



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 230 THROUGH 262 THAT WERE ACTED UPON BY THE
BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR SESSION
HELD AUGUST 14, 2013.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 230

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Joseph

RE: LOCAL LAW INTRODUCTORY "G" AMENDING LOCAL LAW NO. 1 OF 2000, WHICH PROVIDES FOR CLEARLY DISPLAYED PRICING OF GOODS OFFERED FOR SALE AT RETAIL IN ONEIDA COUNTY, AND SCANNER ACCURACY CERTIFICATION

Legislative Intent: Local Law No. 1 of 2000, which provides for clearly displayed pricing of certain goods offered for sale at retail in Oneida County and for Scanner Accuracy Certifications, expires on September 1, 2013. The intent of this local law is to amend and remove the reference to an expiration date altogether, thereby making Local Law No. 1 of 2000 a permanent local law with no sunset clause. Local Law No.1 of 2000 reaches the proper balance between the rights of consumers and the rights of business owners within Oneida County.

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

That Section 14 of Local Law No. 1 of 2000 shall be amended by the deletion of all matters that are in italics and *(parenthesis)* and the addition of all matters in bold and **underlined** as set forth below:

Section 14. EFFECTIVE DATE

This local law shall take effect upon filing with the Secretary of State in accordance with Section 20, 21 and 27 of the New York State Municipal Home Rule Law *(and shall remain in effect until the first day of September, 2013)*.

This Local Law, which amends Local Law No. 1 of 2000, shall take effect in accordance with Sections 20, 21 and 27 of the Municipal Home Rule Law.

APPROVED: Ways & Means Committee (July 10, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 29 NAYS 0 ABSENT 0

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 231

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Joseph

RE: RESOLUTION EXTENDING THE ADDITIONAL RATES OF TAXES ON SALES AND COMPENSATING USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS, AND ON AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Be it enacted by the Board of Legislators of the County of Oneida, as follows:

SECTION 1. The first sentence of section two of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

Section 2. Imposition of sales tax.

On and after December 1, 1990, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing September 1, 1992, and ending November 30, 2015, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing September 1, 1992, and ending November 30, 2015, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to September 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to May 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to August 31, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

Section 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after September 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering services described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing

September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Section 4-A of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

Section 4-A. Imposition of additional rate of sales and compensating use taxes. Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period December 1, 2007, and ending November 30, 2015. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 5. Subdivision (k) of section 6 of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for residential heating purposes; and the receipts from every sale, other

than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections 2 and 4, respectively, of this resolution for the period commencing September 1, 1992, and ending November 30, 2015.

SECTION 6. Paragraphs (B) and (E) of subdivision (1) of section 11 of Resolution #202 as enacted in nineteen hundred ninety, as amended, are amended to read as follows:

(B) With respect to the additional tax at the rate of one percent imposed for the period beginning September 1, 1992, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to September 1, 1992.

(E) With respect to the additional tax at the rate of three-quarters of one percent imposed for the period beginning December 1, 2007, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to December 1, 2007.

SECTION 7. Subdivisions (e) and (g) of section fourteen of Resolution #202 as enacted in nineteen hundred ninety, as amended, are amended to read as follows:

(e) Notwithstanding any contrary provision of law, with respect to the additional one percent rate of sales and compensating use taxes imposed by sections two and four of this resolution for the period September 1, 1992, through November 30, 2015:

(1) where a city in Oneida County imposes tax pursuant to the authority of subdivision (a) of section twelve hundred ten of the Tax Law of the State of New York, the County shall allocate, distribute and pay in cash quarterly to such city one-half of the net collections attributable to such additional one percent rate of the County's taxes collected in such city's boundaries;

(2) where a city in Oneida County does not impose tax pursuant to the authority of such subdivision (a) of such section twelve hundred ten, the County shall allocate, distribute and pay in cash quarterly to such city not so imposing tax a portion of the net collections attributable to one-half of the County's additional one percent rate of tax calculated on the basis of the ratio which such city's population bears to the County's total population, such populations as determined in accordance with the latest decennial federal census or special population census taken

pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the County; and

(3) the County hereby dedicates the first one million five hundred thousand dollars of net collections attributable to such additional one percent rate of tax received by the County after the County receives in the aggregate eighteen million five hundred thousand dollars of net collections from such additional one percent rate of tax imposed for any of the periods: September 1, 2013, through August 31, 2014; and September 1, 2014, through August 31, 2015 to an allocation on a per capita basis, utilizing figures from the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law, completed and published prior to the end of the year for which such allocation is made, which special census must include the entire area of the County, to be allocated and distributed among the towns of the County by an appropriation of the County's Board of Legislators; provided, further, that nothing herein shall require the Board of Legislators to make any such appropriation until it has been notified by any town by appropriate resolution and, in any case where there is a village wholly or partially located within a town, a resolution of every such village, embodying the agreement of such town and village or villages upon the amount of such appropriation to be distributed to such village or villages out of the allocation to the town or towns in which it is located.

