

**SECOND NOVEMBER MEETING**  
**Held on Wednesday, November 28, 2018 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 3<sup>rd</sup> 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: 23 PRESENT

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

MEMBERS ABSENT: Koenig

During the Public comment section Chairman Fiorini called to the podium County Executive Anthony J. Picente Jr. County Executive announced that David Tomidy, Probation Director will be retiring at the end of November after 45 years of service. All wished him well.

Public Hearing – To hear public comments regarding the Oneida County's Community Development needs, and to discuss the proposed use of Oneida County's Community Development Block Grant (CDBG) program income funds for the 2018 program year. There were no speakers.

**PETITIONS AND COMMUNICATIONS**

**FN 2018-419** – The Farmland Protection Board will be accepting open enrollment applications for inclusion into agricultural districts for a 30 day period starting January 1, 2019 thru January 31, 2019 pursuant to Resolution No. 365, passed by the Oneida County Board of Legislators on December 10, 2003.

**MOTIONS AND RESOLUTIONS**

**NO. 372 - FN 2018-389** - Messrs. Waterman and D'Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND MARCH ASSOCIATES, ARCHITECTS AND PLANNERS, P.C.**

November 28, 2018

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County, through its Department of Public Works, and MARCH Associates, Architects and Planners, P.C. to provide schematic design services relative to the MVCC Science & Technology Building Renovation and Addition, and

**WHEREAS,** MARCH Associates, Architects and Planners, P.C. will provide schematic design services to Oneida County, for an amount not to exceed \$159,540.00, with a term commencing upon execution and ending upon completion of the project, approximately twelve (12) months after execution, and

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

**RESOLVED,** That the Oneida County Board of Legislators hereby authorizes and approves an Agreement between Oneida County, through its Department of Public Works, and MARCH Associates, Architects and Planners, P.C. for schematic design services relative to the MVCC Science & Technology Building Renovation and Addition, for a term commencing upon execution and ending approximately twelve (12) months after execution.

**APPROVED:** Public Works Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
November 28, 2018

**NO. 373 – FN 2018-390** – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF CHANGE ORDER NO. 1 TO AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND C & S ENGINEERS, INC.**

**WHEREAS,** Oneida County entered into an Agreement with C & S Engineers, Inc. on July 21, 2017 to prepare plans and specifications for rehabilitation of the Hawkinsville Road over Black River Bridge (Bin 3310460). Following preliminary investigations and design calculations, it was determined that the entire super-structure must be replaced, requiring additional design services to prepare plans and specifications for super-structure replacement, and

**WHEREAS,** The original Agreement between Oneida County and C & S Engineers, Inc. was for \$139,000.00, and the cost of the Change Order No. 1 will be \$16,510.73, bringing the new total of the Agreement to \$155,510.73, and

**WHEREAS,** In accordance with Oneida County Charter section 2202, said Change Order 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 Change Order No. 1 to an Agreement between Oneida County, through its Department of Public Works, and C & S Engineers, Inc., commencing upon execution and ending at the completion of the project, anticipated to be no later than September 30, 2021.

**APPROVED:** Public Works Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Sacco and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1(Mr. Koenig)  
November 28, 2018

**NO. 374 – FN 2018-391** – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF CHANGE ORDER NO. 1 TO AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND C & S ENGINEERS, INC.**

**WHEREAS,** Oneida County entered into an Agreement with C & S Engineers, Inc. on January 17, 2018 to provide plans, specifications and asbestos abatement monitoring services for the renovation of the Oneida County Health Clinic located at 406 Elizabeth Street in Utica. As the location of and specific requirements for temporary clinic operations were not known, the scope of work and fee for professional consulting services associated with temporary clinic operations was excluded from the original contract, and

