office of Traffic Safety/STOP DWI Program, and the following municipalities, through their Police Departments for a term commencing October 30, 2020 and ending September 30, 2021, in the following amounts:

• Town of New Hartford	\$3,750.00
• Village of New York Mills	\$1,900.00
• Oneida County Sheriff's Office	\$3,750.00
• City of Rome	\$3,750.00
• City of Utica	\$3,750.00
• Village of Whitesboro	\$2,800.00
• Town of Whitestown	\$2,800.00
• Village of Yorkville	\$2,500.00

APPROVED: Public Safety Committee (February 4, 2021)
Ways and Means Committee (February 10, 2021)

DATED: February 10, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 020 – FN 2021-020 – Messrs. Koenig, D'Onofrio and Mme. Washburn offered the following resolution and moved its adoption.

RE: APPROVAL OF A REVOCABLE PERMIT FOR ACCESS AND USE BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND NEW YORK STATE, THROUGH ITS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Edwards T. Arcuri, Interim Commissioner of Aviation, requesting approval of a Revocable Permit for Access and Use between Oneida County, through its Department of Aviation, and New York State, through its Division of Homeland Security and Emergency Services, for use of the New York State Preparedness Training Center to allow the UAS Test Site the opportunity to conduct UAS testing, research and development and to take advantage of the infrastructure at the New York State Preparedness Training Center location, and

WHEREAS, According to Oneida County Charter Section 2202, said Revocable Permit for Access and Use 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 and directed to execute any and all documents related to a Revocable Permit for Access and Use between Oneida County, through its Department of Aviation, and New York State, through its Division of Homeland Security and Emergency Services, for a term beginning February 1, 2021 and ending January 31, 2022.

APPROVED: Airport Committee (February 4, 2021)
Ways and Means Committee (February 10, 2021)

DATED: February 10, 2021

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Seconded by Mme. Pratt and adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

No. 021 – FN 2021-021 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption

RE: SUPPLEMENTAL APPROPRIATION OF \$466,935.11 TO AA#A4310.495147 – DSRIP PROJECT EXPENSES – MENTAL HEALTH ADMINISTRATION

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$466,935.11 to AA#A4310.495147 – DSRIP Project Expenses – Mental Health Administration, and

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

RA#A2714 Miscellaneous Revenue – Mental Health Administration \$466,935.11

now, therefore, be it hereby

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

TO:

AA#A4310.495147 DSRIP Project Expenses – Mental Health Administration \$466,935.11

APPROVED: Ways and Means Committee (February 10, 2021)

DATED: February 10, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 022 – FN 2021-022 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL FOR THE REALLOCATION OF GRADE FOR THE TITLE ENVIRONMENTAL HEALTH DIRECTOR

WHEREAS, This Board is in receipt of correspondence from Joseph M. Johnson, Commissioner of Personnel, requesting authorization to reallocate the grade for the title Environmental Health Director, currently allocated at Grade 38M, Step 2 (\$60,851.00), and

WHEREAS, It is the recommendation of the Commissioner of Personnel that the title Environmental Health Director be reallocated to Grade 46M, Step 2 (\$82,547.00), and

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

RESOLVED, That the Oneida County Board of Legislators authorizes and approves a reallocation of grade for the title Environmental Health Director from Grade 38M, Step 2 (\$60,851.00) to Grade 46M, Step 2 (\$82,547.00) – effective immediately.

APPROVED: Health and Human Services Committee (February 4, 2021)
 Ways and Means Committee (February 10, 2021)

DATED: February 10, 2021

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

AYES 23 NAYS 0 ABSENT 0

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Meeting held on Wednesday, February 10, 2021 at 2:00 P.M.