(g) Net collections from the additional taxes imposed at the rate of three-quarters of one percent for the period December 1, 2007, through November 30, 2015, shall be set aside for county purposes and shall be available for any county purpose, and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section twelve hundred sixty-two of the Tax Law.

SECTION 8. This enactment shall take effect December 1, 2013.

APPROVED: Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following roll call vote:

AYES 27 NAYS 2 (Gordon, Murphy) ABSENT 0

ROLL CALL

DATE August 14, 2013

SESSION Regular

MEMBERS PRESENT: 29

MEMBERS ABSENT 0

AYES: 27 NAYS: 2

INTRODUCTORY NO. 230

RESOLUTION NO. 231

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	X	
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. 232

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

RE: APPROVAL OF AMENDMENT TO AGREEMENTS BETWEEN ONEIDA COUNTY, THROUGH ITS STOP DWI PROGRAM, AND VARIOUS MUNICIPALITIES, THROUGH THEIR POLICE DEPARTMENTS, FOR DWI SELECTIVE ENFORCEMENT PATROLS

WHEREAS, This Board is in receipt of amended agreements between Oneida County, through its Stop DWI Program and various municipalities, through their police departments, for conducting DWI selective enforcement patrols and related activities, and calibrating and repairing related equipment, and

WHEREAS, The Amended Agreements are between Oneida County, through its Stop DWI Program, and the following municipalities: The Village of Yorkville, through its police department; The Village of Oriskany, through its police department; The City of Sherrill, through its police department and The Town of Whitestown, through its police department, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Amendment to 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 amended agreements between Oneida County, through its Stop DWI Program, and the following municipalities: The Village of Yorkville, through its police department; The Village of Oriskany, through its police department; The City of Sherrill, through its police department and The Town of Whitestown, through its police department, for an amended term commencing January 1, 2013 through December 31, 2013, with the original approved dollar amount of \$2,750.00 for each department remaining the same, reimbursable in full by DWI fines generated in Oneida County.

APPROVED: Public Safety Committee (July 10, 2013)
 Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 29 NAYS 0 ABSENT 0

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 233

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Joseph

RE: SUPPLEMENTAL APPROPRIATION OF \$14,808 TO AA#A 3150.197, SHERIFF'S DEPARTMENT –MEDICAL SERVICES

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$14,808 to AA#A 3150.197, Sheriff's Department – Medical Services, and

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

A1589 Contract Admin Reimb from CMC	\$14,808.00
now, therefore, be it hereby	

RESOLVED, That a supplemental appropriation, from 2013 funds, as hereinafter set forth, be and the same is hereby approved:

TO:	
A3150.197 Medical Services	\$14,808.00

APPROVED: Public Safety Committee (July 10, 2013)
 Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 29 NAYS 0 ABSENT 0

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 234

INTRODUCED BY: Messrs. Waterman, Porter

2ND BY: Mr. Joseph

**RE: APPROVAL OF FIFTEEN REFUNDS AND TWENTY-EIGHT CORRECTIONS TO
TAX ASSESSMENTS IN VARIOUS TOWNS**

WHEREAS, The Commissioner of Finance has forwarded fifteen applications for refunds totaling \$2,954.72 in the Towns of Camden, Lee, Paris, Trenton, Vienna and Whitestown and twenty-eight corrections for erroneous tax assessments in the Towns of Camden, Lee, Paris, Trenton, Vienna, Augusta, Deerfield, Forestport, Remsen, Westmoreland and the City of Utica totaling \$9,830.29, and

WHEREAS, Title 3 of Article 5 of the Real Property Tax Law outlines the procedure that must be followed to process the applications for refunds and for correction of taxes, and

WHEREAS, The Commissioner of Finance has transmitted his written report to the Board and this Board has reviewed said applications and claimed errors and made its recommendations, now, therefore, be it hereby

RESOLVED, That this Board hereby concurs with and approves the recommendations of the Oneida County Commissioner of Finance and directs that the Clerk of the Board take such action as required by Title 3 of Article 5 of the Real Property Tax Law, so as to reflect the corrected taxes as determined by said Commissioner, and be it further

RESOLVED, That this Board does hereby order that the taxes be corrected as recommended by the Commissioner of Finance and that the officer having jurisdiction of the tax rolls correct such rolls accordingly.

