

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

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

- R-1 Keith Schiebel (Vernon, District 1, 2, 3, 4, 5; Verona, District 5)
- R-2 Colin Idzi (Augusta District 1, 2; Kirkland District 3, 8; Marshall District 1, 2; Sangerfield District 1, 2)
- R-3 Norman Leach (Rome 3rd Ward, District 3; Verona Districts 3, 4, 6; Vienna District 1, 2, 3, 4)
- D-4 Michael J. Clancy (Rome Ward 1, District 1, 2; Ward 2 District 2, 3, Ward 3 District 1, 4, 5; Ward 4 District 5; Ward 7 District 2; Verona District 1, 2)
- R-5 Michael B. Waterman (Annsville, District 1, 2, 3; Camden District 1, 2, 3; Florence District 1; Lee District 3)
- R-6 Michael Boucher (Ava District 1; Boonville District 1, 2, 3, 4; Forestport District 1, 2; Remsen District 1; Steuben District 1)
- R-7 Gerald J. Fiorini (Lee District 5; Rome Ward 6 District 1, 2, 3, 4, Ward 7 District 1, 3, 4, 5)
- R-8 Richard A. Flisnik (Floyd District 2, 3; Marcy District 1, 2, 3, 4; Whitestown District 5)
- D-9 Philip M. Sacco (Deerfield District 1, 2, 3; Floyd District 1; Trenton District 1, 2, 3, 4)
- R-10 George Joseph (Kirkland District 1, 10; Rome Ward 2, District 1; Westmoreland District 1, 2, 3, 4)
- R-11 Robert Koenig (Whitestown District 1, 2, 4, 6, 7, 8, 9, 13, 15)
- D-12 Michael Brown (Rome Ward 3 District 2; Ward 4 District 1, 2, 3, 4; Ward 5 District 1, 2, 3, 4)
- D-13 William B. Goodman (New Hartford Ward 2 District 1, 2; Whitestown District 3, 10, 11, 12, 14, 16)
- D-14 Chad Davis (Kirkland District 2, 4, 5, 6, 7, 9; New Hartford Ward 4 District 1, 2, 3, 4)
- R-15 James M. D'Onofrio (New Hartford Ward 1 District 3, 5; Ward 2 District 3, 4; Ward 3 District 1, 2, 3, 4)
- R-16 Mary A. Pratt (Bridgewater District 1; New Hartford Ward 1 District 1, 2, 4; Paris District 1, 2, 3)
- R-17 Brian P. Mandryck (Lee District 1, 2, 4; Rome Ward 1 District 3, 4; Ward 6 District 5; Western District 1, 2, 3)
- R-18 Joseph Furgol (Utica Ward 4 District 1, 2, 3, 4, 5, 6, 7, 8, 9)
- R-19 Edward P. Welsh (Utica Ward 3 District 1, 2, 3, 4, 5, 6, 7, 8, 9; Ward 5 District 2)
- D-20 William R. Hendricks (Utica Ward 1 District 8; Ward 5 District 1, 3, 4, 5, 6)
- D-21 Lori Washburn (Utica Ward 2 District 1, 3, 4, 5, 6, 7; Ward 3 District 10; Ward 5 District 7)
- D-22 Rose Ann Convertino (Utica Ward 1 District 1, 2, 3, 4, 5, 6, 7; Ward 2 District 2, 8)
- R-23 Emil R. Paparella (Utica Ward 6, District 1, 2, 3, 4, 5, 6, 7, 8, 9)

ROLL CALL: 22 Present

MEMBERS PRESENT: Schiebel, Idzi, Leach, Clancy, Waterman, Boucher, Fiorini, Flisnik, Sacco, Joseph, Koenig, Brown, Goodman, Davis, D'Onofrio, Pratt, Mandryck, Furgol, Welsh, Washburn, Convertino, Paparella

ABSENT MEMBER: Hedricks

During the Public Comment Section Chairman Fiorini called to the podium Eric Centro from Rome. He spoke in regards to the proposed Local law establishing a snowmobiling season for Oneida County.

PETITIONS AND COMMUNICATIONS

- FN 2019 – 270 – Replacement Letter RE: Flood Mitigation Committee Projects
- FN 2019 – 286 – Proposed 2020 Workers Compensation Budget
- FN 2019 – 287 – Replacement of the Horton Road bridge over Big Woodhull Creek in the town of Forestport
- FN 2019 – 288 – Needs for Additional funding in the Road Machinery Fund
- FN 2019 – 289 – Snow Removal for oncoming season
- FN 2019 – 290 - DPW-2019 Fund transfer
- FN 2019 – 291 – Contract for purchase and sale of Real Estate for property know as 417-421 Main St. Utica
- FN 2019 – 292 – DPW-2019 supplemental appropriation for the General Fund
- FN 2019 – 293 – Emergency Services Capital Project
- FN 2019 – 294 – August 22, 2019 Oneida County finance Dept. received bids on various delinquent properties
- FN 2019 – 295 – Title 3 of Article 5 of the Real Property Tax Law
- FN 2019 – 296 – RE: 592 Hangar Rd. Building 100
- FN 2019 – 297 – Lease Agreement – Griffiss Institute Inc.
- FN 2019 – 298 – Appoint Legislator Norm Leach to Ways & Means Committee, taking place of Legislator Ed Welsh
- FN 2019 – 299 – Oneida County Operating Budget and Capital Project Plan for the year 2020
- FN 2019 - 300 – A Memorializing Petition supporting Oneida County Clerk Sandra DePerno's opposition to "Driver's License Access and Privacy Act"
- FN 2019 – 301 – Local Law establishing a snowmobiling season in Oneida County
- FN 2019 – 302 – Unmet Need Funding – April 1, 2019 to March 31, 2020
- FN 2019 – 303 – Oneida County Dept of Mental Health , State Aid Funding from NYS Office of Mental Health(OMH)

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FN 2019 – 304 – Oneida County Dept. of Mental Health, requesting to adjust the Revenue Budget
FN 2019 – 305 – Social Services Commissioner Colleen Fahy Box requesting the addition of the title Substance Abuse Evaluator. Not requesting the post be filled at this time.
FN 2019 – 306 – Specialized Institutional Foster Care for Children
FN 2019 – 307 – Advocacy Services to provide advocacy and guidance for Child Sexual Abuse victims or alleged victims and their families
FN 2019 – 308 – Secure and Specialized Secure Detention User Agreement
FN 2019 – 309 – Parent Aide Services
FN 2019 – 310 – Oneida County Child Advocacy Center Grant
FN 2019 – 311 – Children & Family Intervention
FN 2019 – 312 – (Oneida County Mental Health) Resource Center for Independent Living Inc
FN 2019 – 313 – Certification of Section 606 Expenses
FN 2019 – 314 – Amendment to Inter-Municipal Agreement with Town of Whitestown for Sauquoit Creek Channel and Flood Plain Restoration Project
FN 2019 – 315 – Exam Monitors and Head Monitors for Civil Service Testing
FN 2019 – 316 – Real Property Recorder I and Real Property Recorder II

MOTIONS AND RESOLUTIONS

NO. 252 – FN 2019 – 285 – Messrs. Fiorini, D’Onofrio and Mandryck offered the following resolution and moved its adoption.

LOCAL LAW INTRO. “C” OF 2019

LOCAL LAW NO. ____ OF 2019

A LOCAL LAW ESTABLISHING AN ANIMAL ABUSER REGISTRY AND PROHIBITING ANIMAL OWNERSHIP BY ANIMAL ABUSE OFFENDERS WITHIN ONEIDA COUNTY

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF ONEIDA AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT.

The State of New York has criminalized the cruel treatment of animals. However, animal abuse and cruelty continues to occur in Oneida County and throughout New York State.

Requiring animal abusers to register with their law enforcement agency will provide members of the community, particularly animal shelters and pet sellers, with the identities of convicted animal abusers. The registry will also warn potential employers that may be looking to hire an individual to work closely with animals in pet shops, shelters, or veterinary offices.

The Oneida County Legislature hereby finds that it is in the best interest of the residents of Oneida County and their animals that an online registry be established identifying individuals residing in Oneida County who have been convicted of animal abuse crimes in order to prevent these individuals from adopting, purchasing or otherwise obtaining animals from any animal shelter or pet seller.

SECTION 2. DEFINITIONS.

