

OCTOBER MEETING

Meeting held on Wednesday, October 13, 2021 at 2:00 P.M.

The Board met pursuant to statute and 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)
- R-4 Cynthia Rogers-Witt (Rome Ward 1, District 2; Ward 2 District 2, 3, 4, 5 Ward 3 District 1, 4, 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 Steve 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 1 district 1, Ward 6 District 1, 2, 3, 4, Ward 7 District 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 1, District 1; Westmoreland District 1, 2, 3, 4)
- R-11 Robert Koenig (Whitestown District 1, 2, 4, 6, 7, 8, 9, 13, 15)
- R-12 Brenda McMonagle (Rome Ward 3 District 2; Ward 4 District 1, 2, 3, 4; Ward 5 District 1, 2, 3, 4)
- R-13 Christopher Newton (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 Pratt (Bridgewater District 1; New Hartford Ward 1 District 1, 2, 4; Paris District 1, 2, 3)
- R-17 Stephen DiMaggio (Lee District 1, 2, 4; Rome Ward 1 District 3, 4; Ward 7 District 1; Western District 1, 2, 3)
- R-18 Jeffery Daniels (Utica Ward 4 District 1, 2, 3, 4, 5, 6, 7, 8, 9)
- I-19 Timothy Julian (Utica Ward 3 District 1, 2, 3, 4, 5, 6, 7, 8, 9; Ward 5 District 2)
- D-20 Evon M. Ervin (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)
- D-23 Anthony C. Leone Jr. (Utica Ward 6, District 1, 2, 3, 4, 5, 6, 7, 8, 9)

MEMBERS PRESENT: Schiebel, Idzi, Leach, Rogers-Witt, Waterman, Boucher, Fiorini, Flisnik, Sacco, Joseph, Koenig, McMonagle, Newton, Davis, D’Onofrio, Pratt, DiMaggio, Daniels, Julian, Ervin, Washburn, Convertino, Leone.

Chairman Fiorini welcomed the Cornell Cooperative 4 H Government class .

PUBLIC COMMENT: Walter Belsted and Emily Raymond spoke in regards to the Opioid crisis and Homelessness at Oneida Square. They are asking for help in their community.

PETITIONS AND COMMUNICATIONS

- FN 2021-250** – Contract Amendment between Oneida County Dept. of Family & Community Services, and Trinity Service Group.
- FN 2021-251** – Planning Assistance – Herkimer-Oneida Counties Comprehensive Planning Program
- FN 2021-252** – Social Day Care the Lutheran Home of Central New York, Inc.
- FN 2021-253** – Oneida County Child Advocacy Center Grant (Contract 144367)
- FN 2021-254** – Creation of New Position – Paralegal Assistant
- FN 2021-255** – Transfer 12216 Woodhull Rd to the Town of Forestport
- FN 2021-256** – Printing services for tax rolls and tax bills. Madison-Oneida Board of Cooperative Educational Services
- FN 2021-257** – Benefits Tracking Software and Maintenance -Tyler Technologies, Inc.
- FN 2021-258** – Public Safety Interoperability Communications Project
- FN 2021-259** – Alternatives to Incarceration Grant 2021-2022
- FN 2021-260** – Homeland Security Contract SH21-1008D00 SHSP
- FN 2021-261** – Aid to Prosecution Grant NYS Division of Criminal Justice Services
- FN 2021-262** – Lease Agreement Amendment for Additional office space in Building 100 – AX Enterprize, LLC.
- FN 2021-263** – Appointment of Commissioner of Personnel/Civil Service Commissioner
- FN 2021-264** – Appointment of Director of Information Technology
- FN 2021-265** – Supplemental Appropriation of \$850,000 to AA#A6411 – Various Budget/Community Assistance Accounts
- FN 2021-267** – Appointment of Interim Commissioner of Personnel/Civil Service Commissioner Amanda Cortese-Kolasz
- FN 2021-268** – Template agreement for the Summer Youth Employment Program
- FN 2021-269.1** – GRANT: Technology Innovation and Election Resource (TIER) Grant Program NY Board of Elections
- FN 2021-269.2** – GRANT: Early Voting Expansion NY Board of Elections
- FN 2021-270** – Supplemental Appropriation of \$801,575 to AA#A1450.21 Board of Elections – Computer Hardware
- FN 2021-271** – Revocable Permit for Marcy-SUNY IT Parkway

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FN 2021-272 – Requesting Part Time Senior Office Specialist 1 (grade 12W @ \$13.12/hour) No. for the Pistol Licensing Office

MOTIONS AND RESOLUTIONS

No. 242 – FN 2021-250 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A SECOND RENEWAL AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, AND TRINITY SERVICES GROUP, INC.