APPROVED: Government Operations Committee (August 12, 2013)
 Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 29 NAYS 0 ABSENT 0

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 235

INTRODUCED BY: *Messrs. Miller, Porter*

2ND BY: *Mr. Joseph*

**RE: APPROVAL OF WORK ORDER #32-CONTINUOUS EMISSIONS MONITORING
SUPPORT SERVICES-GHD CONSULTING SERVICES, INC. H-446**

WHEREAS, On March 29, 2013, the Master Agreement to provide engineering services in compliance with a Consent Order issued by the NYS Department of Environmental Conservation and to resolve permit issues affecting the Oneida County Water Pollution Control Facility was assigned to GHD Consulting Services Inc., and

WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Water Quality & Water Pollution Control requesting approval of Work Order #32-Continuous Emissions Monitoring Support Services-GHD Consulting Services, Inc. HG-446 to assist the County in selection, procurement, installation, commissioning and certification of a new CEMS system to meet the new air regulations, and

WHEREAS, Funding for this Work Order is provided by bonds through the New York State Environmental Facilities Corporation and tracked through Capital Project HG446, 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 acceptance of Work Order #32-Continuous Emissions Monitoring Support Services-GHD Consulting Services, Inc. in the amount of \$38,600 submitted by GHD Consulting Services, Inc.

APPROVED: Public Works Committee (August 12, 2013)
 Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 1 (Brennan) ABSENT 0

*INTRODUCTORY
NO. 235*

F.N. 2013-245

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 236

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Joseph

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the **Middle Settlement Road (County Route 30): Route 840 to Clinton Street, Pavement Rehabilitation & Safety Widening, Towns Of New Hartford And Whitestown, P.I.N. 2754.20** (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of **80%** Federal funds and **20%** non-federal funds; and

WHEREAS, the **County of Oneida** desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of **The Project**.

NOW, THEREFORE, the **Board of Legislators** duly convened does hereby **RESOLVE**, that the **Board of Legislators** hereby approves the above-subject project; and it is hereby further

RESOLVED, that the **Board of Legislators** hereby authorizes the **County of Oneida** to pay in the first instance 100% of the federal and non-federal share of the cost of **The Project** or portions thereof; and it is further

RESOLVED, that the sum of **\$2,177,313.00** is hereby appropriated from H298 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the **Board of Legislators** shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the **NYSDOT** thereof, and it is further

RESOLVED, that the **County Executive** of the **County of Oneida** be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the **County of Oneida** with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

RESOLVED, this Resolution shall take effect immediately

APPROVED: Public Works Committee (August 12, 2013)
 Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 29 NAYS 0 ABSENT 0

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 237

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Joseph

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the **Resurface Railroad crossing at Old State Road, Town of Remsen, P.I.N. 2650.14** (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of **80%** Federal funds and **20%** non-federal funds; and

WHEREAS, the **County of Oneida** desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of **The Project**.

NOW, THEREFORE, the **Board of Legislators** duly convened does hereby

RESOLVED, that the **Board of Legislators** hereby approves the above-subject project; and it is hereby further

RESOLVED, that the **Board of Legislators** hereby authorizes the **County of Oneida** to pay in the first instance 100% of the federal and non-federal share of the cost of **The Project** or portions thereof; and it is further

RESOLVED, that the sum of **\$1,683,450.00** is hereby appropriated from H298 pursuant to and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the **Board of Legislators** shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the **NYSDOT** thereof, and it is further

RESOLVED, that the **County Executive** of the **County of Oneida** be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the **County of Oneida** with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

RESOLVED, this Resolution shall take effect immediately

APPROVED: Public Works Committee (August 12, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 29 NAYS 0 ABSENT 0

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 238

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

RE: APPROVAL TO WAIVE RESOLUTION NO. 10 OF 1925 TO ALLOW THE COUNTY COMPTROLLER TO PAY VOUCHERS SUBMITTED BY CORONER BARRY AND NICHOLAS J. ISELO NOT SUBMITTED IN A TIMELY MANNER

WHEREAS, Resolution No. 10 of 1925 states that all persons or corporations having claims against the County of Oneida shall present the same to the County Comptroller for audit not later than the 15th day of the succeeding month in which said claim accrued, and

WHEREAS, In June of 2013, Oneida County Comptroller Joseph J. Timpano received vouchers from former Oneida County Coroner Kevin Barry for a total amount of \$15,955.00, and from former Coroner Barry's assistant Nicholas J. Iselo, for a total amount of \$4,810.00, for work performed in 2011 and 2012, and said claims are untimely under Resolution No. 10 of 1925, and

WHEREAS, Comptroller Timpano has recommended that this Board waive Resolution No. 10 of 1925 and pay the untimely vouchers, as an accrual was made at the end of 2012 in anticipation of the expenses and it will not have a material impact on the final numbers as reported, now therefore be it

RESOLVED, That this Board waives Resolution No. 10 of 1925 and allows the Oneida County Comptroller to pay vouchers from former Oneida County Coroner Kevin Barry for a total amount of \$15,955.00, and from Nicholas J. Iselo, for a total amount of \$4,810.00, for work performed in 2011 and 2012.