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- WHEREAS,** It has been determined that the temporary clinic operations can be conducted on the first floor of the Oneida County Office Building at 800 Park Avenue in Utica, with a moderate amount of renovation required including office, dedicated storage and handicapped accessible facilities, and
- WHEREAS,** The original Agreement between Oneida County and C & S Engineers, Inc. was for \$160,000.00, and the cost of the Change Order No. 1 will be \$35,500.00, bringing the new total of the Agreement to \$195,500.00, and
- WHEREAS,** In accordance with Oneida County Charter section 2202, said Change Order 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 Change Order No. 1 to an Agreement between Oneida County, through its Department of Public Works, and C & S Engineers, Inc., commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2019.
- APPROVED:** Public Works Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Sacco and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
November 28, 2018

**NO. 375 – FN 2018-392** – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

- RE: APPROVAL OF A GRANT DISBURSEMENT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND EMPIRE STATE DEVELOPMENT**
- WHEREAS,** The Oneida County Executive, Anthony J. Picente, Jr., is in receipt of correspondence from Commissioner of Public Works, Dennis Davis, requesting approval of a Grant Disbursement Agreement between Oneida County, through its Department of Public Works, and Empire State Development, in the sum of \$200,000.00, for the reconstruction of the Railway Express Agency Building, and
- WHEREAS,** Work on the Railway Express Agency Building is nearly completed and the Grant Disbursement Agreement must be executed prior to submitting a request for disbursement, 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 approves and authorizes County Executive, Anthony J. Picente, Jr., to execute a Grant Disbursement Agreement between Oneida County, through its Department of Public Works, and Empire State Development, in the sum of \$200,000.00, related to reconstruction of the Railway Express Agency Building.
- APPROVED:** Public Works Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
November 28, 2018

**NO. 376 – 2018-393** – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

- RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE**
- WHEREAS,** A Project for the replacement of Oneida Street over Sauquoit Creek (BIN 2263310) in the Town of Paris, P.I.N. 2754.45 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

**WHEREAS,** The County of Oneida desires to advance the Project by making a commitment of 100% of the 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 \$68,000.00 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 (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce:

AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig) ABSTAIN: Mr. Mandryck  
November 28, 2018

**NO. 377 – FN 2018-394 –** Messrs. Waterman, D’Onofrio, Koenig, Flisnik and Goodman offered the following resolution and moved its adoption.

**RE: ESTABLISHMENT OF CAPITAL PROJECT H-587 – PLANNING – WHITESTOWN EFC FLOOD MITIGATION GRANT**

**WHEREAS,** Oneida County, through its Department of Planning, has received a grant in the amount of two million dollars (\$2,000,000.00) from the New York State Environmental Facilities Corporation Green Innovation Grant Program (FIFP) to assist in the costs of additional work on the Sauquoit Creek Channel and Floodplain Restoration Project in the Town of Whitestown, and

**WHEREAS,** This Board is now in receipt of a request to establish “Capital Project H-587 – Planning – Whitestown EFC Flood Mitigation Grant” with approval of funding for said project, now, therefore, it is hereby

**RESOLVED,** That the Oneida County Board of Legislators authorizes the establishment of “Capital Project H-587 – Planning – Whitestown EFC Flood Mitigation Grant”, with approval of funding for such project as follows:

H-587-3597	State Aid	\$2,000,000.00
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APPROVED: Public Works Committee (November 20, 2018)  
 Ways and Means Committee (November 28, 2018)

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

**ROLL CALL SHEET**

DATE: November 28, 2018

SESSION: Regular

MEMBERS PRESENT: 22

MEMBERS ABSENT: 1

AYES: 22 NAYS: 0 ABSENT: 1 Mr. Koenig

INTRODUCTORY NO. 377

RESOLUTION NO. 374

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	absent	
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. 378 – FN 2018-395 – Messrs, Waterman, D’Ononfrio offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$50,000.00 TO M5130.451 – AUTOMOTIVE SUPPLIES – ROAD MACHINERY FUND

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**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$50,000.00 to M5130.451 – Automotive Supplies – Road Machinery Fund, and

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

RA#M599	Unrestricted M Fund Balance	\$50,000.00
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now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2018 funds, as hereinafter set forth, is hereby approved:

TO:

M5130.451	Automotive Supplies – Road Machinery Fund	\$50,000.00
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APPROVED: Public Works Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
November 28, 2018