WHEREAS, This Board is in receipt of an Amendment to an Agreement, for an amount not to exceed \$1,665,309.00, between Oneida County, through its Department of Family and Community Services, and Trinity Services Group, Inc., and

WHEREAS, Pursuant to a Purchase of Services Agreement entered into between Oneida County and Trinity Services Group, Inc. on September 25, 2017, Trinity Services Group, Inc. agreed to provide congregate meals to nine (9) dining facilities and home delivered meals on over forty (40) routes to qualified individuals in Oneida County, including to agencies who contract with the Department including Senior Network Health, with a term commencing January 1, 2017 and ending December 31, 2019, with the option for two (2) additional one-year term renewals (Contract #17775), and

WHEREAS, Oneida County and Trinity Services Group, Inc. later entered into an Amendment Agreement on March 21, 2019 to reflect rate adjustments for the cost of home delivered and congregate meals at a rate of \$8.10 per meal for the period of January 1, 2019 through December 31, 2019 (Contract #75425), and

WHEREAS, Oneida County and Trinity Services Group, Inc. later entered into a Renewal Agreement on or about October 20, 2020 for the first additional one-year renewal period. This also included a rate adjustment for the cost of home delivered and congregate meals at a rate of \$8.31 per meal for the period of January 1, 2020 through December 31, 2020 (Contract #91666), and

WHEREAS, Oneida County and Trinity Services Group, Inc. entered into a Second Renewal Agreement for the second additional one-year renewal term for the period of January 1, 2021 through December 31, 2021 (Contract #1333574), and

WHEREAS, Oneida County and Trinity Services Group, Inc. wish to enter into an Amendment to adjust the rate for the cost of home delivered and congregate meals from \$8.31 per meal to \$8.69 per meal for the period of January 1, 2021 through December 31, 2021, 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 between Oneida County, through its Department of Family and Community Services, and Trinity Services Group, Inc., for a term commencing January 1, 2021 and ending December 31, 2021.

APPROVED: Health and Human Services Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 243 – FN 2021-251 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, AND HERKIMER-ONEIDA COUNTIES COMPREHENSIVE PLANNING PROGRAM

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Family and Community Services, and Herkimer-Oneida Counties Comprehensive Planning Program, for an

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amount not to exceed \$95,168.60, to provide preparation and monitoring of the Consolidated Services Plan, data collection and analysis, needs assessment, grant assistance and other planning services as need, and

WHEREAS, The Agreement shall be for a term commencing January 1, 2021 and ending December 31, 2021, with either party having the right to terminate the Agreement upon thirty (30) days prior written notice to the other party, 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 Family and Community Services, and Herkimer-Oneida Counties Comprehensive Planning Program, for a term commencing January 1, 2021 and ending December 31, 2021.

APPROVED: Health and Human Services Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 244 – FN 2021-252 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, AND THE LUTHERAN HOME OF CENTRAL NEW YORK, INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Family and Community Services, and The Lutheran Home of Central New York, Inc., for an amount not to exceed \$77,500.00, for Social Adult Day Care Services which will continue to provide community based long term care services to the frail and elderly, and assist older consumers to delay or divert nursing home placement, and

WHEREAS, The Agreement shall be for a term commencing January 1, 2021 and ending December 31, 2021, with either party having the right to terminate the Agreement upon thirty (30) days prior written notice to the other party, 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 Family and Community Services, and The Lutheran Home of Central New York, Inc., for a term commencing January 1, 2021 and ending December 31, 2021.

APPROVED: Health and Human Services Committee (October 7, 2021)
Ways and Means Committee

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 245 – FN 2021-253 – Mme. Pratt and Mr. D’Onofrio offered the following resolution and moved its adoption.

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

WHEREAS, This Board is in receipt of correspondence from Collen Fahy-Box, Commissioner of Family and Community Services, requesting approval of a Grant Agreement between Oneida County, through its Department of Family

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and Community Services, and New York State, through its Office of Children and Family Services, in the amount of \$218,765.00, to fund services provided by the Oneida County Child Advocacy Center (CAC), including supporting Law Enforcement Coordinator officers who will be assigned to the CAC and act as liaisons between the CAC and their respective agencies, 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 Family and Community Services, and New York State, through its Office of Children and Family Services, in the amount of \$218,765.00, for a term commencing October 1, 2021 and ending September 30, 2022.

APPROVED: Health and Human Services Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 246 – FN 2021-254 – Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL TO CREATE ONE (1) PARALEGAL ASSISTANT POSITION (GRADE 25W, STEP 2, \$38,150)

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel, Joseph M. Johnson, and Peter M. Rayhill, Oneida County Attorney, requesting authorization to create one (1) full-time Paralegal Assistant position for the increase in Freedom of Information Law Requests and the repeal of New York Civil Rights Law §50-a, 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 one (1) full-time Paralegal Assistant position (Grade 25W, Step 2, \$38,150) – effective immediately.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 22 NAYS 1 (Julian) ABSENT 0

No. 247 – FN 2021-256 – 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 FINANCE, AND MADISON-ONEIDA BOCES

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Finance, and Madison-Oneida BOCES, in the sum of \$36,000.00 (estimated), to print tax rolls, tax bills and related items, as requested by Oneida County, and

WHEREAS, The Agreement shall be for a term commencing October 1, 2021 and ending September 30, 2022, with four (4) one-year automatic renewals through September 30, 2026, unless terminated sixty (60) days prior to the end of the term, 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

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RESOLVED, That this Board authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Finance, and Madison-Oneida BOCES, for a term commencing October 1, 2021 and ending September 30, 2022.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 248 – FN 2021-257 - Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO A PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PERSONNEL, AND TYLER TECHNOLOGIES, INC. (FORMERLY NEW WORLD SYSTEMS)

WHEREAS, This Board is in receipt of an Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Personnel, and Tyler Technologies, Inc. (formerly New World Systems), and

WHEREAS, Pursuant to a Purchase of Services Agreement entered into between Oneida County and Tyler Technologies, Inc. on December 28, 2005, Tyler Technologies, Inc. agreed to provide support and maintenance to Oneida County’s payroll software program (the “Agreement”), and