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following roll call vote:

AYES 15 NAYS 13 (Townsend, Regner, Brennan, Leach, Waterman, Flisnik, Joseph, Koenig, Goodman, C. Davis, Trevisani, Welsh, Murphy) ABSENT 1 (Caruso)

ROLL CALL

DATE August 14, 2013

SESSION Regular

MEMBERS PRESENT: 28

MEMBERS ABSENT 1

AYES: 15 NAYS: 13

INTRODUCTORY NO. 237

RESOLUTION NO. 238

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		X
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	Abs	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	MURPHY		X

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 239

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

RE: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH AND THE CITY OF UTICA (HOUSING CHOICE PROGRAM)

WHEREAS, This Board is in receipt of a Memorandum of Understanding between Oneida County, through its Department of Health and the City of Utica (Housing Choice Program) to partner work duties through the Lead Primary Prevention 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 a Memorandum of Understanding between Oneida County, through its Department of Health and the City of Utica (Housing Choice Program) to partner work duties through the Lead Primary Prevention Program, commencing April 1, 2013 and ending April 1, 2016 with 100% State funding.

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 240

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

RE: APPROVAL OF AN AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF HEALTH AND NEW YORK STATE THROUGH ITS DEPARTMENT OF HEALTH FOR THE EARLY INTERVENTION PROGRAM

WHEREAS, This Board is in receipt of an Amendment to an Agreement between Oneida County through its Department of Health and New York State through its Department of Health, to provide mandated services for eligible children with disabilities, ages 0-2, through the Health Department's Early Intervention Program,

WHEREAS, In accordance with Oneida County Charter section 2202, said Amendment to 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 said Amendment to the Agreement between Oneida County through its Department of Health for the period of October 1, 2011 through September 30, 2013 at a proposed amended cost of \$114,608, funded in full by the New York State Department of Health for a new total amended contract amount of \$261,541.

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:
AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 241

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY,
THROUGH ITS DEPARTMENT OF HEALTH, AND THE STATE OF NEW YORK,
THROUGH ITS DEPARTMENT OF HEALTH, FOR TB CONTROL**

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Department of Health, and the State of New York, through its Department of Health, for TB Control to work toward the national objective of TB elimination, 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 this Board hereby authorizes and approves an Agreement between Oneida County, through its Department of Health, and the State of New York, through its Department of Health, for TB Control to work toward the national objective of TB elimination, for a term commencing March 31, 2013 and ending March 30, 2014 at a proposed cost of \$48,930 supported, in full, by the New York State Department of Health.

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1(Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 242

***INTRODUCED BY: Messrs. Paparella, Porter, and Ms. Convertino
2ND BY: Mr. Gordon***

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS OFFICE FOR THE AGING/CONTINUING CARE AND HOMEMAKERS OF THE MOHAWK VALLEY, INC

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between Oneida County through its Office for the Aging/Continuing Care and Homemakers of the Mohawk Valley, Inc., to provide personal care services to frail seniors through the Expanded In-Home Services for the Elderly Program (EISEP), 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 a Purchase of Service Agreement between Oneida County through its Office for the Aging and Homemakers of the Mohawk Valley, Inc., for a one year term commencing April 1, 2013 and ending March 31, 2014 at a proposed cost of \$93,000 with State funding of 75% (\$69,750) and County funding of 25% (\$23,250).

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:
AYES 28 NAYS 0 ABSENT 1(Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 243

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

**RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY THROUGH
ITS OFFICE FOR THE AGING/CONTINUING CARE AND FAMILY HOME CARE, INC.**

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County through its Office for the Aging/Continuing Care and Family Home Care, Inc., 519 North Madison Street, Rome, NY, to provide personal care services through the Expanded In-Home Services for the Elderly Program (EISEP), 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 a Purchase of Service Agreement between Oneida County through its Office for the Aging and Family Home Care, Inc., to provide personal care services through the Expanded In-Home Services for the Elderly Program (EISEP) during a one year term commencing April 1, 2013 and ending March 31, 2014 at a proposed cost of \$82,000 with state funding of 75% (\$61,500.00) and County funding of 25% (\$20,500).

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:
AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 244

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Joseph

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS OFFICE FOR THE AGING/CONTINUING CARE AND CATHIE LEE'S HOME HEALTH CARE PROVIDERS

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between Oneida County through its Department for the Aging/Continuing Care and Cathie Lee's Home Health Care Providers, LLC; Sylvan Beach, NY, to provide homecare services for elderly individuals through the EISEP (Expanded In-Home Services for the Elderly Program), and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Agreement must be approved by this Board, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves a Purchase of Service Agreement between Oneida County through its Department for the Aging/Continuing Care and Cathie Lee's Home Health Care Providers, LLC, Sylvan Beach, NY, commencing April 1, 2013 and terminating March 31, 2014 for a total cost of \$58,000 with State funding of 75% (\$43,500) and County funding of 25% of \$14,500.

