



## ONEIDA COUNTY BOARD OF LEGISLATORS

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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 195 THROUGH 217 THAT WERE ACTED UPON BY  
THE BOARD OF COUNTY LEGISLATORS AT THEIR  
REGULAR SESSION HELD ON JULY 9, 2014.**

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 195**

**INTRODUCED BY:** *Messrs. Welsh, Porter*

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

**RE: APPROVAL OF THE 2014-2015 MOHAWK VALLEY COMMUNITY COLLEGE BUDGET**

**WHEREAS,** The Board of Trustees of Mohawk Valley Community College has submitted its proposed 2014-2015 Operating Budget for approval, and

**WHEREAS,** Oneida County Executive Anthony J. Picente, Jr. has forwarded his recommendation that the 2014-2015 Operating Budget for Mohawk Valley Community College in the amount of \$53,902,042.00 be approved, and

**WHEREAS,** The proposed Operating Budget for Mohawk Valley Community College includes a contribution from Oneida County in the amount of \$7,498,503.00, and

**WHEREAS,** Said Budget recommendation has been reviewed, and approved, by the Economic Development and Tourism Committee and the Ways & Means Committee of this Board and has been the subject of a public hearing, now, therefore, be it

**RESOLVED,** That the Operating Budget of Mohawk Valley Community College for 2014-2015 be and hereby is approved and adopted for a total cost of \$53,902,042.00 which includes a contribution by the County of Oneida of \$7,498,503.00, and be it further

**RESOLVED,** That the Equipment Budget of Mohawk Valley Community College for 2014-2015 be and hereby is approved for \$100,00.00 for updating computers on the campus, and be it further

**RESOLVED,** That the Oneida County Board of Legislators directs that payment of the contribution of the County of Oneida be made within Mohawk Valley Community College's fiscal year to the Mohawk Valley Community College Board of Trustees for expenditure of the Board of Trustees without pre-audit of the County of Oneida.

APPROVED:                    Economic Development and Tourism Committee (June 25, 2014)  
    Ways & Means Committee (July 9, 2014)

DATED:                         July 9, 2014

Adopted by the following Roll Call vote:  
AYES: 23    NAYS: 0    ABSENT: 0



**ONEIDA COUNTY BOARD OF LEGISLATORS**

***RESOLUTION NO. 196***

***INTRODUCED BY: Miller, Porter, Joseph, Leach, Mandryck, Welsh, Idzi, Clancy, Davis, Flisnik, Koenig***  
***2ND BY: Mr. Goodman***

**RE: A RESOLUTION OPPOSING THE EXPANSION OF FEDERAL CONTROL UNDER THE CLEAN WATER ACT**

**WHEREAS,** the United States Environmental Protection Agency (EPA) and the United States Army Corps of Engineers (Corps) have released a 371 draft regulation for Definition of Waters of the United States under the Clean Water Act; and

**WHEREAS,** both agencies are seeking a rule change to give the Federal Government more authority by expanding the definition of “navigable waters” under the Clean Water Act; and

**WHEREAS,** the rule change proposed by the EPA and the Corps would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains, to the jurisdiction of the Clean Water Act; and

**WHEREAS,** the proposed rule change would cause significant harm to local farmers, stall the development of businesses, take control of land use for sustainable food production out of the our local providers’ hands, and negatively impact County-owned and maintained infrastructure such as roadside ditches and flood control-channels; and

**WHEREAS,** the cost to our farms, municipalities and tax payers will be enormous; and

**WHEREAS,** the Oneida County Farm Bureau along with the New York Farm Bureau opposes the proposed rule change; and

**WHEREAS,** it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some tenuous connection, miles away, to a body of water currently defined as “navigable”;

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida County Board of Legislators hereby strongly opposes the EPA and Corps expansion of the Clean Water Act as proposed; and