**NO. 379 – 2018-396** – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AMENDMENT TO A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS SOIL & WATER CONSERVATION DISTRICT, AND NEW YORK STATE DEPARTMENT OF STATE, THROUGH ITS OFFICE OF PLANNING AND DEVELOPMENT**

**WHEREAS,** This Board is in receipt of an Amendment to a Grant Agreement between Oneida County, through its Soil & Water Conservation District, and New York State Department of State, through its Office of Planning and Development, to extend the term of the Grant by one year, and

**WHEREAS,** The original Grant was for a term commencing May 1, 2016 and ending April 30, 2019. The Amendment extends the term of the Grant Agreement from April 30, 2019 to April 30, 2020, 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 this Board authorizes and approves an Amendment to a Grant Agreement between Oneida County, through its Soil & Water Conservation District, and New York State Department of State, through its Office of Planning and Development, for the term commencing May 1, 2016 and ending April 30, 2020.

APPROVED: Public Works Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
November 28, 2018

**NO. 380 – 2018-397** – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF A MODIFIED PERPETUAL EASEMENT THROUGH PROPERTY OWNED BY THE ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY TO THE COUNTY OF ONEIDA**

**WHEREAS,** This Board is in receipt of correspondence from the Commissioner of Water Quality and Water Pollution Control, Steven P. Devan, P.E., requesting approval of a modified perpetual Easement to the County of Oneida through property owned by the Oneida-Herkimer Solid Waste Management Authority to allow the construction of an additional outfall to the Mohawk River to support the addition of high rate disinfection processes at the Oneida County Water Pollution Control Plant, and



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

**RESOLVED,** That the Board of Legislators hereby approves and accepts a modified perpetual Easement to the County of Oneida, through property owned by the Oneida-Herkimer Solid Waste Management Authority, as set forth on the "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 acceptance of said Easement.

**APPROVED:** Public Works Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, *vive voce*:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
DATED: (November 28, 2018)

**NO. 381 – 2018-398** – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF WORK ORDER #38 – OPERATIONS SUPPORT AND TRAINING SERVICES - WITH GHD CONSULTING SERVICES, INC.**

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

**WHEREAS,** County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Steven P. Devan, P.E., Commissioner of Water Quality and Water Pollution Control, requesting approval of Work Order #38 – Operations Support and Training Services - with GHD Consulting Services, Inc. to provide wastewater operator training, technical operator support, and process control assistance for employees at the facility so they can understand and operate new equipment by providing actual classroom style training, hands-on operations training, technical assistance, and remote SCADA monitoring support, as an estimated cost of \$398,800.00, and

**WHEREAS,** Funding for this Work Order is provided by the Department’s 2018 operating budget, and

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

**RESOLVED,** That the Oneida County Board of Legislators authorizes and approves acceptance of Work Order #38 – Operations Support and Training Services - with GHD Consulting Services, Inc., at an estimated cost of \$398,800.00.

**APPROVED:** Public Works Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, *viva voce*:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
DATED: (November 28, 2018)

**NO. 382 – FN 2018-399** – Messrs. Paparella and D’Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AMENDMENT TO THE 2017-2020 PROJECT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF MENTAL HEALTH, AND CENTRAL NEW YORK CARE COLLABORATIVE, INC.**

**WHEREAS,** This Board is in receipt of the an Amendment to the 2017-2020 Project Agreement between Oneida County, through its Department of Mental Health, and Central New York Care Collaborative, Inc. (CNYCC), and

**WHEREAS,** Pursuant to the 2017-2020 Project Agreement entered into between Oneida County, though its Department of Health, and CNYCC, dated July 1, 2017, Oneida County, through its Department of Mental Health, agreed to

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complete outlined Performance Activities pursuant to New York State Department of Health's Delivery System Reform Incentive Payment (DSRIP) program for CNYCC for projected total revenue potential of \$289,451.00, for a term commencing July 1, 2017 and ending December 31, 2020, and

**WHEREAS,** Oneida County and CNYCC need to amend the 2017-2020 Project Agreement to add a Project Addendum to define new and updated terms for service delivery and other Performance Activities, 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 approves an Amendment to the 2017-2020 Project Agreement between Oneida County, through its Department of Mental Health, and CNYCC, for a term commencing July 1, 2018 and ending December 31, 2020.