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 245

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Joseph

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

WHEREAS, This Board is in receipt of an Amendment to an Agreement between Oneida County through its Department of Health and Health Research, Inc., for the Public Health Emergency Preparedness Program to protect the health of the community from disease outbreaks and man-made disasters, 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 an Agreement between Oneida County through its Department of Health and Health Research, Inc. This amendment extends the contract through June 30, 2017, with anticipated funding for each one year increment in the amount of \$137,268 to be forwarded by the New York State Department of Health at a later date.

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 246

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

RE: APPROVAL TO AN AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS DEPARTMENT OF HEALTH AND HEALTH RESEARCH, INC.-CANCER SERVICES PROGRAM

WHEREAS, This Board is in receipt of an Amendment to an agreement between Oneida County through its Department of Health and Health Research, Inc., a contractor for the New York State Department of Health Cancer Services Program, to provide patient education and screening and diagnostic services and to assist those diagnosed with cancer to obtain prompt treatment, and

WHEREAS, In accordance with Oneida County Charter section 2202, said amendment to 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 agreement between Oneida County through its Department of Health and Health Research, Inc. for a one year term commencing June 30, 2012 and ending June 29, 2013, for additional funds in the amount of \$18,048, with a new total funding amount of \$75,743, funded in full by State funds.

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 247

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Joseph

RE: DELEGATION OF AUTHORITY TO APPROVE PROJECT ARGO CONTRACTS BETWEEN ONEIDA COUNTY AND OTHER PUBLIC CORPORATIONS UNDER \$50,000.00

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., has proposed Project ARGO (Action to Realign Government Operations), to provide funding for consolidation and collaboration projects between Oneida County and partner municipal corporations, districts and public corporations, including cities, towns, villages school districts, sewer districts, fire districts and libraries, and

WHEREAS, County Executive Picente has appointed a five person committee to screen applications for funding under Project ARGO, consisting of the following individuals: (1) One representative of each party designated by the Majority Leader and Minority Leader of the Board of Legislators; (2) The Oneida County Attorney or his designee; (3) The Commissioner of the Oneida County Planning Department; (4) The Director of Central Services; and (5) The Assistant to the County Executive; and

WHEREAS, Project ARGO will result in County-wide benefits, including but not limited to long-term net savings, reductions of costs and streamlining of processes, and

WHEREAS, Project ARGO will be more efficient and able to operate in a more timely manner if the Oneida County Board of Legislators delegates its authority to approve Project ARGO contracts between Oneida County and another public corporation under \$50,000.00 to the screening committee, and the County Executive could execute the contract upon approval of the screening committee without further action from the Board, now therefore be it

RESOLVED, That the Oneida County Board of Legislators hereby delegates its authority to approve Project ARGO contracts between Oneida County and other public corporations under \$50,000.00 to the following screening committee: (1) One representative of each party designated by the Majority Leader and Minority Leader of the Board of Legislators; (2) The Oneida County Attorney or his designee; (3) The Commissioner of the Oneida County Planning Department; (4) The Director of Central Services; and (5) The Assistant to the County Executive, and be it further

RESOLVED, That the delegation of authority is contingent on the following conditions:

- Each such contract must obtain the unanimous approval of the screening committee.
- For each such contract, the screening committee will make a written finding that the contract will result in County-wide benefits including but not limited to long-term net savings, reductions of costs and streamlining of processes, and shall provide the written finding to the Board of Legislators within 10 days of issuance.

APPROVED AND AMENDED : Ways & Means Committee (August 14, 2013)

AMENDED BY BOARD: August 14, 2013

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 248

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Townsend

RE: SUPPLEMENTAL APPROPRIATION OF \$500,000 TO AA#A 6414.495-ONEIDA COUNTY REGIONAL ASSISTANCE (ARGO)

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$500,000 to AA#A6414.495-Oneida County Regional Assistance (ARGO), and

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

AA#890 – Fund Balance	\$500,000
now, therefore, be it hereby	

RESOLVED, That a supplemental appropriation, from 2013 funds, as hereinafter set forth, be and the same is hereby approved:

TO:	
AA#A6414.495 Oneida County Regional Assistance (ARGO)	\$500,000

APPROVED: Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 27 NAYS 1 (Gordon) ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 249

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Goodman

RE: TRANSFER \$20,000 TO AA#A1165.103, DISTRICT ATTORNEY, OVERTIME

WHEREAS, There is a need for additional funds in AA#A1165.103, District Attorney, overtime, and

WHEREAS, In accordance with Section 610 of the Oneida County 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 \$20,000 from 2013 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A1165.109, District Attorney, Salaries..... \$20,000

TO:

AA#A1165.103, District Attorney, Overtime \$20,000

APPROVED: Public Safety Committee (BYPASS COMMITTEE)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 250

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

RE: PROPOSED WORKERS' COMPENSATION BUDGET FOR 2014

WHEREAS, The Oneida County Government Operations Committee has filed a budget estimate for the operation of the Oneida County Self- Insurance Plan as hereinafter set forth for the year 2014, 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 2014 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 Government Operations Committee.