As used in this Local Law, the following terms have the meanings indicated:

“Animal Abuse Crime” - Any of the following crimes listed in subsections (a) through (e):

- a) A violation of any of the following provisions of the NYS Agriculture Markets Law (AML Article 26):

- Section 351 - Prohibition of animal fighting
- Section 353 - Overdriving, torturing and injuring animals; failure to provide proper sustenance
- Section 353-a - Aggravated cruelty to animals

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Section 355 - Abandonment of animals
Section 356 - Failure to provide proper food and drink to impounded animal
Section 359 - Carrying animal in a cruel manner
Section 360 - Poisoning or attempting to poison animals
Section 361 - Interference with or injury to certain domestic animals
Section 362 - Throwing substance injurious to animals in public place
Section 365 - Clipping or cutting the ears of dogs
Section 366 - Companion animal stealing
Section 366-a - Removing, seizing or transporting dogs for research purposes

- b) Sexual misconduct with an animal in violation of NYS Penal Law (PL) § 130.20(3)
- c) Harming a service animal in violation of PL §242.10 and PL §242.15
- d) Killing or injuring a police animal in violation of PL §195.06
- e) Harming an animal trained to aid a person with a disability in violation of PL §195.12

“Animal” - Any living mammal (except a human being), bird, reptile, amphibian or fish.

“Animal Abuse Offender” - Any person eighteen (18) years of age or older, convicted of an Animal Abuse Crime, except youthful offenders with convictions contained within sealed records.

“Animal Abuser Registry” - The online registry established by this Local Law for registering any person residing in Oneida County convicted of an Animal Abuse Crime.

“Animal Shelter” - Any organization which maintains buildings, structures or other property for the purpose of harboring Animals which may be stray, unwanted, lost, abandoned or abused and seeks to find appropriate temporary or permanent homes for such Animals, including, but not limited to, any duly incorporated humane society, pound, Animal protective association or Animal rescue group.

“Conviction” - An adjudication of guilt by any court of competent jurisdiction, whether upon a verdict after trial, upon a plea of guilty, or an Alford Plea.

“Farm” – A business engaged in a farming operation, as defined by New York State Agriculture and Markets Law §301(11).

“Pet Seller” - Any individual, person, partnership, firm, corporation, or other entity which routinely offers Animals for sale or is otherwise routinely engaged in the business of selling, exchanging or otherwise transferring ownership of Animals.

SECTION 3. ESTABLISHING AN ANIMAL ABUSER REGISTRY.

The Oneida County Sheriff is hereby directed to create, manage, and maintain an Animal Abuser Registry containing the names and residence information of registered Animal Abuse Offenders living in Oneida County who are hereby prohibited from owning Animals.

- a) The Oneida County Sheriff’s Office shall have a link to the Animal Abuser Registry on the Oneida County Sheriff’s Office webpage, together with the links to other County Animal Abuser registries that are available in the State of New York. Such other County Animal Abuser registries may be used as informational resources by Animal Shelters and Pet Sellers.
- b) The Animal Abuser Registry shall contain the required information about each Animal Abuse Offender, as outlined in Section 4(c) below, for fifteen (15) years following his or her release from incarceration or, if not incarcerated, from the date of the judgement of Conviction.
- c) Any currently or previously registered Animal Abuse Offender convicted of a subsequent Animal Abuse Crime shall be placed on the Animal Abuser Registry for life following the second Conviction. These Convictions are not limited to Convictions within Oneida County, but extend to other counties who also maintain an Animal Abuser Registry.
- d) Upon notification to the Oneida County Sheriff’s Office of a successful appeal of a Conviction of an Animal Abuse Crime by an individual that has been required to register pursuant to this Local Law, the registration information for that individual shall be removed from the Oneida County Animal Abuser Registry within five (5) business days following the notification. In the case where a second Conviction has been successfully appealed, that Animal Abuse Offender will remain on the Oneida County Animal Abuser Registry for fifteen (15) years.

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e) The Animal Abuser Registry shall be used for the limited purpose of determining whether such Animal Abuse Offender is prohibited from owning an Animal under this Local Law.

f) The provisions of Agriculture and Markets Law § 42 shall not apply as it relates to this Local Law. In the event a person acting for or employed by a Farm owner, association or corporation is placed on the Animal Abuser Registry, the prohibition of ownership of Animals shall not extend to the Farm owner, association or corporation for which such person is employed, nor shall it extend to common owners of a Farm in the event one owner is adjudicated to be an Animal Abuse Offender. Only the Animal Abuse Offender shall be required to register with the Animal Abuser Registry.

SECTION 4. REGISTRATION REQUIREMENTS.

a) When a person is convicted of an Animal Abuse Crime in any court within Oneida County, the Oneida County District Attorney shall forward to the Oneida County Sheriff's Office the name and address of the convicted person along with the specific Animal Abuse Crime of which such person was convicted, thereby notifying the Oneida County Sheriff's Office that the person is an Animal Abuse Offender and required to register with the Animal Abuser Registry.

b) All Animal Abuse Offenders must register with the Animal Abuser Registry within five (5) business days of their release from incarceration or, if not incarcerated, from the date of the Conviction.

c) Each Animal Abuse Offender shall submit to the Oneida County Sheriff's Office on a form prepared by the Oneida County Sheriff's Office, the following:

- i. Their name and any other name by which they may be known;
- ii. Their residence address;
- iii. Their date of birth; and
- iv. A description of the offense for which such person was convicted, the date of Conviction, and the sentence imposed.

d) The Oneida County Sheriff's Office shall photograph the front of the Animal Abuse Offender's head and shoulders.

e) The Oneida County Sheriff's Office shall update Animal Abuse Offender information on the Animal Abuser Registry when new Convictions are made within Oneida County and/or when updates to the Registry are provided by Animal Abuse Offenders, and may provide a press release regarding the same, and make it available to:

- i. Other law enforcement entities within New York State, including Animal control agencies, and
- ii. Animal Shelters, Pet Sellers, animal-welfare organizations, and other groups involved in Animal adoption and the sale of Animals.

f) Every Animal Abuse Offender shall update their Registry information within five (5) days of any change of residence address and/or upon any official change of name. The obligation to provide such updates continues throughout the entire period in which such person is required to be registered.

g) Every Animal Abuse Offender shall pay a fee of one hundred twenty-five dollars (\$125.00) to the Oneida County Sheriff's Office at the time of registration. All such fees shall be used to help pay the administrative and maintenance costs of maintaining the Registry. Updates to the Animal Abuser Registry are made at no additional fee.

SECTION 5. EXAMINATION OF REGISTRY.

Prior to the sale, exchange or other transfer of ownership of any Animal, an Animal Shelter, Pet Seller or other person or entity involved in transferring ownership of Animals is encouraged to examine the Animal Abuser Registry of Oneida County, as well as any other applicable New York County Animal Abuser registry to confirm that the name of the potential owner of the Animal is not listed as an Animal Abuse Offender, and may contact the Oneida County Sheriff's Office to confirm a potential owner's identify.

SECTION 6. PENALTIES.

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a) Any Animal Abuse Offender required to register with the Animal Abuser Registry who fails to so register shall be guilty of a class A misdemeanor punishable by incarceration for a period of not more than one (1) year and/or a fine not to exceed one thousand dollars (\$1,000.00).

b) Any Animal Abuse Offender who violates the prohibition against owning an Animal shall be guilty of a class A misdemeanor punishable by incarceration for a period of not more than one (1) year and/or a fine not to exceed one thousand dollars (\$1,000.00).

i. It shall not be a violation of this Local Law if an Animal Abuse Offender owns an Animal used as a service animal, either utilized by themselves or by another person residing at the same address as the Animal Abuse Offender. A service animal is to be defined in a manner consistent with Federal or State Law for person with disabilities.

SECTION 7. RULES AND REGULATIONS.

The Oneida County Sheriff, or the Oneida County Sheriff's designee, is hereby authorized and empowered to take such steps as may be reasonably necessary to implement this Local Law.

SECTION 8. SEVERABILITY.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalidated or unconstitutional, such order or judgement shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect.

SECTION 9. EFFECTIVE DATE.

This Local Law shall apply to those Animal Abuse Offenders with Convictions occurring on or after the effective date of this Local Law.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Sections 20, 21, and 27 of New York State Municipal Home Rule Law.

APPROVED: Public Safety Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Goodman and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 253 – FN 2019 – 254 - Messrs. Flisnik and D'Onofrio offered the following resolution and moved its adoption.