No. 023 – FN. 2021-023.1 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: RESOLUTION AUTHORIZING COUNTY ATTORNEY TO EFFECT THE ACQUISITION OF CERTAIN PROPERTIES LOCATED WITHIN THE TOWN OF NEW HARTFORD

WHEREAS, The County intends to reconstruct Middle Settlement Road (County Route 30) in the Town of New Hartford, and

WHEREAS, Relative to the reconstruction of Middle Settlement Road (County Route 30) in the Town of New Hartford, Oneida County, as lead agency, has commenced the New York State Environmental Quality Review (SEQR), and

WHEREAS, The acquisition of such properties will need to be made in accordance with the findings set forth by the Department of Public Works concerning the forthcoming Final Environmental Impact Statement, now, therefore be it

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and directs the County Attorney to perform any and all tasks necessary and appropriate to acquire said real property; and be it further

RESOLVED, That the Oneida County Board of Legislators hereby authorizes the County Executive to execute any agreements and any other documents necessary to acquire said real property.

APPROVED: Public Works Committee (February 4, 2021)
Ways and Means Committee (February 10, 2021)

DATED: February 10, 2021

Seconded by Mr. Davis and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 24 – FN 2021-023.2 – Messrs. Waterman and D’Onofrio offered the following resolution and move its adoption.

RE: APPROVAL OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM FOR UNLISTED ACTIONS PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT RECONSTRUCTION OF MIDDLE SETTLEMENT ROAD IN THE TOWN OF NEW HARTFORD

WHEREAS, Oneida County has completed the impact assessment pursuant to the State Environmental Quality Review (SEQR) process for the reconstruction of Middle Settlement Road in the Town of New Hartford, and

WHEREAS, The review process has determined that the proposed action will not result in any significant environmental impacts should this project be undertaken, now, therefore be it

RESOLVED, That the Oneida County Board of Legislators, hereby confirms the findings set forth in the Short Environmental Assessment Form that the reconstruction of Middle Settlement Road in the Town of New Hartford, will not result in any significant environmental impacts. Accordingly, the County of Oneida hereby issues a Negative Declaration with regard to the reconstruction of Middle Settlement Road in the Town of New Hartford.

APPROVED: Public Works Committee (February 4, 2021)
Ways and Means Committee (February 10, 2021)

DATED: February 10, 2021

Seconded by Mr. Davis and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

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Meeting held on Wednesday, February 10, 2021 at 2:00 P.M.

No. 025 – FN 2021-024 – Messrs. D’Onofrio, Schieble, Leach, Idzi and Mme. Rogers-Witt offered the following resolution and moved its adoption.

RE: APPROVAL TO AMEND RESOLUTION #276 OF 2020 TO RE- SCHEDULE A PUBLIC HEARING FOR AGRICULTURAL DISTRICT #4 – TOWNS OF AUGUSTA, VERNON, VERONA AND THE CITY OF SHERRILL

WHEREAS, Agricultural District #4 in the Towns of Augusta, Vernon, Verona and the City of Sherrill was established pursuant to Article 25-AA of the Agriculture and Markets Law, and

WHEREAS, Under Section 303-a of the Agriculture and Markets Law, the County of Oneida is required to review a district eight years after its creation and every eight years thereafter, and

WHEREAS, The Oneida County Agricultural and Farmland Protection Board has completed its review of Agricultural District #4 and provided its report to the Oneida County Board of Legislators, and

WHEREAS, Pursuant to Section 303-1, a Public Hearing must now be held, now therefore, be it hereby

RESOLVED, That the Clerk of the Oneida County Board of Legislators be, and hereby is, authorized and directed to cause a notice to be published in the Utica Observer Dispatch and in the Rome Sentinel, and such notice shall be given to those municipalities whose territories encompass the District, in which will be stated the time, place and date of such public hearing, and it is further

RESOLVED, That said Public Hearing shall be held on Wednesday, February 24, 2021, at 7:00 p.m. at the Cornell Cooperative Extension of Oneida County, 121 Second Street, Oriskany, New York 13424.

DATED: February 11, 2021

Seconded by Mr. Schiebel and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

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 10, 2021 at 2:00 P.M., typographical errors excepted.

MIKALE BILLARD