SUPPORT SCHEDULES

ASSESSMENTS TO COMPENSATION BOARD

IDP Section 151	\$ 38,906
Section 151	\$ 126,836
Section F60 VFD	\$ 16,050
Section 15-8 Second Injury	\$ 473,450
Section 25A Fund for Reopened Cases	\$ 239,594
Special Funds Conservation Committee	\$ 12,664
Total Assessments	\$ 907,500

COMPENSATION INDEMNITY AND MEDICAL CLAIMS EXPENSE

Estimated Indemnity and Medical Costs	\$4,437,000
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BUDGET APPROPRIATIONS

PROGRAM ADMINISTRATION AND SUPPORT

S1710.109	Salaries & Fringes	\$	72,601
S1710.195	Other Fees & Services	\$	239,741
S1710.416	Telephone	\$	527
S1710.418	Meter Postage	\$	318
S1710.455	Travel	\$	1,250
S1710.491	Other Materials & Supplies	\$	50
S1710.495	Other Expenses	\$	135
S1990.9	Contingent Account	\$	40,000
	Total Administrative Expense	\$	354,622

S1720.410	Indemnity & Medical	\$	4,437,000
S1720.412	Insurance & Bonding	\$	670
S1720.495	Other Expenses	\$	907,500
	Total Claims Expense	\$	5,345,170

TOTAL ADMINISTRATIVE & CLAIMS EXPENSES **\$ 5,699,792**

ESTIMATED REVENUES

S2222	Participant Assessments	\$	4,839,835
S2401	Interest Earnings	\$	13,400
S2701	Refund of Prior Years - Expenditures	\$	20,000
S2705	Revenues	\$	826,557

TOTAL ESTIMATED REVENUES **\$ 5,699,792**

RESOLVED, That the Oneida County Board of Legislators hereby approves and accepts the aforementioned Workers' Compensation Budget for 2014.

APPROVED: Government Operations Committee (August 12, 2013)
Ways & Means Committee (August 14, 2013)

DATED:
August 14,
2013

Adopted by the following roll call vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ROLL CALL

DATE August 14, 2013

SESSION Regular

MEMBERS PRESENT: 28

MEMBERS ABSENT 1

AYES: 28 NAYS: 0

INTRODUCTORY NO. 249

RESOLUTION NO. 250

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	X	
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	Abs	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	MURPHY	X	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 251

***INTRODUCED BY: Messrs. Paparella, Porter, Gordon, Ms. Convertino
2ND BY: Mr. Miller***

**RE: APPROVAL OF THE ONEIDA COUNTY YOUTH BUREAU RESOURCE
ALLOCATION PLAN FOR THE YEAR 2013**

WHEREAS, This board is in receipt of correspondence from the Youth Bureau's Director requesting approval of a Resource Allocation Plan authorizing the distribution of funds in the amount of \$244,128 from the New York State Office of Children & Family Services among various agencies and municipalities who have contractual agreements with the Oneida County Youth Bureau for FY2013, and

WHEREAS, Said Allocation Plan 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 Resource Allocation Plan for the allotment of funds in the amount of \$244,128 from the New York State Office of Children & Family Services.

APPROVED: Health and Human Services Committee (July 17, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:
AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 252

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Joseph

**RE: APPOINTMENT OF PHYLLIS DONTINO ELLIS AS PUBLIC HEALTH DIRECTOR
GRADE H49**

WHEREAS, In accordance with the provisions of Article XI, Section 1101, of the Oneida County Charter, County Executive Anthony J. Picente, Jr., has appointed Phyllis Dontino Ellis to serve as the Public Health Director for Oneida County, and

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

RESOLVED, That the Oneida County Board of Legislators confirms the appointment of Phyllis Dontino Ellis to serve as the Oneida County Public Health Director, Grade H49, effective immediately.

APPROVED: Health and Human Services Committee (August 13, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following roll call vote:
AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 253

INTRODUCED BY: *Messrs. Paparella, Porter*

2ND BY: *Mr. Joseph*

RE: APPROVAL TO ESTABLISH THE SALARY FOR THE TITLE OF DEPUTY PUBLIC HEALTH DIRECTOR AT GRADE M47 STEP 1

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel John P. Talerico indicating that he has added the title of Deputy Public Health Director to the Oneida County Classification Plan, and recommending that the salary for said new title be established at Grade M47, Step 1, and

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

RESOLVED, That the Oneida County Board of Legislators establishes the salary for the new title of Deputy Public Health Director at Grade M47, Step 1 (\$70,979.00), effective immediately.