**APPROVED:** Health and Human Services Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Schiebel and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Schiebel)  
DATED: (November 28, 2018)

**NO. 383 – FN 2018-400** – 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 THE NEIGHBORHOOD CENTER, INC.**

**WHEREAS,** This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and The Neighborhood Center, Inc., for a cost not to exceed \$110,699.00, to provide clinical counseling services to children and their families that are in need of clinical counseling services in an effort to reduce out of home placements and/or expedite the return home from placements, and

**WHEREAS,** The Agreement shall be for a term commencing January 1, 2019 and ending December 31, 2021, with either party having the right to terminate the Agreement upon mutual written agreement of both parties, 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 The Neighborhood Center, Inc., for a term commencing January 1, 2019 and ending December 31, 2021.

**APPROVED:** Health and Human Services Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce: by the following vote:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
DATED: (November 28, 2018)

**NO. 384 – FN 2018-401** – Messrs. Paparella and D'Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF A PURCHASE OF SERVICES AGREEMENT TEMPLATE TO BE USED BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND VARIOUS INSTITUTIONAL FOSTER CARE AGENCIES**

**WHEREAS,** This Board is in receipt of correspondence from Colleen Fahy-Box, Commissioner of Social Services, requesting approval of a Purchase of Services Agreement template to be used for Purchase of Services Agreements between Oneida County, through its Department of Social Services, and thirteen (13) various Institutional Foster Care Agencies, and

**WHEREAS,** These Institutional Foster Care Agencies will provide a specialized model of care designed to serve older youth impacted by the implementation of the Raise the Age (RTA) legislative, which took effect on October 1, 2018, and



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**WHEREAS,** The rates for services for each of the Institutional Foster Care Agencies are assigned by the State of New York, through the New York State Office of Children and Family Services, and

**WHEREAS,** Each Purchase of Services Agreement shall be for a term of two (2) years, commencing October 1, 2018 and ending September 30, 2020, with either party having the right to terminate the Agreement upon mutual written consent of both parties, and

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

**RESOLVED,** That the Board of Legislators hereby approves the Purchase of Services Agreement template to be used for Purchase of Services Agreements between Oneida County, through its Department of Social Services, and thirteen (13) various Institutional Foster Care Agencies, and be it further

**RESOLVED,** That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute Agreements between Oneida County, through its Department of Social Services, and the following Institutional Foster Care Agencies, for a term commencing October 1, 2018 and ending September 30, 2020:

- Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901
- Elmcrest Children's Center, Inc., 960 Salt Springs Road, Syracuse, New York 13224
- Lincoln Hall, P.O. Box 600, RT # 202, Lincolndale, New York 10540
- Hillside/Snell Farm Children's Center, 7320 Snell Hill Road, Bath, New York 14810
- Villa of Hope, 3300 Dewey Avenue, Rochester, New York 14616
- The William George Agency For Children's Services, Inc., 380 Freeville Road, Freeville, New York 13068
- Children's Home of Jefferson County, 1704 State Street, Watertown, New York 13601
- House of the Good Shepard, 1550 Champlin Avenue, Utica, New York 13502
- Children's Home of Poughkeepsie, 10 Children's Way, Poughkeepsie, New York 12601
- MercyFirst, 525 Convent Rd., Syosset, New York 11791
- Graham Windham, One Pierrepont Plaza, Suite 901, Brooklyn, New York 11201
- The Children's Village, 1 Echo Hill, Dobbs Ferry, New York 10522
- Timothy Hill Children's Ranch, 298 Middle Road, Riverhead, New York 11901

**APPROVED:** Health and Human Services Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Furgol and adopted, viva voce: by the following vote:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)

**NO. 385 – 2018-402** – Messrs. Paparella and D'Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND NEW YORK STATE, THROUGH ITS OFFICE OF CHILDREN AND FAMILY SERVICES**

**WHEREAS,** This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Social Services, and New York State, through its Office of Children and Family Services, in the sum of \$261,684.00, which will be used to fund services provided by the Oneida County Child Advocacy Center (CAC), for a term commencing October 1, 2018 and ending September 30, 2019, 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

**November 28, 2018**

**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 Social Services, and New York State, through its Office of Children and Family Services, in the sum of \$261,684.00.