**BE IT FURTHER RESOLVED,** that a copy of this Resolution shall be forwarded by mail to the following: New York State Governor Andrew M. Cuomo, Congressman Richard L. Hanna, United States Senator Charles E. Schumer, United States Senator Kirsten E. Gillibrand, New York State Senator Joseph A. Griffo, New York State Assembly Representative Anthony Brindisi, New York State

Assembly Representative Claudia R. Tenney, New York State Assembly Representative Ken Blankenbush, New York State Senator David Valesky, New York State Assembly Representative, William Magee, New York State Assembly Marc Butler, Oneida County Executive Anthony J. Picente, Jr., the United States Environmental Protection Agency, the United States Army Corps of Engineers and all others deemed necessary and proper.

APPROVED: Public Works Committee (June 26, 2014)  
Ways & Means Committee (July 9, 2014)

DATED: July 9, 2014

Adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 197**

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS  
SHERIFF'S OFFICE AND AVAYA INC.**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County through its Sheriff's Office and Avaya Inc., to maintain their phone switch and voice mail systems, and

**WHEREAS,** The Agreement will be for a four year term at an annual cost of \$17,070.00 per contract year, amounting to a total cost of \$68,280, 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 the Agreement between Oneida County through its Sheriff's Office and Avaya Inc. for a term of May 11, 2014 through May 10, 2018.

APPROVED:           Public Safety (June 26, 2014)  
                              Ways & Means Committee (July 9, 2014)

DATED:                July 9, 2014

Adopted by the following vote:  
AYES 23   NAYS 0   ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 198**

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

**RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES AND NEW YORK STATE THROUGH ITS DEPARTMENT OF HOMELAND SECURITY**

**WHEREAS,** This Board is in receipt of a Grant Agreement between Oneida County through its Department of Emergency Services and New York State through its Department of Homeland Security for \$89,177.00, State funded, to support the development, maintenance and improvement of readiness response and recovery capabilities for all hazards, 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 a Grant Agreement between Oneida County through its Department of Emergency Services and New York State through its Department of Homeland Security for a term of October 1, 2012 through September 30, 2014

**APPROVED:**           Public Safety Committee (June 26, 2014)  
                              Ways & Means Committee (July 9, 2014)

**DATED:**               July 9, 2014

Adopted by the following vote:

AYES 23   NAYS 0   ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 199***

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

**RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS SHERIFF'S OFFICE AND NEW YORK STATE THROUGH ITS DIVISION OF CRIMINAL JUSTICE SERVICES**

**WHEREAS,** This Board is in receipt of a Grant Agreement between Oneida County through its Sheriff's Office and New York State through its Division of Criminal Justices Services for \$22,000.00, State funded, to support overtime costs of deputies assigned to the Gun Violence Strike Team and Emergency Response Team, 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 a Grant Agreement between Oneida County through its Sheriff's Office and New York State through its Division of Criminal Justice Services for a term of July 1, 2014 through June 30, 2015.

**APPROVED:** Public Safety (June 26, 2014)  
Ways & Means Committee (July 9, 2014)

**DATED:** July 9, 2014

Adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 200***

***INTRODUCED BY: Messrs. Flisnik, Porter***

***2ND BY: Mr. Joseph***

**RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS SHERIFF'S OFFICE AND NEW YORK STATE THROUGH ITS DIVISION OF CRIMINAL JUSTICE SERVICES**

**WHEREAS,** This Board is in receipt of a Grant Agreement between Oneida County through its Sheriff's Office and New York State through its Division of Criminal Justice Services for \$20,000.00, State funded, to purchase a Smart Board to aid in Criminal Investigations and to replace cloth furniture and flooring at the Child Advocacy Center, 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 a Grant Agreement between Oneida County through its Sheriff's Office and New York State through its Division of Criminal Justice Services for a term of October 1, 2013 through September 30, 2014