WHEREAS, Oneida County and Tyler Technologies, Inc. wish to amend the Agreement to add a Benefits Tracking component, with an estimated initial cost of \$57,830.00, which reflects \$50,000.00 for the purchase of the software and \$7,830.00 for the first year’s maintenance. Oneida County will be charged a yearly maintenance fee annually thereafter, and

WHEREAS, The Amendment will commence upon execution and will renew annually until terminated by Oneida County, 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 a Purchase of Services Agreement between Oneida County, through its Department of Personnel, and Tyler Technologies, Inc., for a term commencing upon execution and renewing annually until terminated by Oneida County.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 249 – FN 2021-258 - Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A LEASE RENEWAL AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES, AND WILLIAM STEPHAN AND AUDREY STEPHAN AS TRUSTEES OF THE WHS LIVING TRST AND THE AJS LIVING TRUST

WHEREAS, This Board is in receipt of correspondence from Director of Emergency Services, Edward Stevens, requesting approval of a Lease Renewal Agreement between Oneida County, through its Department of Emergency Services, and William Stephan and Audrey Stephan as trustees of the WHS Living Trust and the AJS Living Trust for a parcel located at 1630 Hardscrabble Road in Cassville (Tax Parcel # 394.000-1-9), and

WHEREAS, The parties entered into a Lease Agreement on September 30, 2016 wherein Oneida County agreed to lease the land located at 1630 Hardscrabble Road in Cassville (Tax Parcel # 394.000-1-9) for the construction of a Public

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Safety Radio Communications tower for a five (5) year term, with an option to renew for an additional five (5) year term (the "Agreement"), and

WHEREAS, The parties wish to utilize the first renewal term for a period of five (5) years from September 30, 2021 through September 29, 2026 at an annual cost of \$5,000.00, with an annual two percent (2%) escalator on the base rent, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Lease Renewal 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 a Lease Renewal Agreement between Oneida County, through its Department of Emergency Services, and William Stephan and Audrey Stephan as trustees of the WHS Living Trust and the AJS Living Trust, for a term commencing September 30, 2021 and ending September 29, 2026, 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: Public Safety Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 250 – FN 2021-259 - Messrs. Flisnik and D’Onfrio offered the following resolution and moved its adoption.

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

WHEREAS, This Board is in receipt of correspondence from Holly Bolton, Deputy Director of Probation, requesting approval of a Grant Agreement between Oneida County, through its Department of Probation, and New York State, through its Division of Criminal Justice Services, through its Alternatives to Incarceration (ATI) Grant, in the sum of \$42,594.00, to provide funding for reimbursement of expenses incurred by Oneida County’s Domicile Restriction Program, which provides Alternatives to Incarceration at the Pre-Trial and Post-Sentencing stages of the legal process, 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 \$42,594.00 for a term commencing July 1, 2021 and ending June 30, 2022.

APPROVED: Public Safety Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 251 – FN 260-1 Messrs. Flisnik and d’Onofrio offered the following resolution and moved its adoption

RE: ESTABLISHMENT OF CAPITAL PROJECT H-624 – EMERGENCY SERVICES – SH21-1008-D00 SHSP GRANT

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WHEREAS, This Board is in receipt of a request to establish “Capital Project H-624 – Emergency Services – SH21-1008-D00 SHSP Grant,” with approval of funding for such project, now, therefore, it is hereby

RESOLVED, That the Oneida County Board of Legislators authorizes the establishment of “Capital Project H-624 – Emergency Services – SH21-1008-D00 SHSP Grant”, with approval of funding for such project as follows:

H-624 State Aid \$169,577.00

APPROVED: Public Safety Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

Seconded by Mr. Joseph and adopted by the following roll call vote:
AYES 23 NAYS 0 ABSENT 0

ROLL CALL SHEET

DATE: October 13, 2021

SESSION: Regular

MEMBERS PRESENT: 23

MEMBERS ABSENT: 0

AYES: 23 **NAYS:** 0 **ABSENT:** 0

INTRODUCTORY NO. 284

RESOLUTION NO. 251

DIST	MEMBERS	AYES	NAYS
R-1	SCHIEBEL	X	
R-2	IDZI	X	
R-3	LEACH	X	
R-4	ROGERS-WITT	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	
R-12	MCMONAGLE	X	
R-13	NEWTON	X	
D-14	DAVIS	X	
R-15	D'ONOFRIO	X	
R-16	PRATT	X	
R-17	DIMAGGIO	X	
R-18	DANIELS	X	
I-19	JULIAN	X	
D-20	ERVIN	X	
D-21	WASHBURN	X	
D-22	CONVERTINO	X	
D-23	LEONE	X	

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No. 252 – FN 2021-260-2 – Messrs. Flisnik and D’Onofrio offered the following resolution and moved its adoption.

RE: 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

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, in the sum of \$169,577.00, to provide funding for the purchase of computer equipment, interoperable radio equipment, cyber security software, and related items for the purpose of enhancing terrorism intelligence and early-warning system infrastructure capabilities, 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 Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, for a term commencing October 1, 2021 and ending September 30, 2024.

APPROVED: Public Safety Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 253 –FN 2021-261 –Messrs. Flisnik and D’Onofrio offered the following resolution and oved its adoption.

RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DISTRICT ATTORNEY’S OFFICE, AND NEW YORK STATE, THROUGH ITS DIVISION OF CRIMINAL JUSTICE SERVICES – AID TO PROSECUTION GRANT

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 Division of Criminal Justice Services – Aid to Prosecution Grant, in the sum of \$67,900.00, State funded, to enhance the prosecution of repeat violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel who will seek to minimize the plea-bargaining option and to impose the maximum sentence for such defendants, 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 Division of Criminal Justice Services, in the sum of \$67,900.00, for a term commencing April 1, 2021 and ending March 31, 2022.

