



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

**ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS
NUMBERED 260 THROUGH 279 THAT WERE ACTED UPON
BY THE BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR
SESSION HELD ON AUGUST 8, 2012.**

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 260

INTRODUCED BY: Messrs. Wood, Porter

2ND BY: Mr. Joseph

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY AND C&S ENGINEERS, INC. FOR PROFESSIONAL CONSULTING SERVICES FOR THE AIRPORT MASTER PLAN PROJECT

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Michael C. Lawrence, Jr., Superintendent of Airport Maintenance, requesting approval of an Agreement between Oneida County and C&S Engineers, Inc., of Syracuse, NY, to provide professional consulting services for the Airport Master Plan Project, 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 acceptance of an Agreement between Oneida County and C&S Engineers, Inc., of Syracuse, NY, to provide professional consulting services for the Airport Master Plan Project for a maximum amount of \$520,028.42. This is subject to the FAA providing a grant offer for the project through the FAA Airport Improvement Program which would provide 90% Federal funding (\$468,025.57). The State funding match will be at least 2.5% (\$13,000.71). The local County share would be a maximum of 7.5% (\$39,002.14) through Capital Account H-339.

APPROVED: Airport Committee (July 31, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 25 NAYS 3 (Messrs. Murphy, Tallarino, Mandryck) ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 261

*INTRODUCED BY: Mr. Gordon, Ms. Speciale
2ND BY: Mr. Flisnik*

RE: RESOLUTION OF THE SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO “IN GOD WE TRUST” IN THE ONEIDA COUNTY LEGISLATIVE CHAMBERS IN A PROMINENT LOCATION ABOVE THE SEAL.

WHEREAS, “In God We Trust” became the United States national motto on July 30, 1956, shortly after our nation left the world through the trauma of World War II and,

WHEREAS, the words have been used on US currency since 1864, and

WHEREAS, the same inspiring slogan is engraved above the entrance to the Senate Chambers as well as above the Speaker’s dais in the House of Representatives, and

WHEREAS, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans, and

WHEREAS, the County desires to display this patriotic motto in the Legislative Chambers as a way to solemnize occasions and express confidence in our society.

RESOLVED, that the Legislature of the County of Oneida of New York State, does hereby determine that the historic and patriotic words of our national motto, “In God We Trust”, shall be permanently and prominently displayed in the Oneida County Legislative Chambers.

APPROVED: Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 262

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Joseph

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, MOHAWK VALLEY COMMUNITY COLLEGE AND THE UNITED PUBLIC SERVICE EMPLOYEES UNION, BLUE COLLAR UNIT

WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from County Attorney Gregory J. Amoroso requesting approval of a successor collective bargaining agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, Blue Collar Unit, and

WHEREAS, Said Agreement was ratified by Union membership on June 26, 2012 by a vote of 138-48, and

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

RESOLVED, That the Oneida County Board of Legislators approves a successor collective bargaining agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, Blue Collar Unit for a term commencing January 1, 2011 through December 31, 2014 in accordance with terms and conditions more fully set forth in the tentative agreement on file with the Clerk of this Board.

APPROVED: Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 263

INTRODUCED BY: Mr. Porter
2ND BY: Mr. Miller

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, MOHAWK VALLEY COMMUNITY COLLEGE AND THE UNITED PUBLIC SERVICE EMPLOYEES UNION, WHITE COLLAR UNIT

WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from County Attorney Gregory J. Amoroso requesting approval of a successor collective bargaining agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, White Collar Unit, and

WHEREAS, Said Agreement was ratified by Union membership on June 18, 2012 by a vote of 254-221, and

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

RESOLVED, That the Oneida County Board of Legislators authorizes a successor collective bargaining agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, White Collar Unit for a term commencing January 1, 2011 through December 31, 2014 in accordance with terms and conditions more fully set forth in the tentative agreement on file with the Clerk of this Board.