**APPROVED:** Health and Human Services Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
DATED: (November 28, 2018)

**NO. 386 – FN 2018-403** Messrs Welsh and D’Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF AN AGREEMENT BETWEEN THE COUNTY OF ONEIDA, THE BOARD OF TRUSTEES OF MOHAWK VALLEY COMMUNITY COLLEGE AND MOHAWK VALLEY COMMUNITY COLLEGE ADJUNCT AND PART-TIME ASSOCIATION**

**WHEREAS,** County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Mohawk Valley Community College President, Randall J. VanWagoner, requesting approval of a Collective Bargaining Agreement between the County of Oneida, The Board of Trustees of Mohawk Valley Community College and Mohawk Valley Community College Adjunct and Part-Time Association, and

**WHEREAS,** Said Agreement was ratified by the Mohawk Valley Community College Board of Trustees and Mohawk Valley Community College Adjunct and Part-Time Association on October 15, 2018, and

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

**RESOLVED,** That the Oneida County Board of Legislators approves a Collective Bargaining Agreement between the County of Oneida, The Board of Trustees of Mohawk Valley Community College and Mohawk Valley Community College Adjunct and Part-Time Association for a term commencing September 1, 2017 through August 31, 2020.

**APPROVED:** Economic Development and Tourism Committee (November 20, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Goodman and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
DATED: (November 28, 2018)

**NO. 387 – FN 2018-404 –** Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

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

**WHEREAS,** This Board is in receipt of correspondence from Kevin W. Revere, Director of Emergency Services, requesting approval of a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services (NYS DHS), through the FY2018 Emergency Management Performance Grant (EMPG) to provide funding to assist in the operations of the Department of Emergency Services (personnel costs) and with the purchase of a replacement emergency response vehicle, 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 Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, in the amount of \$184,450.00 for a term commencing October 1, 2017 and ending on September 30, 2019.

November 28, 2018

APPROVED: Public Safety Committee (November 14, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Mandryck and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
DATED: (November 28, 2018)

NO. 388 – FN 2018-405 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

**RE: CERTIFICATION OF SECTION 606 EXPENSES FOR THE ONEIDA COUNTY PUBLIC DEFENDER, CRIMINAL DIVISION**

**WHEREAS,** Certain inmates in the custody of the New York State Department of Correctional Services were charged with crimes while residing in a New York State Correctional Facility located in the County of Oneida, and said inmates having required the services of the Oneida County Public Defender, Criminal Division, to represent them before the various courts in Oneida County while incarcerated herein, and

**WHEREAS,** The Oneida County Public Defender, Criminal Division, duly represented said inmates, and

**WHEREAS,** Section 606 of the Correction Law of the State of New York mandates reimbursement for such services to the County of Oneida for such legal defense, and

**WHEREAS,** The Oneida County Public Defender, Criminal Division, has certified to the Oneida County Board of Legislators that the expenses incurred by the Oneida County Public Defender while undertaking said legal representation amounted to the sum of \$18,682.23 for undertaking the legal defense of: Charles A. Carter, Julio Cesar, Levoster Chandler, Shaquan N. Dennis, Vincent Forte, Michael V. Friday, Herbert Gonzalez, Norman Harrison, Eslam Hassan, Antoine Johnson, Darryl Lively, Dominique McDaniel, Ernest McWilliams, Chad Michalak, William Moody, Malcolm Moore, James E. Nash, Jr., Mamadou Ndiaye, Carl Palenik, Shaqwan Ramsey, Jose Rivera, Juan Rodriguez, Jason T. Stevens, Christian Torricella, Boubacare Tunkara, Latike Valentin, Dontavious B. Wiley, Donavius B. Wiley, Angelo Williams, Kaylin Williams and Shatik Withespoon, being inmates of the State of New York, and