APPROVED: Public Safety Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 254 – FN 2021-262- Messrs. Koenig and D’Onofrio offered the following resolution and moved its adoption.

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

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WHEREAS, This Board is in receipt of correspondence from Edward Arcuri, Commissioner of Aviation, requesting approval of an Amendment to a Lease Agreement between Oneida County, through its Department of Aviation, and AX Enterprize, LLC, and

WHEREAS, The parties entered into a Lease Agreement on or about September 13, 2019, wherein AX Enterprize, LLC agreed to 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 (the "Original Lease"), and

WHEREAS, The parties wish to amend the Original Lease for additional office space allowing AX Enterprize, LLC to now lease a total of 1,556 +/- square feet of building space on the first floor and a total of 1,500 +/- square feet of building space in the annex within "Building 100" situated at 592 Hangar Road at Griffiss International Airport, and

WHEREAS, The annual base rent shall be \$46,008.00 subject to an annual escalator of three percent (3%) as required by the Original Lease, with the annual increase being applied on March 1, 2022 and on each succeeding March 1 thereafter throughout the term of the Original Lease, 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 approves and authorizes County Executive, Anthony J. Picente, Jr., to execute an Amendment to a Lease Agreement on behalf of the County of Oneida, through its Department of Aviation, and AX Enterprize, LLC for a term commencing upon execution and ending February 28, 2025, and it is further

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

APPROVED: Airport Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 255 – FN 2021-264 – Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: APPOINTMENT OF CHARLES P. KLEIN AS DIRECTOR OF INFORMATION TECHNOLOGY

WHEREAS, In accordance with the provisions of Article III, Section 307, of the Oneida County Charter, Oneida County Executive, Anthony J. Picente, Jr., has requested confirmation of the appointment of Charles P. Klein to serve as Director of Information Technology (Grade 46H, Step 8, \$99,155.00), and

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

RESOLVED, That the Oneida County Board of Legislators confirms the appointment of Charles P. Klein to serve as Director of Information Technology (Grade 46H, Step 8, \$99,155.00) – effective September 20, 2021.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

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No. 256 – FN 2021-265- Mme. Rogers-Witt Messrs. D’Onofrio, Schiebel, Idzi and Leach offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$850,000.00 TO AA#A6411.0 – VARIOUS BUDGET/COMMUNITY ASSISTANCE 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 \$850,000.00 to AA#A6411.0 – Various Budget/Community Assistance Accounts, and

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

RA#A3001 State Aid – OIN Gaming Revenue
\$850,000.00

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2021 funds, as hereinafter set forth, is hereby approved:

TO:

Table with 2 columns: Description and Amount. Rows include AA#A6411.495115 Budget/Community Asst. – City of Sherrill (\$190,000.00), AA#A6411.495116 Budget/Community Asst. – Village of Vernon (\$60,000.00), AA#A6411.495117 Budget/Community Asst. – Town of Augusta (\$75,000.00), AA#A6411.495118 Budget/Community Asst. – Town of Vienna (\$100,000.00), AA#A6411.495119 Budget/Community Asst. – Village of Sylvan Beach (\$50,000.00), AA#A6411.495120 Budget/Community Asst. – Town of Verona (\$250,000.00), AA#A6411.495121 Budget/Community Asst. – Town of Vernon (\$125,000.00), and a total of \$850,000.00.

APPROVED: Ways and Means Committee (October 13,2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 257 – FN 2021-267 - Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: APPOINTMENT OF AMANDA L. CORTESE-KOLASZ AS INTERIM COMMISSIONER OF PERSONNEL / CIVIL SERVICE COMMISSIONER (GRADE 45M, OFF STEP, \$143,500)

WHEREAS, In accordance with the provisions of Article III, Section 302, and Article XIV, Section 1401, of the Oneida County Charter, Oneida County Executive, Anthony J. Picente, Jr., has requested confirmation of the appointment of Amanda L. Cortese-Kolasz to serve as Interim Commissioner of Personnel and Interim Civil Service Commissioner (Grade 45M, Off Step, \$143,500), and

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

RESOLVED, That the Oneida County Board of Legislators confirms the appointment of Amanda L. Cortese-Kolasz to serve as Interim Commissioner of Personnel and Interim Civil Service Commissioner (Grade 45M, Off Step, \$143,500) – effective September 23, 2021.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

October 13, 2021

OCTOBER MEETING

Meeting held on Wednesday, October 13, 2021 at 2:00 P.M.

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

AYES 23 NAYS 0 ABSENT 0

NO. 258 – FN 2021-268 – Mme. Pratt Mr. D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A MASTER TEMPLATE FOR THE ONEIDA COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM (SYEP) BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF WORKFORCE DEVELOPMENT, MOHAWK VALLEY COMMUNITY COLLEGE AND VARIOUS COMMUNITY AGENCIES

WHEREAS, This Board is in receipt of correspondence from David L. Mathis, Director of Oneida County Workforce Development, requesting approval of a TANF Summer Youth Employment Program Agreement between Oneida County and Mohawk Valley Community College to provide work experience to the youth of our community who will learn lessons that come from a job site, and to help our community by working with public, private and not-for-profit partners. The Agreement shall be for an amount not to exceed \$4,472.00 for a term commencing July 1, 2021 and ending September 10, 2021, and

WHEREAS, Director Mathis has requested that this Agreement be approved as a Master Template for similar Summer Youth Employment Program contracts with various public entities, which are of the same content, with the exception of entity name and cost, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said 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 an Agreement for a Summer Youth Employment Program template to be used between Oneida County, through its Office of Workforce Development, and various entities, and

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute an Agreement for a Summer Youth Employment Program between Oneida County, through its Office of Workforce Development, and Mohawk Valley Community College, in the sum of \$4,472.00, for a term commencing July 1, 2021 and ending September 10, 2021.