APPROVED: Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:
AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 264

INTRODUCED BY: Messrs. Welsh, Porter

2ND BY: Mr. Miller

**RE: APPROVAL OF A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE COUNTY OF ONEIDA, MOHAWK VALLEY COMMUNITY COLLEGE AND THE
MOHAWK VALLEY COMMUNITY COLLEGE PROFESSIONAL ASSOCIATION**

WHEREAS, The Mohawk Valley Community College Board of Trustees and representatives of the County have negotiated an Agreement with the Professional Association of Mohawk Valley Community College for a period commencing September 1, 2010 and ending August 31, 2013, and

WHEREAS, A copy of the Tentative Agreement between the parties has been filed with the Clerk of the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves a successor Collective Bargaining Agreement between the County of Oneida, the Mohawk Valley Community College Board of Trustees and the Mohawk Valley Community College Professional Association commencing September 1, 2010 and ending August 31, 2013 in accordance with terms and conditions more fully set forth in the Tentative Agreement on file with the Clerk of this Board.

APPROVED: Economic Development and Tourism Committee (July 18, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v. v. vote:

AYES 27 NAYS 0 ABSTAINED 1 (Welsh) ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 265

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS
SHERIFF'S DEPARTMENT AND OSWEGO COUNTY**

WHEREAS, This Board is in receipt of an Agreement between Oneida County through its Sheriff's Department and Oswego County for inmate security services during the time that Oswego County experiences a shortage of available beds, 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 authorizes and approves an Agreement between Oneida County through its Sheriff's Department and Oswego County for inmate security services during the time that Oswego County experiences a shortage of available beds for a term to commence April 1, 2012 and ending March 31, 2013. Oswego County agrees to pay Oneida County \$90 per inmate per day for the security services rendered by the Oneida County Sheriff's Office.

APPROVED: Public Safety Committee (July 23, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v. v. vote:
AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ROLL CALL

DATE August 8, 2012

SESSION Regular

MEMBERS PRESENT: 28

MEMBERS ABSENT 1

AYES: 28 NAYS: 0

INTRODUCTORY NO. 269

RESOLUTION NO. 266

DIST	MEMBERS	AYES	NAYS
R-1	TOWNSEND	X	
R-2	REGNER	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
D-9	SACCO	X	
R-10	JOSEPH	X	
R-11	KOENIG	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
D-14	GORDON	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	C. DAVIS	X	
D-19	TREVISANI <u>ABSENT</u>		
R-20	FIORINI	X	
R-21	WELSH	X	
D-22	SPECIALE	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
D-25	F. DAVIS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	MURPHY	X	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 267

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

**RE: ACCEPTANCE OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY
THROUGH ITS SHERIFF'S DEPARTMENT AND THE NEW YORK STATE DIVISION OF
EMERGENCY SERVICES AND HOMELAND SECURITY IN THE AMOUNT OF \$165,000**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Sheriff Robert M. Maciol requesting approval of a Grant Agreement between Oneida County and the New York State Division of Emergency Services and Homeland Security in the amount of \$165,000 to be used for the Automatic Vehicle Locator Project, maintenance of the Records Management System and purchase of response equipment, and

WHEREAS, said Grant 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 and directed to execute any and all documents related to a Grant Agreement by and between Oneida County and the New York State Division of Emergency Services and Homeland Security for Grant funds in the amount of \$165,000 to be used for the Automatic Vehicle Locator Project, maintenance of the Records Management System and purchase of response equipment, and it is further

RESOLVED, That said Grant Agreement has a term expiring August 31, 2014

APPROVED: Public Safety Committee (July 23, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:
AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ROLL CALL

DATE August 8, 2012

SESSION Regular

MEMBERS PRESENT: 28

MEMBERS ABSENT 1

AYES: 28 NAYS: 0

INTRODUCTORY NO. 271

RESOLUTION NO. 268

DIST	MEMBERS	AYES	NAYS
R-1	TOWNSEND	X	
R-2	REGNER	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
D-9	SACCO	X	
R-10	JOSEPH	X	
R-11	KOENIG	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
D-14	GORDON	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	C. DAVIS	X	
D-19	TREVISANI <u>ABSENT</u>		
R-20	FIORINI	X	
R-21	WELSH	X	
D-22	SPECIALE	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
D-25	F. DAVIS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	MURPHY	X	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 269