**APPROVED:** Public Safety Committee (June 26, 2014)  
Ways & Means Committee (July 9, 2014)

**DATED:** July 9, 2014

Adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 201**

**INTRODUCED BY: Messrs. D'Onofrio, Porter**

**2<sup>ND</sup> BY: Mr. Joseph**

**RE: APPROVAL TO AN AMENDMENT TO CAPITAL PROJECT H-463 GRIFFISS  
INTERNATIONAL AIRPORT-NOSE DOCK HANGER REHAB**

**WHEREAS,** This Board is in receipt of correspondence from County Executive, Anthony J. Picente Jr., requesting the amendment of Capital Project H-463 Griffiss International Airport-Nose Dock Hanger Rehab, and

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

**RESOLVED,** That Capital Project HG-463, is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
State Aid	\$2,700,000.00	+\$350,000.00	\$3,050,000.00
Bonding	<u>\$ 300,000.00</u>	<u>\$ 0.00</u>	<u>\$ 300,000.00</u>
TOTAL:	\$3,000,000.00	\$ 350,000.00	\$3,350,000.00

**APPROVED:** Airport Committee (June 25, 2014)  
Ways & Means Committee (July 9, 2014)

**DATED:** July 9, 2014

Adopted by the following roll call vote:  
AYES 23 NAYS 0 ABSENT 0



**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 202**

**INTRODUCED BY: Messrs. D'Onofrio, Porter**

**2<sup>ND</sup> BY: Mr. Joseph**

**RE: PROPOSAL TO CONSOLIDATE CAPITAL PROJECT H-471 AND H-495 INTO  
CAPITAL PROJECT H-495 GRIFFISS INTERNATIONAL AIRPORT TERMINAL**

**WHEREAS,** This Board is in receipt of correspondence from County Executive, Anthony J. Picente Jr., requesting the consolidation of Capital Project H-471 and H-495 into H-495 to make the administration of the project more manageable, and

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

**RESOLVED,** That Capital Project H-471 is closed, and

**RESOLVED,** That Capital Project HG-495, is amended and approved, as follows:

	<u>CURRENT</u> H-495	<u>CHANGE</u> H-471	<u>PROPOSED</u> AMENDED H-495
State Aid	\$ 0.00	+\$300,000.00	\$300,000.00
Bonding	<u>\$5,582,500.00</u>	<u>\$1,207,400.00</u>	<u>\$6,789,900.00</u>
TOTAL:	\$5,582,500.00	\$1,507,400.00	\$7,089,900.00

**APPROVED:** Airport (June 25, 2014)  
Ways & Means Committee (July 9, 2014)

**DATED:** July 9, 2014

Adopted by the following roll call vote:  
AYES 23 NAYS 0 ABSENT 0



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### *RESOLUTION NO. 203*

*INTRODUCED BY: Mr. Porter, Paparella*

*2ND BY: Mr. Joseph*

**RE: TRANSFER \$40,000 to AA#A6013.103 MEDICAID ADMINISTRATION OVERTIME ACCOUNT**

**WHEREAS,** There is a need for additional funds in AA#A6013.103 Medicaid Administration Overtime Account, 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 \$40,000 from 2014 funds, as hereinafter set forth, be and the same is hereby approved:

TO:		
AA#A6013.103 Medicaid Administration Overtime Account		\$40,000.00
FROM:		
AA#A6013.101 Medicaid Administrative-Salary Account		\$40,000.00

**APPROVED:** Health & Human Services Committee (June 18, 2014)  
Ways & Means Committee (July 9, 2014)

**DATED:** July 9, 2014

Adopted by the following vote:  
AYES 23 NAYS 0 ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 204***

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

**RE: APPROVAL OF AN AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF HEALTH AND ST. ELIZABETH'S MEDICAL CENTER**

**WHEREAS,** This Board is in receipt of an Amendment to an Agreement between Oneida County through its Department of Health and St. Elizabeth's Medical Center to provide revised reimbursement rates for the provisions of breast cancer, cervical cancer and colorectal screening and/or diagnostic services, and

**WHEREAS,** The terms of the Amendment to the Agreement reflect a change in reimbursement rates, set by the State, which range from \$10 to \$1,975, and

**WHEREAS,** In accordance with Oneida County Charter section 2202, said grant agreement 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 an Agreement between Oneida County and St. Elizabeth's Medical Center for a term of November 1, 2013 through March 31, 2016.