APPROVED: Health and Human Services Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 259 – FN 2021-269.1 - Messrs. Idzi, D’Onofrio, Washburn offered the following resolution and moved its adoption.

RE: APPROVAL OF A STATE OF NEW YORK MASTER CONTRACT FOR GRANTS AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH THE ONEIDA COUNTY BOARD OF ELECTIONS, AND THE NEW YORK STATE BOARD OF ELECTIONS

WHEREAS, This Board is in receipt of a State of New York Master Contract for Grants between Oneida County, through the Oneida County Board of Elections, and the New York State Board of Elections, through the Technology Innovation and Election Resource (TIER) Grant Program, in the sum of \$206,517.63, to reimburse the Oneida County Board of Elections for local dollars spent to further implement the capital purchase of software, technology upgrades, equipment and broad band service, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said State of New York Master Contract for Grants 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 State of New York Master Contract for Grants between Oneida County, through the Oneida County Board of Elections, and the New York State Board of Elections, in the sum of \$206,517.63, for a term commencing April 7, 2021 and ending January 27, 2023.

October 13, 2021

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Meeting held on Wednesday, October 13, 2021 at 2:00 P.M.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 260 – FN 2021-269.2 – Mme. Washburn Messra. Idzi, D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL OF A STATE OF NEW YORK MASTER CONTRACT FOR GRANTS AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH THE ONEIDA COUNTY BOARD OF ELECTIONS, AND THE NEW YORK STATE BOARD OF ELECTIONS

WHEREAS, This Board is in receipt of a State of New York Master Contract for Grants between Oneida County, through the Oneida County Board of Elections, and the New York State Board of Elections, in the sum of \$26,048.69, to reimburse the Oneida County Board of Elections for local dollars spent for early voting expansion, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said State of New York Master Contract for Grants 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 State of New York Master Contract for Grants between Oneida County, through the Oneida County Board of Elections, and the New York State Board of Elections, in the sum of \$26,048.69, for a term commencing April 7, 2021 and ending January 28, 2022.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

Seconded by Mr. Joseph and adopted by the following vote:
AYES 23 NAYS 0 ABSENT 0

No. 261 – FN 2021-270 – Messrs. Idzi and D’Onofrio offered the following resolution and moved its adoption.

RE: SUPPLEMENTAL APPROPRIATION OF \$801,575.00 TO AA#1450.212 – COMPUTER HARDWARE / BOARD OF ELECTIONS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$801,575.00 to AA#1450.212 – Computer Hardware / Board of Elections, and

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

RA#A 3048	State Aid – E-Poll Book Grant	\$101,172.00
RA#A 3048	State Aid – TIER Grant	\$206,517.00
RA#A 3048	State Aid – Early Voting Expansion Grant	\$ 26,049.00
RA#A 2215	Reimbursement from Other Governments	<u>\$467,837.00</u>
		\$801,575.00

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2021 funds, as hereinafter set forth, is hereby approved:

TO:

AA# 1450.212	Computer Hardware / Board of Elections	\$801,575.00
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Meeting held on Wednesday, October 13, 2021 at 2:00 P.M.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 262 – FN 2021-271 – Messrs. Koenig, D’Onofrio, Mmc. Washburn offered the following the following resolution and moved its adoption.

RE: APPROVAL OF A REVOCABLE PERMIT FOR ACCESS AND USE BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND STATE UNIVERSITY OF NEW YORK, THROUGH SUNY POLYTECHNIC INSTITUTE

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Mark E. Laramie, P.E., Commissioner of Public Works, requesting approval of a Revocable Permit for Access and Use between Oneida County, through its Department of Public Works, and State University of New York, through SUNY Polytechnic Institute, to allow construction activities to begin immediately on SUNY property without waiting for the lengthy process of acquiring permanent easements and securing property acquisitions, and

WHEREAS, According to Oneida County Charter Section 2202, said Revocable Permit for Access and Use 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 and directed to execute any and all documents related to a Revocable Permit for Access and Use between Oneida County, through its Department of Public Works, and State University of New York, through SUNY Polytechnic Institute, for a term beginning September 30, 2021 and ending April 1, 2023.

APPROVED: Public Works Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 263 – FN 2021-272 – Messrs. Idzi, D’Onofrio offered the following resolution and moved its adoption.

RE: APPROVAL TO CREATE ONE (1) PART-TIME SENIOR OFFICE SPECIALIST I POSITION (GRADE 12W, \$13.12/HOUR)

WHEREAS, This Board is in receipt of correspondence from Interim Commissioner of Personnel, Amanda L. Cortese-Kolasz, and Dan Patrick Sullivan, Assistant Pistol Licensing Officer, requesting authorization to create one (1) part-time Senior Office Specialist I position in the Pistol Licensing 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 one (1) part-time Senior Office Specialist I position (Grade 12W, \$13.12/hour) – effective immediately.

