



## 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 IS A RESOLUTION  
NUMBERED 81 THAT WAS ACTED UPON BY THE BOARD  
OF COUNTY LEGISLATORS AT THEIR SPECIAL SESSION  
HELD ON MARCH 25, 2013.**

# ONEIDA COUNTY BOARD OF LEGISLATORS

## RESOLUTION NO. 81

INTRODUCED BY: Messrs. Joseph, Porter

2ND BY: Townsend

### LOCAL LAW INTRODUCTORY "D" OF 2013 LOCAL LAW NO. \_\_ OF 2013

#### A LOCAL LAW AMENDING THE ONEIDA COUNTY CHARTER, ARTICLE II, SECTION TWO HUNDRED ONE AND THE ONEIDA COUNTY ADMINISTRATIVE CODE, ARTICLE II, SECTION TWO HUNDRED ONE SETTING FORTH A PLAN OF REAPPORTIONMENT

LEGISLATIVE INTENT: The Board of County Legislators wishes to amend the Oneida County Charter, Article II, Section two hundred one and the Oneida County Administrative Code, Article II, Section two hundred one in order to comply with the requirement established by the Supreme Court of the United States that members of legislative bodies must represent substantially equal population and to comply with the requirements for reapportionment set forth in the Oneida County Charter and Code.

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

1. That Article II, Section Two Hundred One of the Oneida County Charter and Article II, Section Two Hundred and One of the Oneida County Administrative Code are hereby amended and corrected by the deletion of the whole thereof and the insertion of the following language in its stead:

**Section 201 (a) The Board of County Legislators.** Commencing on January 1, 2014, the Oneida County Board of Legislators shall be composed of twenty-three legislative districts the form of which shall be timely determined prior thereto and in accordance with any applicable state, general, special or local laws relating to the apportionment of legislative districts.

**Section 201. (b)** There shall be a Board of County Legislators to be elected one from each of the following legislative districts and sitting together they shall constitute the Oneida County Board Legislators:

LEGISLATIVE DISTRICT	TOWNS/CITY	ELECTION DISTRICT
1	VERNON	1 2 3 4 5
	VERONA	5

2	AUGUSTA	1 2	
	KIRKLAND	3 8	
	MARSHALL	1 2	
	SANGERFIELD	1 2	
3	ROME	3-3	
	VERONA	3 4 6	
	VIENNA	1 2 3 4	
4	ROME	1-1 1-2 2-2 2-3 3-1 3-4 3-5 4-5 7-2	
	VERONA	1 2	
	5	ANNSVILLE	1 2 3
		CAMDEN	1 2 3

	FLORENCE	1
	LEE	3
6	AVA	1
	BOONVILLE	1
		2
		3
		4
	FORESTPORT	1
		2
	REMSEN	1
	STEUBEN	1
7	LEE	5
	ROME	6-1
		6-2
		6-3
		6-4
		7-1
		7-3
		7-4
		7-5
8	FLOYD	2
		3
	MARCY	1
		2
		3
		4
	WHITESTOWN	5
9	DEERFIELD	1
		2
		3
	FLOYD	1
	TRENTON	1
		2
		3
		4

10	KIRKLAND	1 10
	ROME	2-1
	WESTMORELAND	1 2 3 4
11	WHITESTOWN	1 2 4 6 7 8 9 13 15
12	ROME	3-2 4-1 4-2 4-3 4-4 5-1 5-2 5-3 5-4
13	NEW HARTFORD	2-1 2-2
	WHITESTOWN	3 10 11 12 14 16
14	KIRKLAND	2 4 5 6 7 9

	NEW HARTFORD	4-1 4-2 4-3 4-4
15	NEW HARTFORD	1-3 1-5 2-3 2-4 3-1 3-2 3-3 3-4
16	BRIDGEWATER	1
	NEW HARTFORD	1-1 1-2 1-4
	PARIS	1 2 3
17	LEE	1 2 4
	ROME	1-3 1-4 6-5
	WESTERN	1 2 3
18	UTICA	4-1 4-2 4-3 4-4 4-5 4-6 4-7 4-8 4-9
19	UTICA	3-1 3-2 3-3 3-4

			3-5
			3-6
			3-7
			3-8
			3-9
			5-2
20	UTICA		1-8
			5-1
			5-3
			5-4
			5-5
			5-6
21	UTICA		2-1
			2-3
			2-4
			2-5
			2-6
			2-7
			3-10
			5-7
22	UTICA		1-1
			1-2
			1-3
			1-4
			1-5
			1-6
			1-7
			2-2
			2-8
23	UTICA		6-1
			6-2
			6-3
			6-4
			6-5
			6-6
			6-7
			6-8
			6-9

That all references to towns apply to that territory wholly contained in each of the towns of Oneida County as of January 1, 2010. All references to election districts apply to that territory wholly contained in each of the election districts enumerated on the official maps kept by the Oneida County Board of Elections as of April 1, 2012.