APPROVED:                   Health and Human Services Committee (June 18, 2014)  
  Ways & Means Committee   (July 9, 2014)

DATED:                        July 9, 2014

Adopted by the following vote:  
AYES 23   NAYS 0    ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 205***

***INTRODUCED BY: Messrs. Paparella, Porter***

***2ND BY: Mr. Joseph***

**RE: APPROVAL AN AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF HEALTH AND ONEIDA HEALTH SYSTEMS, INC. DBA ONEIDA HEALTHCARE CENTER**

**WHEREAS,** This Board is in receipt of an Amendment to an Agreement between Oneida County through its Department of Health and Oneida Health Systems, Inc. DBA Oneida Healthcare Center to provide revised reimbursement rates for the provisions of breast cancer, cervical cancer and colorectal cancer screening and/or diagnostic services, and

**WHEREAS,** The terms of the Amendment to the Agreement reflect a change in reimbursement rates, set by the State, which range from \$10 to \$1,975, and

**WHEREAS,** In accordance with Oneida County Charter section 2202, said grant agreement 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 an Agreement between Oneida County and St. Elizabeth's Medical Center for a term of November 1, 2013 through March 31, 2016.

APPROVED:            Health and Human Services Committee (June 18, 2014)  
                              Ways & Means Committee    (July 9, 2014)

DATED:                July 9, 2014

Adopted by the following vote:

AYES 23    NAYS 0    ABSENT 0



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 206***

***INTRODUCED BY: Messrs. Paparella, Porter  
2ND BY: Ms. Speciale***

**RE: APPROVAL AN AMENDMENT TO AN GREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF HEALTH AND FAXTON ST. LUKE'S HEALTHCARE**

**WHEREAS,** This Board is in receipt of an Amendment to an Agreement between Oneida County through its Department of Health and Faxton St. Luke's Healthcare to provide revised reimbursement rates for the provisions of breast cancer, cervical cancer and colorectal cancer screening and/or diagnostic services, and

**WHEREAS,** The terms of the Amendment to the Agreement reflect a change in reimbursement rates, set by the State, which range from \$10.00 to \$1,975.00, and

**WHEREAS,** In accordance with Oneida County Charter section 2202, said grant agreement 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 an Agreement between Oneida County and Faxton St. Luke's Healthcare for a term of November 1, 2013 through March 31, 2016.

APPROVED:           Health and Human Services Committee (June 18, 2014)  
                              Ways & Means Committee   (July 9, 2014)

DATED:                July 9, 2014

Adopted by the following vote:  
AYES 23 NAYS 0 ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 207***

***INTRODUCED BY: Messrs. Miller, Porter, Welsh, Flisnik, Speciale  
2<sup>ND</sup> BY: Mr. Furgol***

**RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-486-UMVMAA-AUDITORIUM IMPROVEMENTS**

**WHEREAS,** This Board is in receipt of correspondence from County Executive Anthony J. Picente Jr., requesting the amendment of Capital Project H-486, -UMVMAA-Auditorium Improvements, and

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

**RESOLVED,** That Capital Project H-486 - UMVMAA-Auditorium Improvements, is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
State Aid-ED/UMVMAA	\$2,000,000	\$ 0.00	\$2,000,000
State Aid-ESD/UMVMAA	\$1,000,000	\$1,950,000	\$2,950,000
<b>Direct Appr.</b>	<u>\$000</u>	<u>\$2,000,000</u>	<u>\$2,000,000</u>
<b>TOTAL:</b>	\$3,000,000	\$3,950,000	\$6,950,000