APPROVED: Government Operations Committee (October 7, 2021)
Ways and Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

October 13, 2021

OCTOBER MEETING

Meeting held on Wednesday, October 13, 2021 at 2:00 P.M.

- RE:** **APPROVAL OF A QUITCLAIM DEED CONVEYING ONEIDA COUNTY'S INTEREST IN 12216 WOODHULL ROAD (TAX MAP ID# 50.003-1-22) TO THE TOWN OF FORESTPORT**
- WHEREAS,** The Town of Forestport has requested that Oneida County execute a Quitclaim Deed conveying Oneida County's interest in 12216 Woodhull Road (Tax Map ID# 50.003-1-22) to the Town of Forestport, and
- WHEREAS,** The Town of Forestport acquired the property in 2019, demolished the home on the property and turned the property into a small public park for the public good, and
- WHEREAS,** There will be no need for said parcel by the County in the foreseeable future, now, therefore, be it hereby
- RESOLVED,** That pursuant to New York General Municipal Law Section 72-h, the Oneida County Board of Legislators authorizes and approves the conveyance of any and all right, title and interest which the County may have in and to that parcel of property situate at 12216 Woodhull Road in the Town of Forestport (Tax Map ID# 50-003-1-22) to the Town of Forestport for municipal use, and it is further
- RESOLVED,** That the Chairman of the Oneida County Board of Legislators is hereby authorized and directed to execute a Quitclaim Deed, on behalf of the County of Oneida, to convey Oneida County's interest in 12216 Woodhull Road (Tax Map ID# 50.003-1-22) to the Town of Forestport.
- APPROVED:** Government Operations Committee (October 7, 2021)
Ways & Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES 23 NAYS 0 ABSENT 0

No. 265 – FN 2021-273 – Mr. D'Onofrio offered the following resolution and moved its adoption.

- RE:** **RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED 2022 ONEIDA COUNTY BUDGET AND CAPITAL PROGRAM**
- WHEREAS,** Pursuant to Section 359 of the County Law this Board shall hold a public hearing with regard to the proposed County Budget for the year 2022, and
- WHEREAS,** Pursuant to Section 606 of the Oneida County Administrative Code, this Board shall hold a public hearing on the proposed budget and capital program no later than seven days from the date of the County Executive's Budget Message and thereafter hold public hearings on the report from the Ways and Means Committee on the Monday and Tuesday immediately preceding the first Board meeting in November, and
- WHEREAS,** Due to the constraints on the uses of and access to public spaces promulgated in response to the COVID-19 pandemic, this Board deems it advisable to waive the requirement in the Charter for two public hearings immediately preceding the first Board meeting in November and, instead, hold one public hearing providing access to the public for remote observation and participation, now, therefore, be it hereby
- RESOLVED,** That the provision of Section 606 of the Oneida County Charter requiring public hearings on the Monday and Tuesday prior to the first regular Board meeting in November is hereby waived and instead this Board shall hold one public hearing on the Monday before the first regular Board meeting in November providing access to the public for remote observation and participation, and be it further
- RESOLVED,** That the Clerk of this Board be, and hereby is, authorized and directed to cause notices to be published in the Utica Observer Dispatch and the Rome Sentinel in which will be stated the time, place, and purpose of such hearing, and be it further
- RESOLVED,** That the time and place of the public hearing shall be Tuesday, November 9, 2021 at 6:00 P.M. in the Board of Legislators Chambers, 10th floor, Oneida County Office Building, Utica, New York.

October 13, 2021

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Meeting held on Wednesday, October 13, 2021 at 2:00 P.M.

APPROVED: Ways & Means Committee (October 13, 2021)

DATED: October 13, 2021

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

AYES: 23 NAYS: 0 ABSENT: 0

LEFT ON LEGISLATORS DESKS FOR FUTURE CONSIDERATION

FN. 2021-274

INTRODUCED BY: Mr. Fiorini

2ND BY:

LOCAL LAW INTRO. _ "D" OF 2021

LOCAL LAW NO. ___ OF 2021

A LOCAL LAW AUTHORIZING AN ANNUAL EXCLUSION FROM THE DECEMBER 26 TO JANUARY 1 PORTION OF THE LATE BOWHUNTING AND MUZZLELOADER DEER HUNTING SEASON

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

SECTION 1. PURPOSE AND INTENT.

The intent of this Local Law is to authorize Oneida County to opt out of the December 26 to January 1 portion of the late bowhunting and muzzleloader deer hunting season for 2021. The New York State Department of Environmental Conservation has promulgated regulations amending the deer hunting season to allow for a late season "Holiday Deer Hunt" between December 26, 2021 and January 1, 2022. These regulations, codified at 6 NYCRR Part 1.11, permit counties that wish to prohibit hunters from participating in this "Holiday Deer Hunt" to pass a local law opting out.

SECTION 2. OPTING OUT

Pursuant to 6 NYCRR Part 1.11, Oneida County elects to opt out from the proposed amended late bowhunting and muzzleloader season, and deer hunting within Oneida County between December 26, 2021 and January 1, 2022 is hereby prohibited.

SECTION 3. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule. A copy of this Local Law shall also be filed with the New York State Department of Environmental Conservation.

APPROVED: Ways and Means Committee

DATED: Scheduled to sit on desks 10-13-21

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Meeting held on Wednesday, October 13, 2021 at 2:00 P.M.

Adopted by the following vote:
AYES NAYS ABSENT

No. 266 – FN 2021-247 – Messrs. Waterman and D’Onofrio offered the following resolution and moved its adoption.