RE: TRANSFER OF \$62,000.00 TO VARIOUS SHERIFF'S OFFICE ACCOUNTS

WHEREAS, There is a need for additional funds in A3150.295 and A3120.295 – various Sheriff's Office accounts, 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 from 2019 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

A3150.197	Medical Services – Sheriff – Jail Inmates	\$10,500.00
A3110.2512	Automotive Equipment – Sheriff – Administration	<u>\$51,500.00</u>
		\$62,000.00

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TO:

A3150.295	Other Equipment – Sheriff – Law Enforcement	\$10,500.00
A3120.295	Other Equipment – Sheriff – Jail Inmates	<u>\$51,500.00</u>
		\$62,000.00

APPROVED: Public Safety Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 254 – FN 2019 – 255 - Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$39,378.00 TO VARIOUS SHERIFF’S OFFICE ACCOUNTS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$39,378.00 to various Sheriff’s Office accounts, and

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

A4389.3	Federal Aid – DEA/DOJ Grant – Sheriff	\$39,378.00
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now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2019 funds, as hereinafter set forth, is hereby approved:

TO:

A3120.295	Other Equipment – Sheriff – Law Enforcement	\$18,064.00
A3121.295	Other Equipment – Sheriff – Special Patrol Officers	\$15,290.00
A3121.4365	Body Armor – Sheriff – Special Patrol Officers	<u>\$ 6,024.00</u>
		\$39,378.00

APPROVED: Public Safety Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 255 – FN 2019 – 257 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption

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

WHEREAS, This Board is in receipt of correspondence from Kevin Revere, Director of Emergency Services, requesting approval of an Amendment to an Agreement between Oneida County, through its Office of Traffic Safety/STOP DWI Program, and the Town of Whitestown, through its Police Department, to reflect an increase in funding from the New York State STOP-DWI Foundation Crackdown Grant, and

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WHEREAS, The original Agreement entered into between Oneida County, through its Office of Traffic Safety/STOP DWI Program, and the Town of Whitestown, provided funding for special holiday patrols, in addition to normally scheduled patrols, with the sole function focusing on selective STOP-DWI Crackdown Patrols, which increases the number of selective enforcement patrols and corresponding arrests for DWI and its related offenses, and

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

WHEREAS, The template will be utilized to enter into Amendments to Agreements between Oneida County, through its Office of Traffic Safety/STOP DWI Program, and the following municipalities: Village of Yorkville, through its Police Department; and City of Utica, through its Police Department, and

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

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

RESOLVED, That the Oneida County Board of Legislators approves Amendments to Agreements between Oneida County, through its Office of Traffic Safety/STOP DWI Program, and the following municipalities, through their Police Departments for a term commencing December 15, 2018 and ending September 30, 2019, in the following amounts:

- The Village of Whitestown, through its Police Department \$ 800.00
- The Village of Yorkville, through its Police Department \$ 700.00
- The City of Utica, through its Police Department \$2,500.00

APPROVED: Public Safety Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 256 – FN 2019 – 258 – Messrs. Flisnik and D’Onofrio offered the following resolution and voted its adoption.

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS PROBATION DEPARTMENT, AND NEW YORK STATE, THROUGH ITS DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, This Board is in receipt of correspondence from Oneida County Probation Director, Patrick Cady, requesting approval of a Grant Agreement between Oneida County, through its Probation Department, and New York State, through its Division of Criminal Justice Services, through its Gun Involved Violence Elimination (GIVE) Grant Program, in the sum of \$24,520.00, for overtime costs for one probation officer to work in partnership with the Utica Police Department, as well as for a GPS tracking device to monitor probationers’ locations, 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 Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to electronically execute any and all documents related to a Grant Agreement between Oneida County, through its Probation Department, and New York State, through its Division of Criminal Justice Services, in the amount of \$24,520.00 for a term commencing July 1, 2019 and ending on June 30, 2020.

APPROVED: Public Safety Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

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DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 257 – FN 2019 – 259 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$50,988.50 TO AA#A 1165.0 – VARIOUS DISTRICT ATTORNEY ACCOUNTS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$50,988.50 to AA#A 1165.0 – Various District Attorney accounts, and

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

A4321.3	Federal Aid – Victim/Witness Coordination Grant	\$50,988.50
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now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2019 funds, as hereinafter set forth, is hereby approved:

TO:

A1165.101	Salaries	\$26,698.50
A1165.810	Retirement	\$ 4,563.00
A1165.830	Social Security	\$ 2,043.00
A1165.840	Workers Compensation	\$ 748.00
A1165.850	Unemployment Insurance	\$ 67.00
A1165.860	Health Insurance	\$10,500.00
A1165.495131	Victim/Witness Coordination Grant Expenditures	<u>\$ 6,369.00</u>
		\$50,988.50

APPROVED: Public Safety Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded Mr. Goodman and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 258 – FN 2019 – 260 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL TO CREATE THREE (3) FULL-TIME GRANT-FUNDED VICTIM/WITNESS COORDINATOR POSITIONS (GRADE 24W, STEP 2, \$35,598)

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel, John P. Talerico, and Oneida County District Attorney, Scott D. McNamara, requesting authorization to create three (3) full-time grant-funded Victim/Witness Coordinator Positions (Grade 24W, Step 2, \$35,598) in the District Attorney’s office, 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 hereby authorizes and approves creating three (3) full-time granted-funded Victim/Witness Coordinator Positions (Grade 24W, Step 2, \$35,598) in the District Attorney’s Office – effective immediately.

APPROVED: Public Safety Committee (September 4, 2019)

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Ways and Means Committee (September 11, 2019)

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 259 – FN 2019 – 261 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DISTRICT ATTORNEY’S OFFICE, AND NEW YORK STATE, THROUGH ITS OFFICE OF VICTIM SERVICES

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its District Attorney’s Office, and New York State, through its Office of Victim Services, in the sum of \$688,567.84, State funded, to fund three (3) new Victim/Witness Coordinator positions, as well as fund travel and training expenses, emergency relocation costs, and the cost of computers and cellphones for victim program staff members, 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 Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to a Grant Agreement between Oneida County, through its District Attorney’s Office, and New York State, through its Office of Victim Services, in the sum of \$688,567.84, for a term commencing October 1, 2019 and ending September 30, 2022.

APPROVED: Public Safety Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 260 – FN 2019 – 262 – Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF INFORMATION TECHNOLOGY, AND INTEGRATED STRATEGIC SYSTEMS, INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and Integrated Strategic Systems, Inc. to assist the County Clerk in the reduction of paper records storage and to increase the digitalization of records for the County, and

WHEREAS, The cost of the Agreement is anticipated to be \$300,000.00 for the first year, and

WHEREAS, The Agreement shall be for a three (3) year term commencing upon execution, with Oneida County having the right to terminate the Agreement upon thirty (30) days’ advance written notice to Integrated Strategic Systems, Inc., 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 authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and Integrated Strategic Systems, Inc., for a three (3) year term commencing upon execution.

APPROVED: Government Operations Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

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Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 261 – FN 2019 – 263 – Messrs. Idzi, D’Onofrio, Ms. Pratt offered the following resolution and moved its adoption.

RE: APPROVAL OF A POLL SITE AGREEMENT BETWEEN THE ONEIDA COUNTY BOARD OF ELECTIONS AND THE TOWN OF NEW HARTFORD

WHEREAS, This Board is in receipt of correspondence from Carolann N. Cardone, Democratic Commissioner, and Rose Marie Grimaldi, Republican Commissioner, requesting approval of a Poll Site Agreement between the Oneida County Board of Elections and the Town of New Hartford for use of space by the Oneida County Board of Elections to allow voters to take advantage of the Early Voting measure recently enacted into law, and

WHEREAS, The Agreement, in the sum of \$675.00, shall be for a term commencing September 1, 2019 and ending December 31, 2019, and

WHEREAS, In accordance with Oneida County Charter Section 2202, the 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 a Poll Site Agreement between the Oneida County Board of Elections and the Town of New Hartford for a term commencing September 1, 2019 and ending December 31, 2019.

APPROVED: Government Operations Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Idzi and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 262 – FN 2019 – 265 – Messrs. Koenig, D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A LUMP SUM CONSULTANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND C & S ENGINEERS, INC.