**APPROVED:** Public Works Committee (June 26, 2014)  
Ways & Means Committee (July 9, 2014)-As Amended

**DATED:** July 9, 2014

Adopted by the following roll call vote:  
AYES 23 NAYS 0 ABSENT 0



**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 208**

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

**RE: SUPPLEMENTAL APPROPRIATION OF \$2,000,000 TO AA#A1915.0-VARIOUS  
ACCOUNTS-ONEIDA INDIAN NATION GAMING REVENUE**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$2,000,000.00 to AA#A1915.0-Various Accounts-Oneida Indian Nation Gaming Revenue, and

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

RA#A3001-State Aid-OIN Gaming Revenue Sharing	\$2,000,000.00
now, therefore, be it hereby	

**RESOLVED,** That a supplemental appropriation, from 2014 funds, as hereinafter set forth, be and the same is hereby approved:

TO:	
AA#A1915.49574-City of Sherrill	\$ 136,197.00
AA#A1915.49575-Village of Vernon	\$ 51,980.00
AA#A1915.49576-Town of Augusta	\$ 88,584.00
AA#A1915.49590-Miscellaneous Municipalities	<u>\$1,723,239.00</u>
TOTAL:	\$2,000,000.00

APPROVED: Ways & Means Committee (July 9, 2014)

DATED: July 9, 2014

Adopted by the following vote:  
AYES 21 NAYS 2 (Davis, Tallarino) ABSENT 0

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 209**

**INTRODUCED BY: Messrs. Miller, Porter**

**2<sup>ND</sup> BY: Mr. Joseph**

**RE: APPROVAL TO AN AMENDMENT TO CAPITAL PROJECT HG-446-WATER  
QUALITY AND WATER POLLUTION-CONTINUOUS EMISSIONS MONITORING**

**WHEREAS,** This Board is in receipt of correspondence from the Commissioner of Water Quality and Water Pollution Control, requesting the amendment of Capital Project HG-446 to amend the amount to reflect the unanticipated higher bid amount, and

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

**RESOLVED,** That Capital Project HG-446, Continuous Emissions Monitoring is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonding	\$300,000.00	\$ 0.00	\$300,000.00
Reserve Funds	\$ 0.00	\$+40,000.00	\$ 40,000.00
TOTAL:	\$300,000.00	\$ 40,000.00	\$340,000.00

**APPROVED:** Public Works (June 26, 2014)  
Ways & Means Committee (July 9, 2014)

**DATED:** July 9, 2014

Adopted by the following roll call vote:  
AYES 23 NAYS 0 ABSENT 0



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### *RESOLUTION NO. 210*

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

**RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS PUBLIC DEFENDER OFFICE AND NEW YORK STATE THROUGH ITS DIVISION OF CRIMINAL JUSTICE SERVICES**

**WHEREAS,** This Board is in receipt of a Grant Agreement between Oneida County through its Public Defender Office and New York State through its Division of Criminal Justice Services for \$17,400.00 State funded, for Aid to Defense to track violent and repeat offenders in Utica City Court for coordination with felony attorneys, 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 a Grant Agreement between Oneida County through its Public Defender Office and New York State through its Division of Criminal Justice Services for a term of April 1, 2014 through March 31, 2015

APPROVED:           Public Safety Committee (June 26, 2014)  
                              Ways & Means Committee (July 9, 2014)

DATED:                July 9, 2014

Adopted by the following vote:  
AYES 23 NAYS 0 ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 211***

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS PUBLIC WORKS DEPARTMENT AND THE NEW YORK STATE WOODSMEN'S FIELD DAYS, INC.**

**WHEREAS,** This Board is in receipt of correspondence from the Commissioner of Public Works, Dennis Davis requesting approval of an Agreement between Oneida County through its Public Works Department and the New York State Woodsmen's Field Days, Inc. in the amount of \$1,160.00 for 60 white pine and 20 red pine to be used for the Field Days, and

**WHEREAS,** According to County Law 219, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

**RESOLVED,** That the Board of Legislators approves an agreement between Oneida County through its Public Works Department and the New York State Woodmen's Field Days, Inc. These trees will be used at the New York State Woodmen's Field Days to be held August 15 through 17, 2014.