INTRODUCED BY: *Messrs. Paparella, Porter*

2ND BY: *Mr. Joseph*

RE: APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF SOCIAL SERVICES AND CORNELL COOPERATIVE EXTENSION OF ONEIDA COUNTY FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH LOCATING FOUR COOPERATIVE EXTENSION EMPLOYEES WITHIN THE DSS EMPLOYMENT UNIT

WHEREAS, This Board is in receipt of a Memorandum of Understanding between Oneida County through its Department of Social Services and Cornell Cooperative Extension of Oneida County for reimbursement for the cost of four Cornell Cooperative Extension workers to be located with the Department of Social Services Employment Unit, 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 accepts a Memorandum of Understanding between Oneida County through its Department of Social Services and Cornell Cooperative Extension of Oneida County for reimbursement for the cost of four Cornell Cooperative Extension workers to be located with the Department of Social Services Employment Unit during a one year term commencing July 1, 2012 and ending June 30, 2012 at a maximum revenue of \$7,500.

APPROVED: Health and Human Services Committee (July 18, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 270

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Joseph

RE: AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS HEALTH DEPARTMENT AND BUILDING BLOCKS LEARNING CENTER, LLC

WHEREAS, This Board is in receipt of an Agreement between Oneida County through its Health Department and Building Blocks Learning Center, LLC for the Education and Transportation of Handicapped Children program, 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 Health Department and Building Blocks Learning Center, LLC for the Education and Transportation of Handicapped Children program for a term commencing July 1, 2012 and ending June 30, 2015 at a rate of \$45.00 per hour..

APPROVED: Health and Human Services Committee (July 18, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 271

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

**RE: AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS
HEALTH DEPARTMENT AND HEALTH RESEARCH, INC.**

WHEREAS, This Board is in receipt of an amendment to a Purchase of Service Agreement between Oneida County through its Health Department and Health Research, Inc., to provide mammogram screening to eligible women, and

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

RESOLVED, That this Board authorizes and approves an amendment to a Purchase of Service Agreement between Oneida County through its Department of Health and Health Research, Inc., to provide mammogram screening to eligible women. This amendment extends the contract through June 29, 2013 in the amount of \$116,579 funded in full by federal dollars.

APPROVED: Health and Human Services Committee (July 18, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1(Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 272

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Townsend

RE: APPROVAL OF AN AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS HEALTH DEPARTMENT AND THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Gayle D. Jones, PhD., Director of Health, requesting approval of an Amendment to an Agreement with the New York State Division of Homeland Security and Emergency Services to support health emergency preparedness planning efforts to prepare for and respond to a health emergency, 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 authorizes and approves an Amendment to an Agreement between the County and the New York State Division of Homeland Security and Emergency Services to support health emergency preparedness planning efforts to prepare for and respond to a health emergency, and it is further

RESOLVED, That said Amendment extends the term of the Agreement through January 31, 2013 and modifies the expenditures within the project budget, with the proposed cost to remain at \$80,285 supported, in full, by a Federal Grant.

APPROVED: Health and Human Services Committee (July 18, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 273

INTRODUCED BY: Messrs. Waterman, Porter

2ND BY: Mr. Joseph

**RE: APPROVAL TO EXTEND THE CURRENT ADMINISTRATIVE AGREEMENT WITH
NATIONWIDE RETIREMENT SOLUTIONS FOR A PERIOD OF ONE YEAR TO
ADMINISTER THE DEFERRED COMPENSATION 457 PLAN**

WHEREAS, The New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulation of the New York State Deferred Compensation Board (the Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for employees of Oneida County (the "Model Plan") and offers the Model Plan for adoption by local employers:

WHEREAS, The Oneida County Deferred Compensation Plan has been provided administrative services by Nationwide Retirement Solutions, with Nationwide Financial Services, Inc. serving as financial organization and Nationwide Trust Company serving as Trustee; and

WHEREAS, Agreements between the County and such entities to provide such services expired on July 31, 2012; and

WHEREAS, The County has the option of extending such agreements for one (1) additional year until July 31, 2013; and

WHEREAS, The Oneida County Deferred Compensation Committee met on June 14, 2012 to discuss the option of extending the above agreements for the one (1) year period described hereinabove, and has deemed it in the best interest of Plan participants to extend the agreements for a one (1) year period, now therefore, be it

RESOLVED, That the above referenced agreements be extended for a one (1) year period, from August 1, 2012 through July 31, 2013.

APPROVED: Government Operations Committee (July 23, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 274

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

RE: PROPOSED WORKERS' COMPENSATION BUDGET FOR 2013

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 2013, 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 2013 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

IDP Section 151	\$ 18,230
Section 151	\$ 79,055
Section F60 VFD	\$ 19,050
Section 15-8 Second Injury	\$ 393,892
Section 25A Fund for Reopened Cases	\$ 170,373
Special Funds Conservation Committee	\$ 9,428
Total Assessments	\$ 690,028

COMPENSATION INDEMNITY AND MEDICAL CLAIMS EXPENSE

Estimated Indemnity and Medical Costs	\$4,360,079
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ROLL CALL

DATE August 8, 2012

SESSION Regular

MEMBERS PRESENT: 28

MEMBERS ABSENT 1

AYES: 28 NAYS: 0

INTRODUCTORY NO. 277

RESOLUTION NO. 274

DIST	MEMBERS	AYES	NAYS
R-1	TOWNSEND	X	
R-2	REGNER	X	
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
D-9	SACCO	X	
R-10	JOSEPH	X	
R-11	KOENIG	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
D-14	GORDON	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	C. DAVIS	X	
D-19	TREVISANI <u>ABSENT</u>		
R-20	FIORINI	X	
R-21	WELSH	X	
D-22	SPECIALE	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
D-25	F. DAVIS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	MURPHY	X	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 275

INTRODUCED BY: Mr. Porter, C. Davis

2ND BY: Mr. Goodman

**RE: ACCEPTANCE OF A PROPOSAL FROM DRESCHER & MALECKI, LLP
TO PERFORM AUDITING SERVICES FOR ONEIDA COUNTY**

WHEREAS, Following the solicitation for Requests for Proposals for auditing services by the Oneida County Comptroller, the firm of Drescher & Malecki, LLP submitted a proposal to perform auditing services to the County for fiscal years 2012 through 2014, and

WHEREAS, As set forth in said proposal submitted by Drescher & Malecki, LLP, a fee of \$155,400 would be paid by the County for the three year period, and it is the recommendation of Oneida County Comptroller Joseph J. Timpano that said firm be secured to perform auditing services for the County for the subject years, and

WHEREAS, Said recommendation 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 the acceptance of the proposal from the firm of Drescher & Malecki, LLP to perform auditing services for the County for fiscal years 2012 through 2014 for a total fee of \$155,400, and it is further

RESOLVED, That County Executive Anthony J. Picente, Jr., is authorized and directed to execute an agreement on behalf of the County of Oneida County to affect same.