WHEREAS, This Board is in receipt of a Lump Sum Consultant Agreement between Oneida County, through its Department of Aviation, and C & S Engineers, Inc. to provide design, construction administration and observation for purpose of converting 28,000 square feet of hangar space located in Nose Dock 782 into classroom and training space for MVCC’s Airframe & Power Plant (A&P) school at Griffiss International Airport, and

WHEREAS, C & S Engineers, Inc. will provide design, construction administration and observation services for the conversion of 28,000 square feet of hangar space located in Nose Dock 782 for a lump sum fee of \$447,413.05, 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 Lump Sum Consultant Agreement between Oneida County, through its Department of Aviation, and C & S Engineers, Inc. for a term commencing upon Notice to Proceed and ending upon completion of the project, anticipated to be November 15, 2019.

APPROVED: Airport Committee (September 3, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 263 – FN 2019 - 266 – Messrs. Koeing , D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND NEW YORK STATE, THROUGH ITS DEPARTMENT OF TRANSPORTATION

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Aviation, and New York State, through its Department of Transportation’s Airport Improvement and Revitalization Program, in the sum of \$1,500,000.00, State funded, which will be used to complete the design and construction of Building 100 Phase II at Griffiss International Airport, 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 Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to a Grant Agreement between Oneida County, through its Department of Aviation, and New York State, through its Department of Transportation, in the sum of \$1,500,000.00.

APPROVED: Airport Committee (September 3, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 264 – FN 2019-267 – Messrs. Koenig, D’Onofrio, Davis, Ms. Washburn offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-589 – GRIFFISS INTL. – BUILDING 100 PHASE II

WHEREAS, This Board is in receipt of correspondence from Chad Lawrence, Commissioner of Aviation, requesting an amendment to Capital Project H-589 – Griffiss Intl. – Building 100 Phase II, and

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

RESOLVED, That Capital Project H-589 – Griffiss Intl. – Building 100 Phase II is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonds	\$5,600,000.00	\$ 0.00	\$ 5,600,000.00
Empire State Dev.	\$1,400,000.00	\$ 0.00	\$ 1,400,000.00
NYSDOT	\$ 0.00	\$1,500,000.00	\$ 1,500,000.00
Griffiss Institute	<u>\$ 0.00</u>	<u>\$3,500,000.00</u>	<u>\$ 3,500,000.00</u>
	\$7,000,000.00	\$5,000,000.00	\$12,000,000.00

APPROVED: Airport Committee (September 3, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Mandryck and adopted by the following roll call vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

ROLL CALL SHEET

DIST MEMBERS AYES NAYS

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

DATE: September 11, 2019

SESSION: Regular

MEMBERS PRESENT: 22

MEMBERS ABSENT: 1

AYES: 22 NAYS: 0 ABSENT:1

INTRODUCTORY NO. 264

RESOLUTION NO. 264

R-1	SCHIEBEL	x	
R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	
R-8	FLISNIK	x	
D-9	SACCO	x	
R-10	JOSEPH	x	
R-11	KOENIG	x	
D-12	BROWN	x	
D-13	GOODMAN	x	
D-14	DAVIS	x	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	x	
R-18	FURGOL	x	
R-19	WELSH	x	
D-20	HENDRICKS		x
D-21	WASHBURN	x	
D-22	CONVERTINO	x	
R-23	PAPARELLA	x	

NO. 265 – FN 2019 -268 – Messrs. Koenig and D’Onofrio offered the following resolution and moved its adoption.

RE: APROVAL TO CREATE TWO (2) AIRPORT MAINTENANCE WORKER POSITIONS (GRADE 15B, STEP 2, \$28,372)

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel, John P. Talerico, and Commissioner of Aviation, Chad Lawrence, requesting authorization to create two (2) Airport Maintenance Worker Positions (Grade 15B, Step 2, \$28,372) to continue to operate Griffiss International Airport efficiently and effectively, as Oneida County has now acquired Building 101, and

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

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves creating two (2) Airport Maintenance Worker Positions (Grade 15B, Step 2, \$28,372) in the Department of Aviation – effective immediately.

APPROVED: Airport Committee (September 3, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Sacco and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 266 – FN 2019 – 270 – Messrs. Waterman and D'onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF VARIOUS FLOOD MITIGATION GRANT AGREEMENTS BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PLANNING, THE ONEIDA COUNTY SOIL AND WATER CONSERVATION DISTRICT, AND VARIOUS MUNICIPALITIES

WHEREAS, This Board is in receipt of correspondence from Interim Commissioner of Planning, Regina A. Venettozzi, requesting confirmation and approval of the recommendations of the Oneida County Flood Mitigation Committee, authorization for the Oneida County Department of Law to draft separate Grant Agreements for each approved project, and authorization for the Oneida County Executive, Anthony J. Picente, Jr., to sign said Grant Agreements once finalized, and

WHEREAS, The Oneida County Flood Mitigation Committee has met, considered and approved the following projects to ameliorate flooding and storm water damage within Oneida County:

<u>Municipality</u>	<u>Project</u>	
	<u>Cost</u>	
Town of Kirkland	Norton Ave Bridge Replacement	\$550,000.00
Town of Kirkland	Flood plain restoration design	\$200,000.00
Town of New Hartford	Culvert Rightsizing and Road Repairs	\$180,000.00
Town of New Hartford	Stormwater Drainage Improvements	\$200,000.00
Town of Whitestown	Bank Stabilization	\$400,000.00
Town of Trenton	Culvert Rightsizing	\$ 37,420.00
Town of Trenton	Amendment to Stream Restoration Project	\$ 20,000.00

, and

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

RESOLVED, That the Oneida County Board of Legislators hereby confirm and approve the recommendations of the Oneida County Flood Mitigation Committee and authorize the Oneida County Department of Law to draft separate Grant Agreements for the above approved projects, and it is further

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to the Grant Agreements between Oneida County, through its Department of Planning, the Oneida County Soil and Water Conservation District, and various municipalities as approved by the Oneida County Flood Mitigation Committee.

APPROVED: Public Works Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Sacco and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

NO. 267 – FN 2019 – 273 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-498 – COUNTY HIGHWAY BRIDGE PROGRAM - DPW

WHEREAS, This Board is in receipt of a request for the amendment to Capital Project H-498 – County Highway Bridge Program - DPW, and

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

RESOLVED, That Capital Project H-498 – County Highway Bridge Program - DPW is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonds	\$11,466,000.00	\$ 0.00	\$11,466,000.00
State/Federal Aid	\$ 0.00	\$2,175,730.00	\$ 2,175,730.00
	\$11,466,000.00	\$2,175,730.00	\$13,641,730.00

APPROVED: Public Works Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Joseph and adopted by the following roll call vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

ROLL CALL SHEET

DATE: September 11, 2019

SESSION: Regular

MEMBERS PRESENT: 22

MEMBERS ABSENT: 1

AYES: 22 NAYS: 0 ABSENT:1

INTRODUCTORY NO. 267

RESOLUTION NO. 267

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	x	
R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	
R-8	FLISNIK	x	
D-9	SACC0	x	
R-10	JOSEPH	x	
R-11	KOENIG	x	
D-12	BROWN	x	
D-13	GOODMAN	x	
D-14	DAVIS	x	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	x	

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

R-18	FURGOL	x	
R-19	WELSH	x	
D-20	HENDRICKS		x
D-21	WASHBURN	x	
D-22	CONVERTINO	x	
R-23	PAPARELLA	x	

NO. 268 – FN 2019 – 274 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-298 – BRIDGE REPLACEMENT/REHABILITATION PROGRAM

WHEREAS, This Board is in receipt of a request for the amendment to Capital Project H-298 – Bridge Replacement/Rehabilitation Program, and

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

RESOLVED, That Capital Project H-298 – Bridge Replacement/Rehabilitation Program is amended and approved, as follows:

<u>PROPOSED</u>	<u>CURRENT</u>	<u>CHANGE</u>	
Tobacco Proceeds	\$ 862,400.00	\$ 0.00	\$ 862,400.00
Transfer from General	\$ 1,000,000.00	\$ 0.00	\$ 1,000,000.00
Bonds	\$ 3,684,050.00	\$ 0.00	\$ 3,684,050.00
State/Federal Aid	<u>\$21,827,250.00</u>	<u>\$4,520,000.00</u>	<u>\$26,347,250.00</u>
	\$27,373,700.00	\$4,520,000.00	\$31,893,700.00

APPROVED: Public Works Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following roll call vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

ROLL CALL SHEET

DATE: September 11, 2019

SESSION: Regular

MEMBERS PRESENT: 22

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	x	
R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