APPROVED: Health and Human Services Committee (August 13, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 18 NAYS 10 (Gordon, Murphy, Sacco, Furgol, Clancy, Tallarino, Goodman, Brennan, C. Davis,
Mandryck) ABSENT 1(Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 254

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Joseph

RE: APPROVAL TO CREATE ONE (1) DEPUTY PUBLIC HEALTH DIRECTOR POSITION, GRADE M47, STEP 1 (\$70,979)-AA#A4010

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is requesting the creation of one position of Deputy Public Health Director Grade M47, Step 1 \$70,979, and

WHEREAS, Said new full time position will be responsible for assisting in the planning, organizing and directing of Health Department programs, 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 the creation of one position of Deputy Health Director in the Department of Health (Grade M47, Step 1 \$70,979), effective immediately.

APPROVED: Health and Human Services Committee (August 13, 2013)
 Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following roll call vote:

AYES 18 NAYS 10 (Gordon, Murphy, Sacco, Furgol, Clancy, Tallarino, Goodman, Brennan, C. Davis, Mandryck) ABSENT 1(Caruso)

ROLL CALL

DATE August 14, 2013

SESSION Regular

MEMBERS PRESENT: 28

MEMBERS ABSENT 1

AYES: 18 NAYS: 10

INTRODUCTORY NO. 253

RESOLUTION NO. 254

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	X	
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	Abs	
D-27	FURGOL		X
R-28	WOOD	X	
D-29	MURPHY		X

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 255

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Joseph

**RE: ESTABLISHMENT OF CAPITAL PROJECT H-484, EMERGENCY SERVICES
HAZ MAT EQUIPMENT**

WHEREAS, This Board is in receipt of correspondence from Oneida County Executive Anthony J. Picente, Jr. requesting establishment of a Capital Project in the amount of \$32,000 to be used for Haz Mat Equipment, 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 the establishment of Capital Project H-484, Emergency Services-Haz Mat Equipment, to be funded, as follows:

State Aid \$32,000

APPROVED: Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following roll call vote:
AYES 28 NAYS 0 ABSENT 1 (Caruso)

ROLL CALL

DATE August 14, 2013

SESSION Regular

MEMBERS PRESENT: 28

MEMBERS ABSENT 1

AYES: 28 NAYS: 0

INTRODUCTORY NO. 254

RESOLUTION NO. 255

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	X	
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	Abs	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	MURPHY	X	

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 256

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Joseph

RE: APPROVAL TO GRANT A PERPETUAL EASEMENT TO NIAGARA MOHAWK POWER CORPORATION (A NATIONAL GRID COMPANY) THROUGH COUNTY OWNED PROPERTY AT GRIFFISS INTERNATIONAL AIRPORT FOR THE PURPOSE OF INSTALLING A GAS MAIN EXTENSION ON AIRPORT PROPERTY ALONG BOMBER DRIVE

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Michael C. Lawrence, Jr., Deputy Commissioner of Aviation, recommending the acceptance and execution of a permanent easement to Niagara Mohawk Power Corporation through County-owned property to allow for the installation of a natural gas line along County property on Bomber Drive, and

WHEREAS, The grant of easement will allow for the installation of a gas main extension to supply natural gas to Nose Dock buildings 782-786,

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 granting a permanent easement to Niagara Mohawk Power Corporation through County-owned property to allow for the installation of a natural gas line along County property on Bomber Drive, and be it further

RESOLVED, That County Executive Anthony J. Picente, Jr., is authorized and directed to execute any and all documents related thereto to effect such easement.

APPROVED: Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.257

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. D'Onofrio

**RE: APPROVAL OF AN AMENDMENT TO A CONTRACT WITH C&S ENGINEERS, INC.,
FOR CONSTRUCTION INSPECTION SERVICES TO THE PLEASANT STREET
BRIDGE**

WHEREAS, This Board, is in receipt of correspondence from Dennis S. Davis, Commissioner of Public Works, requesting approval of an amendment to a contract between the County and C&S Engineers, Inc., to provide Construction Inspection Services to the Pleasant Street Bridge. The amount of the original contract is \$133,175 with an increased amount of \$27,000 bringing the new amended total to \$160,175, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said amendment 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 amendment to a contract between the County and C&S Engineers, Inc. at new proposed total cost of \$160,175 supported, in full, by Capital Project H-374, County Highway Bridge Program, Phase III.

APPROVED: Public Works Committee (August 12, 2013)
Ways and Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.258

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

RE: APPROVAL TO ACCEPT A FRESH CONNECT GRANT AGREEMENT BETWEEN ONEIDA COUNTY AND THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS

WHEREAS, Oneida County has been awarded a grant of \$10,000 from the New York State Department of Agriculture and Markets to be used for outreach, multilingual promotions and transportation to/from locations to be coordinated with the Mohawk Valley Resources Center for Refugees, and

WHEREAS, Pursuant to 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 Oneida County Executive Anthony J. Picente, Jr., is authorized to execute any and all documents related to a grant of \$10,000 from the New York State Department of Agriculture and Markets.

