ADOPTED RESOLUTIONS FROM THE NOVEMBER 26, 2008 BOARD MEETING

INTRODUCTORY F.N. 2008-459 NO. 415

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 416

INTRODUCED BY: Messrs. Wilcox, Porter

2ND BY: Mr. Welsh

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND THE NYSDOH FOR THE ADOLESCENT TOBACCO ENFORCEMENT PROGRAM

WHEREAS, This Board is in receipt of an Agreement between the NYS Department of Health, Bureau of Community Environmental Health, and Oneida County for the enforcement of tobacco regulations related to underage youth in Oneida County through the State's Adolescent Tobacco Use Prevention Act (ATUPA), and

WHEREAS, In accordance with Local Law #3 of 2001, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and accepts an Agreement between Oneida County and the NYS Department of Health, Bureau of Community Environmental Health, to provide enforcement of tobacco regulations related to underage youth in Oneida County through the State's Adolescent Tobacco Use Prevention Act (ATUPA) commencing October 1, 2008 and ending September 30, 2009 at a proposed cost of \$71,319 supported, in full, by a NYS Grant.

APPROVED: Public Health Committee (October 22, 2008)

Ways & Means Committee (November 13, 2008)

DATED: November 26, 2008

Adopted by the following v.v. vote:

RESOLUTION NO. 417

INTRODUCED BY: Mrs. Mandryck and Mr. Porter

2ND BY: Mr. Joseph

RE: APPROVAL OF SEMI-ANNUAL REPORT ON MORTGAGE TAX RECEIPTS

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 \$1,610,586.87 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 amount shown in said semi-annual report on the Mortgage Tax Receipts.

APPROVED: Internal Affairs Committee (November 11, 2008) Ways & Means Committee (November 13, 2008)

DATED: November 26, 2008

RESOLUTION NO. 418

INTRODUCED BY: Messrs. Wilcox, Porter

2ND BY: Mr. Miller

RE: TRANSFER \$18,000 TO AA#A4018.495, PUBLIC HEALTH-ENVIRONMENTAL HEALTH

WHEREAS, There is a need for additional funds in AA#A4018.495, Public Health-Environmental Health, 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 of the total sum of \$18,000 from 2008 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

TO:

APPROVED: Public Health Committee (November 6, 2008)

Ways & Means Committee (November 13, 2008)

DATED: November 26, 2008

Adopted by the following v.v. vote:

RESOLUTION NO. 419

INTRODUCED BY: Messrs. Wilcox, Porter

2ND BY: Mr. Goodman

RE: SUPPLEMENTAL APPROPRIATION OF \$30,000 TO AA#A4012.495, PUBLIC

HEALTH-CLINIC

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$30,000 to AA#A4012.495, Public Health-Clinic, and

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

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2008 funds, in the amount of \$30,000, as hereinafter set forth, be and the same is hereby made:

TO:

APPROVED: Public Health Committee (November 6, 2008)

Ways & Means Committee (November 13, 2008)

DATED: November 26, 2008

Adopted by the following v.v. vote:

RESOLUTION NO. 420

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Wilcox

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES DEPARTMENT AND THE THEA BOWMAN HOUSE, INC.

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and the Thea Bowman House, Inc., Utica, NY, to provide day care services for eligible low income families, or public assistance recipients, involved in job training and/or employment, and

WHEREAS, In accordance with Local Law #3 of 2001, 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 accepts a Purchase of Service Agreement between the Oneida County Department of Social Services and the Thea Bowman House, Inc., Utica, NY, to provide day care services for eligible low income families, or public assistance recipients, involved in job training and/or employment during a term of one year commencing January 1, 2009 and ending December 31, 2009 at Market Rates determined by the NYS Office of Children and Family Services which requires a County commitment of 3.2%.