LOCAL LAW INTRO. “C” OF 2021
LOCAL LAW NO. ____ OF 2021

RE: AN AMENDMENT TO LOCAL LAW 4 INTRODUCTORY “C” OF 2013 PROVIDING FOR A TEMPORARY REVOCABLE ACCESS PERMIT SYSTEM FOR PUBLIC ACCESS TO AND USE OF LAND OWNED BY THE COUNTY OF ONEIDA.

Legislative Intent: To allow for the Commissioner of Aviation to issue Temporary Revocable Access Permits for land and building space at Griffiss International Airport.

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

A. Title

This local law shall be known as “Local Law Amending Local Law No. 4 of 2013 Providing for a Temporary Revocable Access Permit System for Public Access to and Use of Land Owned by the County of Oneida.”

B.

Local Law No. 4 of 2013 shall be amended by the deletion of all matters that are in parenthesis and (~~stricken~~) and the addition of all matters in bold and underlined as set forth below:

Section 1. Definitions.

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

Access shall mean the authority to pass over or temporarily occupy property without unreasonable obstruction, and does not carry with it any rights of possession or ownership.

Public (t)Land means any property or open space owned, leased or controlled by the County of Oneida, which area is generally accessible and open to the public.

Griffiss International Airport means all Oneida County property associated with the Oneida County Airport.

Section 2. Application for Temporary Revocable Access Permit.

Any person or business that wants to use any (p)Public (t)Land for (a)Access, **other than land located at Griffiss International Airport**, shall apply to the Commissioner of Public Works for a Temporary Revocable Access Permit at least thirty (30) days in advance of the proposed (a)Access. **Any person or business that wants to use any Public Land for Access located at Griffiss International Airport, shall apply to the Commissioner of Aviation for a Temporary Revocable Access Permit at least thirty (30) days in advance of the proposed Access.** The application for such Temporary Revocable Access Permit shall be made in writing on a form approved by the County Attorney. The application for a(n) Temporary Revocable Access Permit shall include but not necessarily be limited to the following:

- (a) The name, address, telephone number, facsimile number and e-mail address of the Applicant.
- (b) The necessity for the proposed (a)Access, the exact location within the (p)Public (t)Land to be used for the proposed (a)Access including a location map of sufficient detail and accuracy to depict the location and extent of the proposed (a)Access, and the dates, times and duration of the proposed (a)Access.
- (c) A non-refundable application fee, to compensate the County for its time in investigating and processing the application, the amount of said fee to be set by the (~~Commissioner of Public Works~~) **designated Commissioner.**
- (d) A sum of money to be held in escrow by the (~~Commissioner of Public Works~~) **designated Commissioner,** to insure that the (p)Public (t)Land is left in a clean and proper condition without damage and in the same condition as it existed prior

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to the date of such ~~(a)Access~~. Said sum of money will be in an amount acceptable to the ~~(Commissioner of Public Works)~~ **designated Commissioner**. Said sum of money shall be refundable upon certification of the ~~(Commissioner of Public Works)~~ **designated Commissioner** that the ~~(p)Public (l)Land~~ has been left in proper condition.

- (e) An access fee in an amount set by the ~~(Commissioner of Public Works)~~ **designated Commissioner**, to compensate the County for any additional costs incurred by the County because of the use of the ~~(p)Public (l)Land~~ for ~~(a)Access~~, plus a charge of five percent (5%) for administrative costs.
- (f) A proper liability insurance policy, with proof of full premiums paid to date, naming the County of Oneida as an additional insured, or other policy as deemed appropriate at the sole discretion of the County Attorney, holding the County harmless from any and all liability arising out of the use of the ~~(p)Public (l)Land~~ for ~~(a)Access~~, in an amount acceptable to the ~~(Commissioner of Public Works)~~ **County Attorney**.
- (g) A written acknowledgement and agreement to the following terms:
 - (1) The County does not relinquish the right to control the management of its ~~(p)Public (l)Lands~~, and is entitled to enforce all necessary and proper rules for the management and operation of same.
 - (2) The Applicant is responsible for any maintenance or upkeep required for the Applicant's ~~(use)~~ **Access** of the ~~(p)Public (l)Lands (for access)~~, including but not limited to snow plowing, shoveling and routine maintenance, and is solely liable for any damages caused to the property as a result of said routine maintenance performed by the Applicant.
 - (3) The ~~(p)Public (l)Land~~ will not be used for any political activity or any unlawful activity, pursuant to local, state and federal laws, rules and regulations or ordinances.
 - (4) If the ~~(p)Public (l)Land~~, or any portion thereof, shall be damaged by the act, default, negligence or willful misconduct of the Applicant or of the Applicant's agents, employees, business invitees and guests, the Applicant shall pay to the County such sum as necessary to restore the ~~(p)Public (l)Land~~ to its previous condition and to make the County whole.
 - (5) The County is to be exempt from any and all liability for damage, injury or death to person or property of the Applicant, including the Applicant's agents, employees, business invitees and guests.
 - (6) The Applicant shall defend, indemnify and hold the County harmless from and against all liability, damages, expenses, costs, causes of actions, suits, claims or judgments arising from property damage, personal injuries or death to persons arising from or out of the ~~(use)~~ **Access** and/or maintenance of the public land by the Applicant and the Applicant's agents, employees, business invitees and guests.
 - (7) **Any other terms deemed necessary or appropriate by the designated Commissioner.**

Section 3. Issuance or denial of permit and revocation.