That the above described districts are enumerated and set forth on maps filed with the Clerk of the Board of County Legislators of Oneida County, which maps shall remain on file and shall be considered and hereby are made a part of the Oneida County Charter and the Oneida County Administrative Code.

The Chairman of the Board of County Legislators of Oneida County shall have the power to appoint after consultation with the Legislative body either (1) a bi-partisan committee of six Board members or (2) a five member non-partisan commission comprised of qualified individuals, that are not elected to the Board of Legislators or otherwise prescribed by State Law, for the purpose of reapportioning legislative districts as set forth under this provision. The Majority and Minority Leaders shall recommend two members each for appointment, and the Chairman of the Board of County Legislators shall appoint one member who will serve as chairman of the commission.

The appointed committee or commission shall evaluate the existing county legislative districts for equity and representation in relation to population within a reasonable time period after the publication of the results of the regular federal census taken in Oneida County in the year Two Thousand and Twenty, or within a reasonable period of time after the publication of the results of any federal population census taken in Oneida County or within a reasonable period of time after the publication of the results of any federal or special population census taken pursuant to Section Twenty of the General Municipal Law and held not more than once every five years; or, after any annexation which has the effect of increasing or decreasing the population of any county legislative district by more than ten percent.

The committee shall study the population data and, within six months after its appointment, make recommendations, if necessary, in the form of a proposed local law as to changes in the boundaries of the county legislative districts. In their deliberations to redesign the legislative districts, the committee shall consider the application of the "one person, one vote" concept of previous federal court decisions and compliance with the Equal Protection Clause of the 14<sup>th</sup> amendment of the United States Constitution and Article I, Sections 1 and 11 of the New York State Constitution and shall apply same irregardless of municipal boundaries.

Within seven months after the submission of the report of the committee, which shall be submitted to the County Board of Legislators in the form of a local law, the Board of County Legislators shall conduct a public hearing on the proposed changes, if any, and shall then enact a local law setting forth revised district boundaries subject to a referendum on petition pursuant to Section 24 of the Municipal Home Rule Law.

If at any time a local law setting forth revised district boundaries is defeated in a referendum, within ninety days of such defeat of referendum, the legislative district revision committee shall be reactivated to study and prepare a new proposed local law for submission to the Board of County Legislators, subject to the same procedures and requirements as provided for above.

2. That this local law shall take effect upon the 46<sup>th</sup> day after the final enactment of this local law pursuant to the terms and conditions set forth in Section 24 of the Municipal Home Rule Law of New York State.

APPROVED: Reapportionment Committee (March 5, 2013)  
Ways & Means Committee (March 13, 2013 )

DATED: March 25, 2013

Adopted by the following vote:

AYES 23 NAYS 4 (Gordon, Tallarino, Mandryck, and Murphy) ABSENT 2 (Porter, Speciale)

OFFICE, CLERK BOARD OF COUNTY LEGISLATORS)

COUNTY OF ONEIDA

) SS:

I, hereby certify that I have compared the foregoing extract from the minutes of meeting of the Board of County Legislators of Oneida County held on the 25<sup>th</sup> day of March 2013 with the original record thereof on File in this office and that the same is a true and correct transcript therefrom, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto affixed the seal of said Board this 25<sup>th</sup> day of March, 2013



A handwritten signature in black ink, appearing to read "Mikale Billard".

Clerk

MIKALE BILLARD

ROLL CALL

DATE March 25, 2013

SESSION SPECIAL

MEMBERS PRESENT: 27

MEMBERS ABSENT 2

AYES: 23 NAYS: 4

INTRODUCTORY NO. 076

RESOLUTION NO. 081

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 <u>ABSENT</u>		
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 <u>ABSENT</u>		
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