**WHEREAS,** The Oneida County Board of Legislators has examined the documents provided by the Oneida County Public Defender, Criminal Division, and finds them to be a true and accurate account of the expenses concerning these matters, now, therefore, be it

**RESOLVED,** That this resolution and the vouchers, documents, and affidavit of the Oneida County Public Defender, Criminal Division, be forwarded to the Budget and Finance Office of the New York State Department of Correctional Services as required by Section 606 of the Correction Law and Title 7, Part 410 of the New York Code of Rules and Regulations for payment.

APPROVED: Public Safety Committee (November 14, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
DATED: (November 28, 2018)

NO. 389 – FN 2018-406 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

**RE: TRANSFER OF \$85,000.00 TO AA#A3121.0 – VARIOUS SHERIFF ACCOUNTS**

**WHEREAS,** There is a need for additional funds in AA#A3121.0 – Various Sheriff 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 2018 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A3151.416 Telephone – Sheriff \$85,000.00

TO:

AA#A3121.295	Other Equipment – Sheriff	\$29,000.00
AA#A3121.436	Uniforms and Clothing – Sheriff	\$25,000.00
AA#A3121.491	Other Materials & Supplies	\$ 7,000.00
AA#A3121.4365	Body Armor – Sheriff	<u>\$24,000.00</u>
	TOTAL:	\$85,000.00

APPROVED: Public Safety Committee (November 14, 2018)  
Ways and Means Committee (November 28, 2018)

Seconded by Mr. Joseph and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)  
DATED: (November 28, 2018)

NO. 390 – FN 2018-407 – Mr. D’Onofrio offered the following resolution and moved its adoption.

**RE: APPROVAL OF THE MORTGAGE TAX RECEIPTS AND DISTRIBUTION FOR THE PERIOD ENDING SEPTEMBER 2018**

**WHEREAS,** The Oneida County Clerk and the Commissioner of Finance have prepared and submitted to the Board of County Legislators their joint semi-annual report on the Mortgage Tax Receipts, and

**WHEREAS,** This report shows the credit statement to the sum of \$1,305,828.25 to be distributed to the various towns, cities and villages pursuant to Section 261 of the Tax Law, now therefore, be it hereby

**RESOLVED,** That the Oneida County Commissioner of Finance be and hereby is authorized and directed to remit payments in the amounts shown in said semi-annual report of the Mortgage Tax Receipts.

APPROVED: Ways and Means (November 28, 2018)

Seconded by Mr. Clancy and adopted, viva voce:  
AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)

DATED: (November 28, 2018)

NO. 391 – 2018-408 –Mr. D’ Onofrio offered the following resolution and moved its adoption.

**REPLACES RESCO IN BOARD PACKET**

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

**WHEREAS,** County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Commissioner of Personnel, John P. Talerico, requesting approval of a Memorandum of Agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, White Collar Unit, and

**WHEREAS,** Said Agreement was ratified by Union membership on November 15, 2018, and

**WHEREAS,** Said Agreement was ratified by Mohawk Valley Community College on November 19, 2018, and

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

**RESOLVED,** That the Oneida County Board of Legislators authorizes a Memorandum of Agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, White Collar Unit for a term commencing January 1, 2018 through December 31, 2021 in accordance with terms and conditions more fully set forth in the tentative agreement on file with the Clerk of this Board, and be it hereby further

**RESOLVED,** That any salary related benefits included in the Memorandum of Agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union White Collar Unit for a term

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commencing January 1, 2018 through December 31, 2021, be and hereby are extended to those employees who hold "H", "M" and "P" titles, excepting those benefits previously extended to those employees by this Board in Resolution No. 356, adopted on November 14, 2018.