APPROVED: Way & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 276

INTRODUCED BY: Messrs. Paparella, Porter
2ND BY: Mr. Joseph

RE: SUPPLEMENTAL APPROPRIATION OF \$333,883 TO AA#A4310.0, VARIOUS
MENTAL HEALTH 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 \$333,883 to AA#A4310.0, Various Mental Health Accounts, and

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

RA#A3490, State Aid-OMH	\$333,883
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now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2012 funds, as hereinafter set forth, be and the same is hereby approved:

TO:	
AA#A4310.49519, CNY Services	\$ 36,384
AA#A4310.49516, ARC.	\$ 43,157
AA#A4310.49525, RCIL	\$ 6,617
AA#A4310.49524, CABVI	\$ 388
AA#A4310.49518, HTC.	\$247,337
TOTAL	\$333,883

APPROVED: Health and Human Services Committee (July 18, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:
AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 277

INTRODUCED BY: *Messrs. Paparella, Porter*

2ND BY: *Mr. Joseph*

RE: SUPPLEMENTAL APPROPRIATION OF \$40,388 TO AA#A4091.495, HEALTH DEPARTMENT 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 \$40,388 to AA#A4091.495, Health Department Other Expenses, and

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

RA#A3451, State Aid-Healthy Women's Partnership. \$40,388
now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2012 funds, as hereinafter set forth, be and the same is hereby approved:

TO:
AA#A4091.495, Other Expenses \$40,388

APPROVED: Health and Human Services Committee (July 18, 2012)
Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:
AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 278

**INTRODUCED BY: Mr. Porter, Ms. Speciale, Mr. Welsh, Ms. Convertino, C. Davis
2ND BY: Mr. Joseph**

Local Law No. ____ of the year 2012

LOCAL LAW Introductory "E" of 2012 PROHIBITING WITHIN ONEIDA COUNTY THE USE, POSSESSION, PURCHASE, ATTEMPTED PURCHASE, SELLING, PUBLIC DISPLAY FOR SALE, ATTEMPTED SALE, OR GIVING OF SYNTHETIC DRUGS AS DEFINED HEREIN

Be it enacted by the Oneida County Legislature of the County of Oneida as follows:

WHEREAS, this Legislature hereby finds and determines that the County has a duty to preserve peace and order and secure freedom from dangerous or noxious activities, and to that end, the Legislature of Oneida County, has determined that certain enterprises and individuals within Oneida County, New York, are engaged in the sale of certain substances, which, when ingested, produce severe and unpredictable adverse effects; and

WHEREAS, the substances, which are more specifically described below, are dangerous to both users and the public, and further, the long term effects are not yet known; and

WHEREAS, it has been determined that the effects of these substances are a health and safety concern to the citizens of Oneida County, New York.

NOW THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF ONEIDA COUNTY, NEW YORK AS FOLLOWS:

Section 1: For purposes of this Local Law, Synthetic Drugs shall be defined as any product, whether described as tobacco, potpourri, herbs, incense, spice, aromatic or other combination thereof, and which contains one or more of the following chemicals and/or substances:

- (A) Any material, compound, mixture, or preparation which contains any quantity of cannabimimetic agents, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation.
- (B) In paragraph (A), the term 'cannabimimetic agents' means any substance that is a cannabinoid receptor type 1 (CBI receptor) agonist as demonstrated by binding studies and functional assays within any of the following structural classes:
 - (i) 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent.
 - (ii) 3-(1-naphthoyl)indole or 3-(1-naphthylmethane)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring

to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent.

(iii) 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted on the naphthoyl ring to any extent.

(iv) 1-(1-naphthylmethylene)indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.

(v) 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent.

(C) In paragraph (A), the term “cannabimimetic agents” includes, but is not limited to, the following substances:

(i) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497);

(ii) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol or CP-47,497 C8-homolog);

(iii) 1-pentyl-3-(1-naphthoyl)indole (JWH-018 and AM678);

(iv) 1-butyl-3-(1-naphthoyl)indole (JWH-073);

(v) 1-hexyl-3-(1-naphthoyl)indole (JWH-019);

(vi) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

(vii) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);

(viii) 1-pentyl-3[1-(4-methoxynaphthoyl)indole (JWH-081);

(ix) 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

(x) 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);

(xi) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201);

(xii) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694);

(xiii) 1-pentyl-3-[(4-methoxy)-benzoyl]indole (SR-19 and RCS-4);

(xiv) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (SR-18 and RCS-8); and

(xv) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).