MEMBERS ABSENT: 1

AYES: 22 NAYS: 0 ABSENT:1

INTRODUCTORY NO. 268

RESOLUTION NO. 268

R-8	FLISNIK	x	
D-9	SACC0	x	
R-10	JOSEPH	x	
R-11	KOENIG	x	
D-12	BROWN	x	
D-13	GOODMAN	x	
D-14	DAVIS	x	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	x	
R-18	FURGOL	x	
R-19	WELSH	x	
D-20	HENDRICKS		x
D-21	WASHBURN	x	
D-22	CONVERTINO	x	
R-23	PAPARELLA	x	

NO. 269 – FN 2019 – 275 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND CEDARBROOK VILLAGE, INCORPORATED

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Cedarbrook Village, Incorporated to provide prior approved medical services through the Oneida County Office for the Aging and Continuing Care to eligible Medicaid recipients residing in Assisted Living Programs at their 101 Sitrin Lane, New Hartford location, and

WHEREAS, The Agreement shall be for a term commencing upon execution and ending December 31, 2024, with the parties having the right to terminate the Agreement upon mutual written agreement, and

WHEREAS, There are no fees associated with the Agreement as the contract is paid directly by New York State through eMedNY and the cost of the service to the Department of Social Services is included in the County’s Medicaid Cap, 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 authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Cedarbrook Village, Incorporated for a term commencing upon execution and ending December 31, 2024.

APPROVED: Health and Human Services Committee (September 4, 2019)

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Schiebel and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 270 – FN 2019 – 276 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND CEDARBROOK VILLAGE, INCORPORATED

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Cedarbrook Village, Incorporated to provide prior approved medical services through the Oneida County Office for the Aging and Continuing Care to eligible Medicaid recipients residing in Assisted Living Programs at their 105 Sitrin Lane, New Hartford location, and

WHEREAS, The Agreement shall be for a term commencing upon execution and ending December 31, 2024, with the parties having the right to terminate the Agreement upon mutual written agreement, and

WHEREAS, There are no fees associated with the Agreement as the contract is paid directly by New York State through eMedNY and the cost of the service to the Department of Social Services is included in the County’s Medicaid Cap, 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 authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Cedarbrook Village, Incorporated for a term commencing upon execution and ending December 31, 2024.

APPROVED: Health and Human Services Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Idzi and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 271 – FN 2019 – 277 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A THIRD AMENDMENT TO A PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF MENTAL HEALTH, AND UPSTATE CEREBRAL PALSY, INC.

WHEREAS, This Board is in receipt of a third Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Mental Health, and Upstate Cerebral Palsy, Inc., and

WHEREAS, Pursuant to a Purchase of Services Agreement entered into between Oneida County and Center for Family Life and Recovery, Inc. on March 1, 2018, Upstate Cerebral Palsy, Inc. agreed to provide Supported Housing/Care Management, Mentally Ill Chemical Abuse Network (MICA), Assisted Competitive Employment (ACE), Ongoing Integrated Supported Employment (OISE), and Advocacy services to adults and children with a serious and persistent mental illness, with a term commencing January 1, 2018 and ending December 31, 2020 (the “Agreement”), and

WHEREAS, On August 13, 2018, Oneida County and Upstate Cerebral Palsy, Inc. agreed to amend the Purchase of Services Agreement as a result of a change in State funding for the programs included in the original Agreement, and

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

- WHEREAS,** On March 21, 2019, Oneida County and Upstate Cerebral Palsy, Inc. agreed to amend the Purchase of Services Agreement for a second time as a result of an additional change in State funding for the programs included in the original Agreement, and
- WHEREAS,** As a result of additional OMH State funding, the County and Upstate Cerebral Palsy, Inc. need to further amend the Agreement, and
- WHEREAS,** OMH State funding has been increased for the Supported Housing Rental Assistance and Supported Housing Community Services programs in the amount of \$22,699.00, and
- WHEREAS,** This Amendment will result in a new gross amount of \$3,218,818.00 for the term of the Agreement, 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 authorizes and accepts a third Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Mental Health, and Upstate Cerebral Palsy, Inc., with a term commencing upon execution and ending December 31, 2020.
- APPROVED:** Health and Human Services Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 272 – FN 2019 – 278 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND AUBURN LIMOUSINES, INC.

- WHEREAS,** This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Health, and Auburn Limousines, Inc., for an amount not to exceed \$9,500,000.00, to provide transportation services for preschool students classified with disabilities, and
- WHEREAS,** The Agreement shall be for a term commencing September 1, 2019 and ending August 31, 2022, with the County having the right to extend the Agreement for two (2) additional one-year terms, and the County having the right to terminate the Agreement, in whole or in part, upon ten (10) day notice if the Contractor defaults or fails to perform the services in accordance with the terms of the Agreement, 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 authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Health, and Auburn Limousines, Inc., for a term commencing September 1, 2019 and ending August 31, 2022, and at the County’s discretion, two (2) additional one-year terms.
- APPROVED:** Health and Human Services Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 273 – FN 2019 – 279 – Messrs. Paparella, and D’Onofrio offered the following resolution and moved its adoption.

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

RE: APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND THE CITY OF UTICA

WHEREAS, This Board is in receipt of a Memorandum of Understanding between Oneida County, through its Department of Health, and the City of Utica to establish a collaborative relationship in identifying opportunities to pursue lead hazard remediation and to assist families in remediating hazardous lead, and

WHEREAS, The Memorandum of Understanding shall be for a term commencing April 1, 2019 and ending March 31, 2022, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and accepts a Memorandum of Understanding between Oneida County, through its Department of Health, and the City of Utica for a term commencing April 1, 2019 and ending March 31, 2022.

APPROVED: Health and Human Services Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 274 – FN 2019 – 280 – Messrs Paparella and D’Onofrio offered the following resolution and moved its adoption

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND BIRNIE BUS SERVICE, INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Health, and Birnie Bus Service, Inc., for an amount not to exceed \$4,000,000.00, to provide transportation services for preschool students classified with disabilities, and

WHEREAS, The Agreement shall be for a term commencing September 1, 2019 and ending August 31, 2022, with the County having the right to extend the Agreement for two (2) additional one-year terms, and the County having the right to terminate the Agreement, in whole or in part, upon ten (10) days notice if the Contractor defaults or fails to perform the services in accordance with the terms of the Agreement; 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 authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Health, and Birnie Bus Service, Inc., for a term commencing September 1, 2019 and ending August 31, 2022, and at the County’s discretion, two (2) additional one-year terms.

APPROVED: Health and Human Services Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 275 – FN 2019 – 281 – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption

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

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

WHEREAS, This Board is in receipt of an Amendment to an Agreement between Oneida County, through its Department of Health, and Health Research, Inc., and

WHEREAS, Pursuant to an Agreement entered into between Oneida County and Health Research, Inc. on August 8, 2018, Health Research, Inc. agreed to support Oneida County's Public Health Emergency Preparedness Program, which is mandated by Public Health Law, by engaging in preparedness activities with County and community partners to identify resources, establish mutual agreements, develop coordinated response plans, conduct drills and exercises, identify and follow up on area for improvement, train staff and coordinate public and media communications in an effort to protect the health of the community from disease outbreaks and natural and man-made disasters, with a term commencing July 1, 2018 and ending June 30, 2019, and

WHEREAS, Oneida County and Health Research, Inc. wish to amend the Agreement to add two (2) months to the current term of the Agreement, which is applicable to the Opioid Crisis Funding portion of the Agreement only and allows counties more time to expend the funds to support its implementation activities at no additional cost, 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 authorizes and accepts an Amendment to an Agreement between Oneida County, through its Department of Health, and Health Research, Inc., for a term commencing July 1, 2018 and ending August 31, 2019.