- (a) The ~~(Commissioner of Public Works)~~ **designated Commissioner** shall issue a Temporary Revocable Access Permit conditioned on the Applicant providing all the above requested information and materials, and upon the Applicant's written agreement to comply with the above terms of the **Temporary Revocable Access** Permit, unless the ~~(Commissioner of Public Works)~~ **designated Commissioner** finds that:
 - (1) The proposed ~~(use)~~ **Access** of the ~~(p)Public (l)Land (for access)~~ will interfere with another use of the ~~(p)Public (l)Land~~ by the County, or will interfere with another use of the ~~(p)Public (l)Land~~ for ~~(a)Access~~ for which a **Temporary Revocable Access (p)Permit** has already been issued.
 - (2) The proposed ~~(p)Public (l)Land~~ is deemed by the ~~(Commissioner of Public Works)~~ **designated Commissioner** to be legally, physically or functionally unsuitable for the ~~(a)Access~~, or is not compatible with the purpose for which the ~~(p)Public (l)Land~~ was acquired or is managed.
 - (3) The proposed ~~(use)~~ **Access** could compromise Oneida County's title to the land or change the mandated use of the ~~(p)Public (l)Land~~
 - (4) The proposed ~~(use)~~ **Access** requires construction or installation of permanent facilities such as roads, bridges, trails,

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structures, towers or utility lines not authorized by law, deeded right or easement.

- (5) The proposed ~~(use)~~ **Access** is for motor vehicle access across ~~(p)Public (l)Land~~ and as a permanent route of ingress and egress, except where an easement or other legal encumbrance to Oneida County's title exists which authorizes such ~~(use)~~ **Access**.
 - (6) The proposed ~~(use)~~ **Access** is for use or establishment of trails that lead from private land and extend onto ~~(p)Public (l)Land~~ for the sole benefit of the private landowner(s) or their invitee(s).
 - (7) The information contained in the application is found to be false or nonexistent in any material detail.
 - (8) The Applicant refuses to agree by or comply with all conditions of the **Temporary Revocable Access** Permit.
 - (9) The ~~(a)~~**Access** is deemed by the ~~(Commissioner of Public Works)~~ **designated Commissioner** to be of size and nature to unreasonably interfere with the enjoyment of the ~~(p)Public (l)Land~~ by other users.
 - (10) The ~~(a)~~**Access** is deemed to be in violation of any Federal, State or Local law, rule or regulation.
 - (11) A reasonable determination is made by the ~~(Commissioner of Public Works)~~ **designated Commissioner** and/or the County Attorney that the ~~(a)~~**Access** is not in the best interest of the County.
- (b) Any denial of a Temporary Revocable Access Permit for any of the above reasons will not occur until the ~~(Commissioner of Public Works)~~ **designated Commissioner** affords the Applicant notice and an opportunity to be heard in regards to the denial.
 - (c) A Temporary Revocable Access Permit may be revoked for any of the above reasons set forth in subdivision (a) of this article, after the ~~(Commissioner of Public Works)~~ **designated Commissioner** affords the **Temporary Revocable Access** Permit ~~(H)holder~~ notice and an opportunity to be heard in regards to the revocation. All monies paid to the County, with the exception of the escrowed monies referred to in Section 2(d) above, shall be forfeited by the ~~(Applicant)~~ **Temporary Revocable Access Permit holder** in the event of a revocation of the Temporary Revocable Access Permit.
 - (d) The ~~(Commissioner of Public Works)~~ **designated Commissioner** is authorized to place reasonable conditions on the Temporary Revocable Access Permit, in order to ensure the safe ~~(use)~~ **Access** of the ~~(p)Public (l)Land~~.
 - (e) Any Temporary Revocable Access Permit issued is invalid and revoked unless the permittee has a valid and current insurance certificate at the time of actual ~~(a)~~**Access** onto ~~(p)Public (l)Land~~.

Section 4. Temporary Revocable Access Permit Expiration.

Upon expiration or completion of activities authorized by a Temporary Revocable Access Permit and as deemed necessary, the ~~(Commissioner of Public Works)~~ **designated Commissioner** or Commissioner's designee shall inspect the ~~(p)Public (l)Land~~ subject to the Permit, in order to ensure that the permittee has complied with all terms of the **Temporary Revocable Access** Permit.

- (a) Temporary Revocable Access Permits shall be issued for a period not to exceed one (1) year, including Temporary Revocable Access Permit renewals.

Section 5. Temporary Revocable Access Permit Renewals.

- (a) Temporary Revocable Access Permits shall be renewed only in the case of extenuating circumstances or if the ~~(Commissioner of Public Works)~~ **designated Commissioner** determines that continuance of the temporary use is in the public interest and is otherwise not legally, physically or functionally unsuitable for the ~~(a)~~**Access**, or is not compatible with the purpose for which the ~~(p)Public (l)Land~~ was acquired or is managed.
- (b) Any renewal of a Temporary Revocable Access Permit is under the same terms and conditions as the original **Temporary Revocable Access** Permit.
- (c) A non-refundable renewal application fee will be charged to compensate the County for its time in investigating and processing the application in the amount of said fee to be set by the ~~(Commissioner of Public Works)~~ **designated Commissioner**.
- (d) Additional fees as detailed in the original **Temporary Revocable Access** Permit application may also be charged as set by the ~~(Commissioner of Public Works)~~ **designated Commissioner**.