APPROVED:           Public Works Committee (June 26, 2014)  
                              Ways & Means Committee (July 9, 2014 )

DATED:                July 9, 2014

Adopted by the following vote:

AYES 23   NAYS   0    ABSENT 0



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 212***

***INTRODUCED BY: Messrs. Miller, Porter***

***2ND BY: Mr. Joseph***

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF PUBLIC WORKS AND BARTON & LOGUIDICE, D.P.C.**

**WHEREAS,** Oneida County has received authorization from the New York State Department of Transportation to proceed with reconstruction of a railroad crossing grade on Old State 12 (County Route 82). The cost of the project is \$69,000, with Federal funding of \$55,200.00, State funding of \$10,350.00 and County funding of \$3,450.00 and

**WHEREAS,** In accordance with New York State Department of Transportation (NYSDOT) procedures Oneida County solicited expressions of interest from each firm on the eligible list for such work, and

**WHEREAS,** Barton & Loguidice, D.P.C. was determined to be the most qualified consultant for this 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 approves and authorizes acceptance of an agreement between Oneida County through its Department of Public Works and Barton & Loguidice, D.P.C. to be performed by December 31, 2015.

APPROVED:           Public Works Committee (June 26, 2014)  
                              Ways and Means Committee (July 9, 2014)

DATED:                July 9, 2014

Adopted by the following vote:  
AYES 23 NAYS 0   ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 213**

**INTRODUCED BY:** *Messrs. Flisnik, Porter*

**2ND BY:** *Mr. Joseph*

**RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DISTRICT ATTORNEY'S OFFICE AND THE STATE OF NEW YORK THROUGH ITS DIVISION OF CRIMINAL JUSTICE SERVICES**

**WHEREAS,** This Board, is in receipt of correspondence from District Attorney Scott D. McNamara requesting approval of a Grant Agreement between Oneida County through its District Attorney's Office and New York State through its Division of Criminal Justice Services for acceptance of a Grant in the amount of \$208,436.00 to support coordinated reduction and prevention initiatives with the goal of reducing violent firearm related offenses, and

**WHEREAS,** In accordance with Section 2202 of the Oneida County Charter, 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 to execute any and all documents related to a Grant Agreement by and between Oneida County through its District Attorney's Office and New York State through its Division of Criminal Justice Services for a Grant in the amount of \$208,436.00

**RESOLVED,** That the duration of said Grant Agreement shall be for a term commencing July 1, 2014 through June 30, 2015.

**APPROVED:** Public Safety Committee (June 26, 2014)  
Ways & Means Committee (July 9, 2014)

**DATED:** July 9, 2014

Adopted by the following vote:  
AYES 23 NAYS 0 ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 214***

***INTRODUCED BY: Mr. Porter***

***2ND BY: Mr. Joseph***

**RE: APPROVAL TO EXTEND THE CURRENT ADMINISTRATIVE AGREEMENT WITH NATIONWIDE RETIREMENT SOLUTIONS 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 Regulations 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, and

**WHEREAS,** The Oneida County Deferred Compensation Plan has been procuring administrative services for the Model Plan from Nationwide Retirement Solutions, with Nationwide Financial Services, Inc. serving as financial organization and Nationwide Trust Company serving as Trustee, and

**WHEREAS,** The existing Agreement between the County and Nationwide Retirement Solutions to provide such services expires on July 31, 2014, and