APPROVED: Health and Human Services Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr Hendricks)

NO. 276 – FN 2019-282 – Messrs. Koenig and D'Onofrio offered the following resolution and moved its adoption

RE: APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND AX ENTERPRIZE, LLC

WHEREAS, This Board is in receipt of correspondence from Commissioner of Aviation, Chad Lawrence, requesting approval of a Lease Agreement between Oneida County, through its Department of Aviation, and AX Enterprize, LLC for office space located within the building commonly referred to as "Building 100" situated at 592 Hangar Road at Griffiss International Airport, and

WHEREAS, In accordance with terms set forth therein, AX Enterprize, LLC shall lease 2,956 +/- square feet of office space at Griffiss International Airport at a total cost of \$266,040.00 for an initial term commencing March 1, 2020 and ending February 28, 2025, with one (1) automatic five (5) year renewal through February 28, 2030 containing a three percent (3%) escalator on the base rent in the initial term, unless terminated on notice, and

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

RESOLVED, That the Oneida County Board of Legislators approves and authorizes County Executive, Anthony J. Picente, Jr., to execute a Lease Agreement on behalf of the County of Oneida, through its Department of Aviation, and AX Enterprize, LLC for office space located in Building 100 at Griffiss International Airport for an initial term commencing March 1, 2020 and ending February 28, 2025, with one (1) automatic five (5) year renewal through February 28, 2030, and it is further

RESOLVED, That the terms and conditions of said Lease Agreement shall be as more fully set forth in the document on file with the Clerk of this Board.

APPROVED: Airport Committee (September 3, 2019)
Ways and Means Committee (September 11, 2019)

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

DATED: September 11, 2019

Seconded by Mr. Sacco and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 277 – FN 2019 – 283 – Messrs. Koenig and D’Onofrio offered the following resolution and moved its adoption

RE: APPROVAL OF A LUMP SUM CONSULTANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND C & S ENGINEERS, INC.

WHEREAS, This Board is in receipt of a Lump Sum Consultant Agreement between Oneida County, through its Department of Aviation, and C & S Engineers, Inc. to provide the preliminary design of the Electronic & Optic Labs in Building 100 at Griffiss International Airport, and

WHEREAS, C & S Engineers, Inc. will provide the preliminary design of the Electronic & Optic Labs in Building 100 at Griffiss International Airport for a lump sum fee of \$148,000.00, 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 Lump Sum Consultant Agreement between Oneida County, through its Department of Aviation, and C & S Engineers, Inc. for a term commencing upon Notice to Proceed and ending upon completion of the project, anticipated to be February 15, 2020.

APPROVED: Airport Committee (September 3, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 278 – FN 2019 – 284 – Messrs. Idzi, D’Onofrio Fiorini offered the following resolution and moved its adoption

RE: APPROVAL OF A POLL SITE AGREEMENT BETWEEN THE ONEIDA COUNTY BOARD OF ELECTIONS AND YOUNG MEN’S CHRISTIAN ASSOCIATION AND WOMEN’S COMMUNITY CENTER OF ROME, NEW YORK (YMCA-WCC)

WHEREAS, This Board is in receipt of correspondence from Carolann N. Cardone, Democratic Commissioner, and Rose Marie Grimaldi, Republican Commissioner, requesting approval of a Poll Site Agreement between the Oneida County Board of Elections and the Young Men’s Christian Association and Women’s Community Center of Rome, New York (YMCA-WCC) for use of space by the Oneida County Board of Elections to allow voters to take advantage of the Early Voting measure recently enacted into law, and

WHEREAS, The Agreement, in the sum of \$675.00, shall be for a term commencing September 1, 2019 and ending December 31, 2019, and

WHEREAS, In accordance with Oneida County Charter Section 2202, the 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 a Poll Site Agreement between the Oneida County Board of Elections and the Young Men’s Christian Association and Women’s Community Center of Rome, New York (YMCA-WCC) for a term commencing September 1, 2019 and ending December 31, 2019.

APPROVED: Government Operations Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1(Mr. Hendricks)

NO. 279 – FN 2019 – 286 – Messrs. Leach, Waterman, Welsh, D’Onofrio offered the following resolution and moved its adoption

RE: PROPOSED WORKERS’ COMPENSATION BUDGET FOR 2020

WHEREAS, The Oneida County Workers’ Compensation Committee has filed a budget estimate for the operation of the Oneida County Self- Insurance Plan as hereinafter set forth for the year 2020, 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 2020 is hereby ordered to be placed upon the books of the County Comptroller and the Commissioner of Finance, and that the County Comptroller be, and hereby is, authorized to make payments from the respective accounts as hereinafter set forth upon inspection and examination by the Workers’ Compensation Committee.

APPROVED: Workers’ Compensation Committee (August 19, 2019)
Ways & Means Committee (September 11, 2019)

BUDGET APPROPRIATIONS

PROGRAM ADMINISTRATION AND SUPPORT

S1710.109	Salaries & Fringes	\$	103,422
S1710.195	Other Fees & Services (See attachment)	\$	512,365
S1710.416	Telephone	\$	450
S1710.418	Meter Postage	\$	615
S1710.455	Travel	\$	3500
S1710.491	Other Materials & Supplies	\$	100
S1710.492	Zixmail	\$	59
S1710.495	Other Expenses	\$	250
S1990.9	Contingent Account	\$	<u>30,000</u>
	Total Administrative Expense		\$ 650,761

S1720.410	Indemnity & Medical	\$	4,397,207
S1720.412	Insurance & Bonding	\$	400
S1720.495	WCB Assessments	\$	<u>405,000</u>
	Total Claims Expense		\$ 4,802,607

TOTAL ADMINISTRATIVE & CLAIMS EXPENSES **\$ 5,453,368**

ESTIMATED REVENUES

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Held on Wednesday, September 11, 2019 at 2:00 P.M.

S2222	Participant Assessments	\$ 4,708,061
S2401	Interest Earnings	\$ 30,000
S2701	Refund of Prior Years - Expenditures	\$ 16,000
S2705	Revenues	<u>\$ 699,307</u>

TOTAL ESTIMATED REVENUES **\$ 5,453,368**

RESOLVED, That the Oneida County Board of Legislators hereby approves and accepts the aforementioned Workers' Compensation Budget for 2019.

APPROVED: Workers' Compensation Committee (August 19,20190
Ways & Means Committee (September 11, 2019)

DATED: 9-11-19

Seconded by Chad Davis and adopted by the following vote:

AYES 22 NAYS 0 ABSENT1 (Hendricks)

2020 Budget - "Other Fees and Services" Breakdown

"Other Fees & Services" - Account S1710.195

Estimated cost to place in reserves for Excess	\$ 300,000
Cost for 3 rd Party Administration 2019	\$ 166,415
Department of Finance annual service charge for 2019	\$ 8,450
Estimated cost for an actuarial analysis in 2019	\$ 5,500
Department of Audit & Control accounting fee for 2019	\$ 12,000
Miscellaneous expert attorney fees and other contract fees	<u>\$ 20,000</u>

Total proposed "Other Fees and Services" \$512,365

Dated: September 11, 2019

Seconded by Mr. Davis and adopted by the following roll call vote:

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

ROLL CALL SHEET

DATE: September 11, 2019

SESSION: Regular

MEMBERS PRESENT: 22

MEMBERS ABSENT: 1

AYES: 22 NAYS: 0 ABSENT:1

INTRODUCTORY NO. 279

RESOLUTION NO. 279

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	x	
R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	
R-5	WATERMAN	x	
R-6	BOUCHER	x	
R-7	FIORINI	x	
R-8	FLISNIK	x	
D-9	SACC0	x	
R-10	JOSEPH	x	
R-11	KOENIG	x	
D-12	BROWN	x	
D-13	GOODMAN	x	
D-14	DAVIS	x	
R-15	D'ONOFRIO	x	
R-16	PRATT	x	
R-17	MANDRYCK	x	
R-18	FURGOL	x	
R-19	WELSH	x	
D-20	HENDRICKS		x
D-21	WASHBURN	x	
D-22	CONVERTINO	x	
R-23	PAPARELLA	x	

NO. 280 – FN 2019 – 287 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE, OF A TRANSPORTATION FEDERAL-AID PROJECT ELIGIBLE FOR FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, A Project for the Right-of-Way incidentals and acquisition phases for replacement of the Horton Road Bridge over Big Woodhull Creek (BIN 2205730) in the Town of Forestport, P.I.N. 2754.43 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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Held on Wednesday, September 11, 2019 at 2:00 P.M.