APPROVED Public Works Committee (August 12, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:
AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 259

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Goodman

RE: APPROVAL OF AN AMENDMENT TO AN AGREEMENT BETWEEN ONEIDA COUNTY AND MOHAWK VALLEY COMMUNITY COLLEGE FOR LEGAL SERVICES-EXTENSION

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from County Attorney Gregory J. Amoroso, Esq. requesting approval to extend the current Memorandum of Understanding between Oneida County through its Law Department and Mohawk Valley Community College to provide legal services to the College, through December 31, 2013 so that future MOUs will run concurrently with the County's fiscal year, and

WHEREAS, the extension of said contract will result in additional revenue of \$25,000.00(\$6,250.00 monthly) to be paid by Mohawk Valley Community College to the Law Department, and

WHEREAS, Said original agreement was approved by the Board of Legislators on November 14, 2012 and,

WHEREAS, In accordance with Oneida County Charters section 2202, said Amendment to the Memorandum of Understanding must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That this Board authorizes and approves an Amendment extending the Memorandum of Understanding for Oneida County Department of Law to provide legal services to Mohawk Valley Community College for an additional term commencing September 1, 2013 through December 31, 2013. The College will reimburse the County \$25,000.00 for a portion of the costs of the Department of Law.

APPROVED: Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 260

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Joseph

**RE: APPROVAL OF A SETTLEMENT IN THE MATTER OF
MICHAEL A. RACQUET, SR. V. COUNTY OF ONEIDA, ET AL**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from County Attorney Gregory J. Amoroso requesting Board approval of a proposed settlement in the amount of \$100,000 in the matter of Michael A. Racquet, Sr. v. Oneida County et al., and

WHEREAS, Michael A. Racquet, Sr. commenced an action in United States District Court, Northern District of New York against the County of Oneida, Oneida County Deputy Sheriff James F. Danquer and New York State Trooper Nicholas J. Lotito for state and federal claims related to injuries suffered during an arrest that occurred on February 15, 2009, and

WHEREAS, The County's outside counsel assigned to the litigation, Bartle J. Gorman, Esq., and the County's Risk & Claims Administrator, Gus Boucher, both recommend that Oneida County settle such claims on the basis of risk management, with no admission of wrongdoing on the part of the County or Deputy Danquer for the proposed amount in full satisfaction of any and all obligations related to said action now, therefore, be it

RESOLVED, That the Oneida County Board of Legislators hereby authorizes settlement in the amount of \$100,000 in full satisfaction of any and all claims against the County of Oneida and Deputy James F. Danquer in the matter of Michael A. Racquet Sr. v. Oneida County et al.

APPROVED: Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 27 NAYS 1 (Brennan) ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 261

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

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY THROUGH ITS BOARD OF ELECTIONS AND SCHENECTADY COUNTY FOR ELECTION BALLOT PRINTING

WHEREAS, This Board. is in receipt of correspondence from the Commissioners of the Board of Elections Rose Grimaldi and Russell Stewart requesting approval of an Agreement between Oneida County through its Board of Elections and Schenectady County for printing of election ballots, and

WHEREAS, In accordance with the 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 Board of Legislators approves an agreement between Oneida County through its Board of Elections and Schenectady County for printing of election ballots at a per ballot cost of \$0.26, and further this Board approves the terms and conditions of said agreement that is on file in the Office of the Clerk of the Board of Legislators.

APPROVED: Government Operations Committee (August 12, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following vote:

AYES 28 NAYS 0 ABSENT 1 (Caruso)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 262

INTRODUCED BY: Messrs. Waterman, Porter

2ND BY: Mr. Townsend

RE: APPROVAL OF THE BIDS OFFERED AT THE AUGUST 8, 2013 PROPERTY AUCTION

WHEREAS, The Commissioner of Finance has certified to this Board, under date of August 12, 2013 that his office is in receipt of down payments for properties in various towns/cities within Oneida County sold at auction by the Department of Finance on August 8, 2013, and

WHEREAS, The Commissioner of Finance received offers for the sale of said properties described in the attached documents and duly approved same, and,

WHEREAS, The sale of these properties was duly advertised in the official newspapers of the County and affidavits of said publications are on file with the Commissioner of Finance, now, therefore, be it hereby

RESOLVED, That the Chairman and Clerk of this Board be and hereby are authorized and directed to execute and deliver quit claim deeds to the designated parties conveying the premises described for the considerations set forth in said document on file with the Clerk of this Board.

APPROVED: Government Operations Committee (August 12, 2013)
Ways & Means Committee (August 14, 2013)

DATED: August 14, 2013

Adopted by the following v.v. vote:

AYES_27_____ NAYS_0___ ABSTAIN_1 (Porter)___ ABSENT_1 (Caruso)_____