APPROVED: Human Resources Committee (October 29, 2008)

Ways & Means Committee (November 13, 2008)

DATED: November 26, 2008

NO. 420

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 421

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Davis

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES DEPARTMENT AND UNITED CEREBRAL PALSY DAY CARE CENTER

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and United Cerebral Palsy Day Care Center, Utica, NY, to provide day care services for families on Public Assistance or those involved in training and/or employment, and

WHEREAS, In accordance with Local Law #3 of 2001, 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 accepts a Purchase of Service Agreement between the Oneida County Department of Social Services and United Cerebral Palsy Day Care Center, Utica, NY, to provide day care services for families on Public Assistance or those involved in training and/or employment during a one year term commencing December 1, 2008 and ending November 30, 2009 at a proposed cost of \$149,884 which requires a County commitment of \$4,796 (3.2%).

APPROVED: Human Resources Committee (October 29, 2008)

Ways & Means Committee (November 13, 2008)

DATED: November 26, 2008

RESOLUTION NO. 422

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Waterman

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES DEPARTMENT AND HERKIMER-ONEIDA COUNTIES COMPREHENSIVE PLANNING PROGRAM

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and the Herkimer-Oneida Counties Comprehensive Planning Program, Union Station, Utica, NY, to provide technical assistance and support related to the Consolidated Services Plan, and

WHEREAS, In accordance with Local Law #3 of 2001, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves a Purchase of Service Agreement between the Oneida County Department of Social Services and the Herkimer-Oneida Counties Comprehensive Planning Program, Union Station, Utica, NY, to provide technical assistance and support related to the Consolidated Services Plan during a one year term commencing January 1, 2009 and ending December 31, 2009 at a proposed cost of \$119,789 which requires a County commitment of \$29,947 (25%).

APPROVED: Human Resources Committee (October 29, 2008)

Ways & Means Committee (November 13, 2008)

DATED: November 26, 2008

RESOLUTION NO. 423

INTRODUCED BY: Messrs. Wood, Porter

2ND BY: Mr. Goodman

RE: APPROVAL OF A SUPPLEMENTAL AGREEMENT #2 WITH NYSDOT FOR CONSTRUCTION INSPECTION SERVICES FOR BRIDGES

- WHEREAS, A Bridge Preventive Maintenance and Painting Project for the Towns of Boonville, Forestport, Trenton, Westmoreland and Whitestown in Oneida County is eligible for funding under Title 23 U.S. Code, at costs eligible for 80% Federal and up to 15% State (Marchiselli) funding, and
- **WHEREAS,** The County of Oneida desires to advance the Project by making a commitment of 100% of the non-federal share of the total project cost, and
- WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from John J. Williams, Commissioner of Public Works requesting Board acceptance of a Master Federal Aid/Marchiselli Aid Project Supplemental Agreement #2 to increase the total cost of the project by \$1,543,349 and allow the County to be reimbursed up to \$1,466,181.55 (\$1,234,679.20 Federal, \$231,502.35 State) for construction and construction inspection services, now, therefore, be it hereby
- **RESOLVED,** That this Board authorizes and approves acceptance of a Master Federal Aid/Marchiselli Aid Project Supplemental Agreement #2 to increase the total cost of the Project by \$1,543,349 and allow the County to be reimbursed up to \$1,466,181.55 (\$1,234,679.20 Federal, \$231,502.35 State) for construction and construction inspection services related to a Bridge Preventive Maintenance and Painting Project for the Towns of Boonville, Forestport, Trenton, Westmoreland and Whitestown, and it is further
- **RESOLVED,** That Oneida County Executive Anthony J. Picente, Jr., 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 it is further
- **RESOLVED,** That a certified copy of this resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

APPROVED: Public Works Committee (October 29, 2008) Ways & Means Committee (November 13, 2008)

DATED: November 26, 2008

RESOLUTION NO. 424

INTRODUCED BY: Messrs. Joseph, Porter

2ND BY: Mr. Wilcox

RE: APPOINTMENT OF W. VERNON GRAY III AS COMMISSIONER OF AVIATION, GRADE 49H, STEP 3

WHEREAS, In accordance with the provisions of Article IX, Section 901, of the Oneida County Charter, County Executive Anthony J. Picente, Jr., has recommended the appointment of W. Vernon Gray III to serve as the Commissioner of Aviation for Oneida County, and

WHEREAS, Said appointment 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 confirms the appointment of W. Vernon Gray III to serve as the Oneida County Commissioner of Aviation, Grade 49H, Step 3 (\$76,753), effective immediately.