WHEREAS, The County of Oneida desires to advance the Project by making a commitment of 100% of the reimbursable costs of the preliminary engineering and design phase of the Project; and

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

RESOLVE, That the Board of Legislators hereby approve 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 preliminary engineering and design phase for the Project or portion thereof; and it is further

RESOLVED, That the sum of \$26,000.00 is hereby appropriated from H-569 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 notification by the Commissioner of the Department of Public Works 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 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 (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 281 – FN 2019 – 288 – Messrs. Waterman and D'Onofrio offered the following resolution and moved its adoption

RE: SUPPLEMENTAL APPROPRIATION OF \$203,000.00 TO AA#M5130 – VARIOUS ROAD MACHINERY ACCOUNTS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$203,000.00 to AA#M5130 – Various Road Machinery accounts, and

WHEREAS, Said supplemental appropriation will be supported by unanticipated revenue in the following accounts in the following amounts:

M2680	Insurance Recoveries
\$203,000.00	

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2019 funds, as hereinafter set forth, is hereby approved:

TO:

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

AA#M5130.451	Automotive Supplies	\$105,000.00
AA#M5130.493	Maintenance, Repair & Services Contracts	\$ 13,000.00
AA#M5130.251	Automotive Equipment	<u>\$ 85,000.00</u>
		\$203,000.00

APPROVED: Public Works Committee (September 4, 2019)
Ways and Means Committee

DATED: September 11, 2019

Seconded by Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 282 – FN 2019 – 289 – Messrs. Waterman, D’Onofrio, Schiebel offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$690,000.00 TO AA#D5144 – VARIOUS SNOW REMOVAL ACCOUNTS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$690,000.00 to AA#D5144 – Various Snow Removal accounts, and

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

D2302	Reimburse Snow Removal – Snow Removal	\$690,000.00
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now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2019 funds, as hereinafter set forth, is hereby approved:

TO:

AA#D5144.109	Salaries, Other – Snow Removal	\$172,000.00
AA#D5144.413	Rent/Lease – Property/Equipment – Snow Removal	\$118,000.00
AA#D5144.491	Other Materials & Supplies – Snow Removal	<u>\$400,000.00</u>
		\$690,000.00

APPROVED: Public Works Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 283 – FN 2019 – 290 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption

RE: SUPPLEMENTAL APPROPRIATION OF \$200,000.00 TO AA#D5110.491 – OTHER MATERIALS & SUPPLIES - MAINTENANCE OF HIGHWAYS & BRIDGES

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$200,000.00 to AA#D5110.491 – Other Materials & Supplies - Maintenance of Highways & Bridges, and

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

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

AA#D5110.495 Other Expenses – Maintenance of Highways \$200,000.00
& Bridges

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2019 funds, as hereinafter set forth, is hereby approved:

TO:

AA#D5110.491 Other Materials & Supplies – Maintenance of \$200,000.00
Highways & Bridges

APPROVED: Public Works Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 284 – FN 2019 – 291 – Messrs. Waterman, D’Onofrio and Ms. Convertino offered the following resolution and moved its adoption

RE: APPROVAL OF A CONTRACT FOR PURCHASE AND SALE OF REAL ESTATE FOR PROPERTY KNOWN AS 417-421 MAIN STREET IN THE CITY OF UTICA

WHEREAS, Oneida County would like to purchase property known as 417-421 Main Street in the City of Utica (Tax ID # 318.44-1-9) in an effort to clean up the area in front of the Railway Express Agency (REA) Wing at Union Station and to provide additional parking for the Oneida County Public Market, and

WHEREAS, The owner of said property has agreed to a purchase price of \$30,000.00, and

RESOLVED, In accordance with Oneida County Charter Section 2202, said purchase of real property 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 Contract for Purchase and Sale of Real Estate for property known as 417-421 Main Street in the City of Utica (Tax ID # 318.44-1-9), and it is further

RESOLVED, That the Chairman of the Oneida County Board of Legislators is hereby authorized and directed to execute any and all documents necessary to effectuate the conveyance of said real property.

APPROVED: Public Works Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 285 – FN 2019 – 292 – Messrs Waterman and D’Onofrio offered the following resolution and moved its adoption

RE: SUPPLEMENTAL APPROPRIATION OF \$90,000.00 TO AA#A 1620.251 – AUTOMOTIVE EQUIPMENT – DPW - BUILDINGS AND GROUNDS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$90,000.00 to AA#A 1620.251 – Automotive Equipment – DPW – Buildings and Grounds, and

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

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

RA# A2674	Sale of County Owned Real Property- Budget – Special Items	\$75,000.00
RA# A3022	State Aid – Court Facilities – DPW – Buildings and Grounds	<u>\$15,000.00</u>
		\$90,000.00

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2019 funds, as hereinafter set forth, is hereby approved:

TO:

AA#A 1620.251 Automotive Equipment – DPW – Buildings and Grounds \$90,000.00

APPROVED: Public Works Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 286 – FN 2019 – 293.1 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT H-588 – EMERGENCY SERVICES – SICG FY 2018 GRANT

WHEREAS, This Board is in receipt of a request for the amendment to Capital Project H-588 – Emergency Services – SICG FY 2018 Grant, and

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

RESOLVED, That Capital Project H-588 – Emergency Services – SICG FY 2018 Grant is amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
H-588-2018 SICG	\$857,631.00	\$ 0.00	\$ 857,631.00
H-588-2019 SHSP	\$ 0.00	\$ 264,923.00	\$ 264,923.00
H-588-2019 SICG	\$ 0.00	\$ 229,000.00	\$ 229,000.00
H-588-2019 EMPG	\$ 0.00	\$ 40,000.00	\$ 40,000.00
H-588 Transfer/General	<u>\$ 0.00</u>	<u>\$ 613,012.00</u>	<u>\$ 613,012.00</u>
	\$857,631.00	\$1,146,935.00	\$2,004,566.00

APPROVED: Public Safety Committee (September 4, 2019)
Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Joseph and adopted by the following roll call vote:

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

ROLL CALL SHEET

DATE: September 11, 2019

SESSION: Regular

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	x	
R-2	IDZI	x	
R-3	LEACH	x	
D-4	CLANCY	x	

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 288 – FN 2019 – 294 – Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption

RE: APPROVAL OF THE BIDS OFFERED AT THE AUGUST 22, 2019 PROPERTY AUCTION AS AMENDED BY WAYS AND MEANS

WHEREAS, On August 22, 2019, the County held an auction of properties identified as tax delinquent by the Oneida County Department of Finance, 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 Commissioner of Finance has certified to this Board that his office is in receipt of down payments for those properties in various towns/cities within Oneida County sold at auction by the Department of Finance on August 22, 2019, 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 (September 4, 2019)
Ways and Means Committee -As Amended (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 289 – FN 2019 – 295 – Messrs. Idzian and D’Onofrio offered the following resolution and moved its adoption

RE: APPROVAL OF TEN REFUNDS AND TWO CORRECTIONS TO VARIOUS ERRONEOUS TAX ASSESSMENTS

WHEREAS, The Commissioner of Finance has forwarded ten applications for refunds in the Towns of Florence, Kirkland, Lee and Westmoreland, totaling \$6,756.58, and two corrections for erroneous tax assessments in the Towns of Boonville and Lee, totaling \$2,999.32, 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 this Board, and this Board has reviewed said applications and corrections, 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 (September 4, 2019)
Ways and Means Committee (September 11, 2019)

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 290 – FN 2019 – 296 – Messrs. Koenig and D’Onofrio offered the following resolution and moved its adoption

RE: APPROVAL OF A PERPETUAL GRANT OF EASEMENT THROUGH PROPERTY OWNED BY ONEIDA COUNTY TO NIAGARA MOHAWK POWER CORPORATION

WHEREAS, This Board is in receipt of correspondence from Commissioner of Aviation, Chad Lawrence, requesting approval of a perpetual Grant of Easement to Niagara Mohawk Power Corporation through property owned by Oneida County for the installation of 490 feet of 4 inch large plastic gas service to feed 592 Hangar Road, Building 100, at Griffiss International Airport, and

WHEREAS, In accordance with the Oneida County Charter Section 2202, said Grant of Easement is subject to approval by this Board prior to execution, now, therefore, be it hereby

RESOLVED, That the Board of Legislators hereby approves a perpetual Grant of Easement to Niagara Mohawk Power Corporation, through property owned by Oneida County, as set forth on the “Grant of Easement” document and attached Description on file with the Clerk of the Board of Legislators, and be it further

RESOLVED, That the Chairman of the Oneida County Board of Legislators is hereby authorized to execute any and all documents necessary to effectuate the granting of said Grant of Easement.

APPROVED: Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

Seconded by Mr. Davis and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

NO. 291 – FN 2019 – 297 – Messrs. Koenig and D’Onofrio offered the following resolution and moved its adoption

RE: APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND GRIFFISS INSTITUTE, INC.