**WHEREAS,** The Oneida County Deferred Compensation Committee solicited submissions to administer the Deferred Compensation Plan. The Deferred Compensation Committee met on May 28, 2014 to discuss and review submissions to administer the Deferred Compensation Plan and deemed it in the best interest of Plan participants to award the administration of the Deferred Compensation Plan to Nationwide Financial Services by renewing the existing agreement, now therefore, be it

**RESOLVED,** That the above referenced agreement be renewed for a term of August 1, 2014 through July 31, 2019.

APPROVED:                   Ways & Means Committee (July 9, 2014)

DATED:                       July 9, 2014

Adopted by the following vote:  
AYES 23   NAYS 0   ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 215***

***INTRODUCED BY: Mr. Porter***

***2ND BY: Mr. Joseph***

**RE: APPROVAL OF A SETTLEMENT IN THE MATTER OF STATE FARM MUTUAL  
AUTOMOBILE INSURANCE COMPANY ON BEHALF OF ITS INSURED, ANTHONY  
S. BENINCASA**

**WHEREAS,** Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from County Attorney Peter M. Rayhill requesting Board approval of a proposed settlement in the amount of \$20,216.69 in the matter of Anthony S. Benincasa v. Oneida County, and;

**WHEREAS,** A County driver failed to stop at a red light and struck the Benincasa vehicle causing damages in the amount of \$20,216.69 and;

**WHEREAS,** The County's Risk & Claims Administrator, Gus Boucher, recommends that Oneida County settle such claim, therefore, be it

**RESOLVED,** That the Oneida County Board of Legislators hereby authorizes settlement with State Farm Mutual Automobile Insurance Company in the amount of \$20,216.69 in full satisfaction of any and all claims against the County of Oneida.

APPROVED:           Ways & Means Committee (July 9, 2014)

DATE:                 June 11, 2014

Adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 216***

***INTRODUCED BY: Mr. Porter***

***2ND BY: Mr. Joseph***

**RE: LICENSE AND ASSENT AGREEMENT BETWEEN THE COUNTY OF ONEIDA THROUGH ITS DEPARTMENT OF WATER QUALITY AND WATER POLLUTION CONTROL AND NIAGARA MOHAWK POWER CORPORATION/NATIONAL GRID RELATING TO THE NORTH UTICA PARALLEL INTERCEPTOR- CAPITAL PROJECT HG- 479**

**WHEREAS,** This Board, is in receipt of correspondence from Steven Devan, Commissioner of Water Quality and Water Pollution Control, requesting approval of an agreement between Oneida County, through its Department of Water Quality and Water Pollution Control and Niagara Mohawk Power Corporation/National Grid to allow the County access to do construction on Niagara Mohawk/National Grid right-of-way for the North Utica Parallel Interceptor Project, and

**WHEREAS,** As the work on the North Utica Parallel Interceptor within the right of way involves substantial construction work in close proximity to a utility line of Niagara Mohawk Power Corporation, Niagara Mohawk Power Corporation is requiring the presence of inspectors to supervise the work being performed within the right of way, and

**WHEREAS,** As a condition of granting the license and assent to access Niagara Mohawk Power Corporation's property and right of way Niagara Mohawk Power Corporation is requiring that the County of Oneida pay for the inspectors to supervise the work, 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 approves and authorizes a License and Assent Agreement between Oneida County, through its Department of Water Quality and Water Pollution Control for a term upon execution through 2016 with an estimated cost of \$200,000 from Capital Account HG-479.

APPROVED:           Ways and Means Committee (May 14, 2014)

DATED:               July 9, 2014

Adopted by the following roll call vote:

AYES 22   NAYS 1 (Idzi)   ABSENT 0



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO.217**

**INTRODUCED BY: Mr. Porter, Ms. Convertino, Mr. Welsh, Ms. Speciale, Mr. Idzi  
2ND BY: Mr. Furgol**

**RE: LOCAL LAW INTRODUCTORY “C” PROVIDING FOR A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES UPON CONVERSION OF NON-RESIDENTIAL REAL PROPERTY IN THE CITY OF UTICA TO MIXED RESIDENTIAL AND COMMERCIAL PURPOSES.**

Legislative Intent: The intent of this Local Law is to encourage the conversion of non-residential real property to mixed-use property through the provision of a partial exemption from real property taxes levied by the County of Oneida, as permitted under New York Real Property Tax Law Section 485-a. The Local Law will spur development of mixed-use real property within the city of Utica, bring jobs to the County’s construction sector and assist with the revitalization of the County.