APPROVED: Ways and Means Committee (November 28, 2018)

Seconded by Mr. Goodman and adopted, viva voce:

AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)

DATED: November 28, 2018

NO. 392 – 2018-409 – Mr. D’Onofrio offered the following resolution and moved its adoption.

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

**WHEREAS,** County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Commissioner of Personnel, John P. Talerico, requesting approval of a Memorandum of Agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, Blue Collar Unit, and

**WHEREAS,** Said Agreement was ratified by Union membership on November 15, 2018, and

**WHEREAS,** Said Agreement was ratified by Mohawk Valley Community College on November 19, 2018, and

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

**RESOLVED,** That the Oneida County Board of Legislators approves a Memorandum of Agreement between Oneida County, Mohawk Valley Community College and the United Public Service Employees Union, Blue Collar Unit for a term commencing January 1, 2018 through December 31, 2021 in accordance with terms and conditions more fully set forth in the tentative agreement on file with the Clerk of this Board.

APPROVED: Ways and Means Committee (November 28, 2018)

Seconded by Mr. Schiebel and adopted, viva voce:

AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)

DATED: November 28, 2018

NO. 393 – FN 2018-411 – Mr. D’Onofrio offered the following resolution and moved its adoption.

**RE: TRANSFER OF \$915,000.00 TO AA#V9310.6100 – BAN PRINCIPAL - EXPENSE**

**WHEREAS,** There is a need for additional funds in AA#V9310.6100 – BAN Principal - Expense, 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:

RA#V5031            Transfer – From General Fund            \$915,000.00

TO:

AA#V9310.6100    BAN Principal – Expense                    \$915,000.00

APPROVED: Ways and Means Committee (November 28, 2018)

Seconded by Mr. Welsh and adopted, viva voce:

AYES 22 NAYS 0 ABSENT 1 (Mr. Koenig)

November 28, 2018

**NOTE:** At this Juncture a motion was made by Legislator Schiebel that pursuant to Rule 72 mad a motion to suspend Rules 12 and 55 for the purpose of considering the Resolution only. Legislator Clancy seconded the motion. The motion was duly passed for the following resolution.

DATED: November 28, 2018

**NO. 394 – FN 2018-410** – Mr. Mandryck offered the following resolution and moved its adoption.

**RE: RESOLUTION EXTENDING THE BOARD’S SYMPATHY TO THE FAMILY OF THE LATE FRANCIS (CHEECH) PEREZ**

**WHEREAS,** In the death of Francis (Cheech) Perez on Wednesday, November 7<sup>th</sup>, 2018, the City of Rome and the County of Oneida have suffered the loss of a valued citizen and great friend who held the respect and esteem of the citizens of the entire County of Oneida and the members of this Board of Legislators; and

**WHEREAS,** Mr. Perez was very involved in County government, serving as a member of the Board of Legislators from 1968 through 1993 representing the City of Rome. During his years as a Legislator, Mr. Perez was a member of the Griffiss Airforce Base Military Affairs, Ways and Means and the Fire Board of Oneida County; and

**WHEREAS,** Mr. Perez grew up in Rome, graduating from Rome Free Academy and attending MVCC; and

**WHEREAS,** Mr. Perez was a proud member of the US Army from 1957 to 1959; and

**WHEREAS,** Mr. Perez owned and operated Perez TV and Appliances; and

**WHEREAS,** Mr. Perez married the former Joan Viverito on June 30, 1956, a marriage that lasted 62 years; and

**WHEREAS,** Mr. Perez leaves his wife Joan and a son David Perez. Now, therefore, be it hereby

**RESOLVED,** That the members of this Board, speaking for the citizens of their respective communities extend to the family of the late Francis (Cheech) Perez their sincere sympathy, their appreciation of the value of his services to all of Oneida County, and their respect for his worth as a man.

*Seconded and adopted viva voce by all members present, standing for a moment of silence in respect to the memory of Francis (Cheech) Perez.*

DATED: November 28, 2018

**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, November 28, 2018 at 2:00 P.M., typographical errors excepted.

**MIKALE BILLARD, Clerk**