WHEREAS, This Board is in receipt of correspondence from Commissioner of Aviation, Chad Lawrence, requesting approval of a Lease Agreement between Oneida County, through its Department of Aviation, and Griffiss Institute, Inc. for office space and laboratory space located within the building commonly referred to as “Building 100” situated at 592 Hangar Road at Griffiss International Airport, and

WHEREAS, In accordance with terms set forth therein, Griffiss Institute, Inc. shall lease 28,187 +/- square feet of office space at total cost of \$507,366.00 and 8,990 +/- square feet of laboratory space at Griffiss International Airport at a total cost of \$143,840.00 for an initial term commencing April 15, 2020 and ending April 14, 2025, with one (1) automatic five (5) year renewal through April 14, 2030 containing a three percent (3%) escalator on the base rent charged in the initial term, unless terminated on notice, and

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

RESOLVED, That the Oneida County Board of Legislators approves and authorizes County Executive, Anthony J. Picente, Jr., to execute a Lease Agreement on behalf of the County of Oneida, through its Department of Aviation, and Griffiss Institute, Inc. for office space located in Building 100 at Griffiss International Airport for an initial term commencing April 15, 2020 and ending April 14, 2025, with one (1) automatic five (5) year renewal through April 14, 2030, and it is further

RESOLVED, That the terms and conditions of said Lease Agreement shall be as more fully set forth in the document on file with the Clerk of this Board.

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

APPROVED: Ways and Means Committee (September 11, 2019)

DATED: September 11, 2019

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

AYES 22 NAYS 0 ABSENT 1 (Mr. Hendricks)

**NO. 292 – FN 2019 – 301 – PLACED ON LEGISLATORS DESKS FOR FUTURE CONSIDERATION
RESOLUTION NO.**

INTRODUCED BY:

2ND BY:

LOCAL LAW INTRO. D OF 2019

LOCAL LAW NO. ____ OF 2019

**A LOCAL LAW ESTABLISHING A
SNOWMOBILE SEASON IN ONEIDA COUNTY**

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF ONEIDA AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT.

The County of Oneida has hundreds of miles of groomed snowmobile trails, crossing both public and private property. Trail Maintenance Entities maintain these trails, and determine when trails are appropriate for use. To ensure there is adequate snow cover on these trails for snowmobiles, a Snowmobile Season shall be established.

The Oneida County Legislature hereby finds that it is in the best interest of the residents and visitors to Oneida County to enact this Local Law to preserve the snowmobiling trails in Oneida County, to ensure the safety of snowmobilers on those trails, and to protect the property of Oneida County landowners who own land adjacent to snowmobile trails, and who provide access to the snowmobile trails through their property.

SECTION 2. DEFINITIONS.

“Big Game Gun Season” – Late Bow and Muzzleloading hunting season, as defined by the New York State Department of Environmental Conservation.

“Northern-Southern Zone Line” – A line defined by the New York State Department of Environmental Conservation, commencing at a point at the north shore of the Salmon river and its junction with Lake Ontario and extending easterly along the north shore of that river to the village of Pulaski, thence southerly along Route 11 to its intersection with Route 49 in the village of Central Square, thence easterly along Route 49 to its junction with Route 365 in the city of Rome, thence easterly along Route 365 to its junction with Route 28 in the village of Trenton, thence easterly along Route 28 to its junction with Route 29 in the village of Middleville, thence easterly along Route 29 to its junction with Route 4, thence northerly along Route 4 to its junction with Route 22, thence northerly and westerly along Route 22 to the eastern shore of South Bay on Lake Champlain in the village of Whitehall, thence northerly along the eastern shore of South Bay to the New York-Vermont boundary.

“Northern Tier” – The section of land located to the North of the Northern-Southern Zone Line.

“Snowmobile” – A self-propelled vehicle equipped with a motor, originally manufactured and designed for travel on snow or ice, steered by skis or runners and supported in whole or in part by one or more skis, belts or tracked cleats.

“Snowmobile Operator” – Any person who operates or is in actual physical control of a Snowmobile.

September 11, 2019

SEPTEMBER MEETING

Held on Wednesday, September 11, 2019 at 2:00 P.M.

“Snowmobile Season” – The timeframe during which Snowmobile Operators may utilize the Trail System, as further defined in Section 3 below.

“Southern Tier” – The section of land located to the South of the Northern-Southern Zone Line.

“TME” or “Trail Maintenance Entities” or “TMEs” – The New York State Snowmobile Association clubs located in Oneida County that are responsible for maintaining the Trail System.

“Trail System” – A system of Snowmobile trails marked and maintained throughout Oneida County by the Trail Maintenance Entities.

SECTION 3. SNOWMOBILE SEASON.

Snowmobiles may enter upon and use the Trail System only during Snowmobile Season. Snowmobile Season shall be defined as follows:

a. Snowmobile Season Northern Tier- Snowmobile Season in the Northern Tier of Oneida County shall commence the first day after the last day of Big Game Gun Season, so long as there is also a sufficient amount of packed base snow on the trail, as determined and announced by the TME responsible for that portion of the Trail System, and in consultation with the private landowners adjacent to that Trail System.

b. Snowmobile Season Southern Tier- Snowmobile Season in the Southern Tier of Oneida County shall commence the first day after the last day of Big Game Gun Season, so long as there is also a sufficient amount of packed base snow on the trail, as determined and announced by the TME responsible for the Trail System, and in consultation with the private landowners adjacent to that Trail System.

c. Throughout the Snowmobile Season, it shall be the responsibility of the TMEs to determine if there is sufficient base snow cover for Snowmobiles to operate, and to consult with the private landowners over which those trails run, and announce whether their respective portions of the Trail System are open for Snowmobile use.

d. Throughout Snowmobile Season, it shall be the responsibility of the Snowmobile Operator to consult their local TME to see if the portion of the Trail System they wish to ride on is open for Snowmobile use. Snowmobile Operators shall comply with any guidance issued by the TMEs and shall refrain from entering on or using the Trail System in the event portions of, or all of, the Trail System is closed by the TMEs.

SECTION 4. END OF SNOWMOBILE SEASON.

Snowmobile Season shall end on April 15th of each year. After April 15th, Snowmobiles shall not be permitted on any part of the Trail System.

SECTION 5. PROHIBITION AGAINST RIDING ON CLOSED TRAILS.

In the event trail conditions are unsuitable to Snowmobile use, and the TMEs close a portion or all of the Trail System they maintain, by either closing gates, placing barriers, posting signs, or by otherwise notifying the public that a trail is closed, Snowmobile Operators are prohibited from riding on those closed trails.

SECTION 6. PROHIBITION AGAINST LEAVING MARKED TRAILS.

Snowmobile Operators must ride on the Trail System, and are prohibited from straying from and entering upon private property adjacent to the Trail System. All Snowmobile Operators must stay between the trail markers, stakes, poles, and any notifying devices used by the TMEs to mark the Trail System.

SECTION 7. VIOLATIONS OF LAW.

a. All provisions of the New York State Penal Law, including Criminal Mischief in the Fourth Degree, as defined by New York State Penal Law §145.00, Trespass, as defined by New York State Penal Law § 140.05, and Criminal Trespass in the Third Degree, as defined by New York State Penal Law § 140.10, shall remain in full force and effect, and the Snowmobile Operator will be subject to those criminal penalties as prescribed within the Penal Law.

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b. All provisions of Parks, Recreation and Historic Preservation Law § 25.23 shall apply regarding the negligent operation of a Snowmobile.

c. All other existing Federal, State, and Local laws and regulations must be followed by all Snowmobile Operators.

SECTION 8. ENFORCEMENT.

The provisions of this Local Law shall be enforced by all law enforcement entities operating throughout Oneida County, including the Oneida County Sheriff's Department.

SECTION 9. SEVERABILITY.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalidated or unconstitutional, such order or judgement shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the Secretary of State in accordance with Sections 20, 21, and 27 of New York State Municipal Home Rule Law.

APPROVED: Economic Development and Tourism
Ways and Means Committee

DATED:

Adopted by the following vote:
AYES NAYS ABSENT

CERTIFICATION OF THE CLERK

STATE OF NEW YORK, County of Oneida, ss:

I hereby certify that the foregoing is a true report of the proceedings of the Board of Legislators of the County of Oneida on Wednesday, September 11, 2019 at 2:00 P.M., typographical errors excepted.

MIKALE BILLARD

September 11, 2019

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