BE IT ENACTED by the Board of County Legislators of the County of Oneida, State of New York, as follows:

Section 1. Definitions.

As used in this Local Law, the following words, phrases, terms and their derivations shall have the meanings set forth below:

- (a) “Applicant” means any person obligated to pay real property taxes on the property for which an exemption from real property taxes under this section is sought.
- (b) “Commercial construction work” means the modernization, rehabilitation, expansion or other improvement of the portion of mixed-use property to be used for commercial purposes.
- (c) “Commercial purpose or use” means the buying, selling or otherwise providing of goods or services, including hotel services, or other lawful business or commercial activities permitted in mixed-use property.
- (d) “Mixed-use property” means property on which will exist, after completion of residential construction work or a combination of residential construction work and commercial construction work, a building or structure used for both residential and commercial purposes.
- (e) “Person” means an individual, corporation, limited liability company, partnership, association, agency, trust, estate, foreign or domestic government or subdivision thereof, or other entity.
- (f) “Residential construction work” means the creation, modernization, rehabilitation, expansion or other improvement of dwelling units, other than dwelling units in a hotel, in the portion of mixed-use property to be used for residential purposes.

2. The City of Utica has, by local law, provided for the exemption of real property from taxation pursuant to New York Real Property Tax Law §485-a for properties where the cost of conversion exceeds the sum of \$50,000.00.

3. Non-residential real property situate within the city of Utica which has qualified for and been granted a partial exemption from taxation and special ad valorem levies pursuant to §485-a of the Real Property Tax Law are hereby granted the same partial exemption as set forth below.

4. (a) (i) For a period of twelve years from the approval of an application, the increase in assessed value of such property attributable to such conversion shall be exempt as provided in subparagraph (ii) of this paragraph. Such exemption shall be computed with respect to the "exemption base". The exemption base shall be determined for each year in which there is an increase in assessed value so attributable from that of the previous year's assessed value.

(ii) The following table shall illustrate the computation of the tax exemption:

Year of exemption	Percentage of exemption
1 through 8	100% of exemption base
9	80% of exemption base
10	60% of exemption base
11	40% of exemption base
12	20% of exemption base

(b) No such exemption shall be granted unless

(i) such conversion was commenced subsequent to the date on which the City of Utica's local law took effect; and

(ii) the cost of such conversion exceeds the sum of fifty thousand dollars.



(c) For purposes of this section the term conversion shall not include ordinary maintenance and repairs.

(d) No such exemption shall be granted concurrent with or subsequent to any other real property tax exemption granted to the same improvements to real property, except, where during the period of such previous exemption, payments in lieu of taxes or other payments were made to the County of Oneida in an amount that would have been equal to or greater than the amount of real property taxes that would have been paid on such improvements had such property been granted an exemption pursuant to this section. In such case, an exemption shall be granted for a number of years equal to the twelve year exemption granted pursuant to this section less the number of years the property would have been previously exempt from real property taxes.

5. Severability.

If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its effect to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

6. Effective Date

This Local Law shall take effect on July 31, 2014.

7. Filing

In addition to the Office of the New York State Secretary of State, copies of this Local Law shall be filed with the State Board of Real Property Tax Services and with the Assessor for the City of Utica.

APPROVED: **Through Waiver of the Rules and Message of Necessity**

DATED: July 9, 2014

Adopted by the following vote:

AYES 23 NAYS 0 ABSENT 0