(D) The following additional substances:

(i) 4-methylmethcathinone (Mephedrone).

- (ii) 3,4-methylenedioxypropylamphetamine (MDPV).
- (iii) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).
- (iv) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).
- (v) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).
- (vi) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).
- (vii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).
- (viii) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4).
- (ix) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).
- (x) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N).
- (xi) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).

- (E) Any compound, other than bupropion, that is structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways:
- (i) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl, or halide substituents, whether or not further substituted in the phenyl ring by one or more univalent substituents;
 - (ii) By substitution at the 3-position with an alkyl substituent;
 - (iii) By substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

Section 2: It is hereby declared to be unlawful for any person to use, possess, purchase, attempt to purchase, sell, publically display for sale or attempt to sell, give, exchange, barter or otherwise furnish or provide any Synthetic Drugs within the boundaries of Oneida County, New York.

Section 3: This Local Law shall be enforced by any certified law enforcement officer within his/her respective jurisdiction within the geographical boundaries of Oneida County, by either the arrest of or the issuance of a summons to a party violating the provisions of this act and requiring their appearance before a court of competent jurisdiction.

Section 4. Pursuant to Section 1702 of the Oneida County Charter, the Oneida County District Attorney is required and delegated the duty to prosecute any and all violations of this Local Law

Section 5: It is not an offense under Sections 2 above of this Local Law if:

- (A) The person was acting at the direction of an authorized law enforcement agent to enforce or ensure compliance with this law.
- (B) Said substance is expressly prescribed by a physician, psychiatrist or person otherwise duly licensed and authorized to prescribe medication within the State of New York and at the time of the alleged violation, the person in possession of the substance is able to provide written proof to the law enforcement officer (s) that the substance was so prescribed.

Section 5: Any person found to be in violation of this Local Law will be guilty of a Class A Misdemeanor and subject to a term of imprisonment not to exceed one year and a fine not to exceed \$1,000.00. With regards to the sale of Synthetic Drugs, each day that a violation continues shall constitute a separate and distinct offense to which a separate penalty shall apply.

Section 6: This Local Law shall apply to all actions occurring on or after the effective date of this Local Law.

Section 7: This law shall be null and void on the day that statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Oneida. The county legislature may determine by resolution whether or not identical or substantially similar state wide legislation or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provision of this section.

Section 8: Severability-If any provision of this Local Law is held invalid, such invalidity shall not affect the remaining provisions of the Local Law which shall remain effective absent the invalid provision, and to this end, the provisions of the Local Law are declared to be severable.

Section 9: Emergency Clause-It is hereby declared that an emergency exists and this Local Law, being necessary for the preservation of the health, safety and welfare of citizens of Oneida County, New York, shall be effective immediately upon its passage and approval and filing with the New York State Secretary of State.

APPROVED: Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Trevisani)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 279

***INTRODUCED BY: Messrs. Porter
2ND BY: Mr. Goodman***

RE: APPROVAL OF A CONTRACT BETWEEN ONEIDA COUNTY THROUGH ITS PUBLIC DEFENDER-CRIMINAL'S OFFICE AND NEW YORK STATE THROUGH ITS DIVISION OF CRIMINAL JUSTICE

WHEREAS, This Board is in receipt of an agreement between Oneida County, through its Public Defender-Criminal's Office and the State of New York, for an Aid to Defense Grant, and

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

RESOLVED, That this Board authorizes and approves the acceptance of an agreement between Oneida County, through its Public Defender-Criminal's Office and the State of New York for an Aid to Defense Grant to be used to coordinate repeat and violent offenders with attorneys handling criminal term in Utica City Court, with support of a portion of assistant public defender's salary in the amount of \$17,400, during a term commencing April 1, 2012 and ending March 31, 2013.

APPROVED: Ways & Means Committee (August 8, 2012)

DATED: August 8, 2012

Adopted by the following v.v. vote:
AYES 28 NAYS 0 ABSENT 1 (Trevisani)