APPROVED: Airport Committee (November 18, 2008)

Ways & Means Committee (November 26, 2008)

DATED: November 26, 2008

Adopted by the following roll call vote:

AYES 22 NAYS 5 (Messrs. Hennessy, Tanoury, Davis, Tallarino, Scott) ABSENT 2 (Roefaro, Hudak)

ROLL CALL

DATE: <u>November 26, 2008</u>

SESSION Regular

MEMBERS PRESENT: 27

MEMBERS ABSENT: $\underline{2}$

AYES: <u>22</u> NAYS: <u>5</u> ABSENT: <u>2</u>

INTRODUCTORY NO. 423

RESOLUTION NO. 424

DIST	MEMBERS	AYES I	NAYS
D-1	PUMA	X	
D-2	HENNESSY		X
D-3	STEPHENSON	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO		X
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN	X	
D-12	CLANCY	X	
D-13	GOODMAN	X	
R-14	DAMSKY	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS		X
R-19	ROEFARO	ABS	
R-20	FIORINI	X	
R-21	WELSH	X	
D-22	SCOTT		X
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
D-25	TANOURY		X
D-26	LABELLA	X	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	HUDAK	ABS	

RESOLUTION NO. 425

INTRODUCED BY: Messrs. Wood, Porter

2ND BY: Mr. Wood

RE: APPROVAL OF EXTENSION AND AMENDMENT OF LEASE AGREEMENT BETWEEN ONEIDA COUNTY AND DOWNTOWN ROME PROPERTIES, INC., FOR OFFICE SPACE IN DOWNTOWN ROME

- WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from John J. Williams, Commissioner of Public Works, requesting renewal of a Lease Agreement (originally entered into on January 15, 1987 and subsequently amended in 1991, 1994, 1998 and 2004) between Oneida County and Downtown Rome Properties, Inc., for 15,000 sq. ft. of office space located at 228 Liberty Plaza, Rome, NY, and
- WHEREAS, The current Lease is due to expire November 30, 2008 and it is recommended that an extension be granted for one additional year subject to the same terms and conditions as set forth in the original Agreement and subsequent amendments, and
- **WHEREAS,** As proposed, said Lease extension must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby
- **RESOLVED,** That the Oneida County Board of Legislators authorizes and approves the extension of a Lease Agreement between Oneida County and Downtown Rome Properties, Inc., for 15,000 sq. ft. of office space located at 228 Liberty Plaza, Rome, NY, for an additional term of one year commencing December 1, 2008 and ending November 30, 2009 at a proposed rate of \$174,912, supported by Federal (50%), State (25%) and County (25%) funds, and it is further
- **RESOLVED,** That said extension shall be subject to the same terms and conditions set forth in the original Agreement entered into on January 15, 1987 and subsequent amendments of 1991, 1994, 1998 and 2004.

APPROVED: Ways & Means Committee (November 26, 2008)

DATED: November 26, 2008

Adopted by the following v.v. vote:

RESOLUTION NO. 426

INTRODUCED BY: Messrs. Porter, Leach, Waterman, Flisnik, Wilcox, Joseph, Damsky, D'Onofrio,

Miller, Fiorini, Welsh, .Paparella, Wood

2ND BY: Mr. Miller

RE: APPOINTMENT OF PAMELA N. MANDRYCK TO FILL THE VACANCY OF THE REPUBLICAN COMMISSIONER OF ELECTIONS FOR THE PERIOD NOVEMBER 27, 2008 THROUGH DECEMBER 31, 2008, GRADE 38M, STEP 15

WHEREAS, George Joseph, Chairman of the Oneida County Republican Committee, has certified under date of November 14, 2008, that the Oneida County Republican Committee, has unanimously endorsed and recommended the interim appointment of Pamela N. Mandryck to serve as the Republican Commissioner of Elections for a term commencing November 27, 2008 and ending December 31, 2008 to fill an existing vacancy in said office, now, therefore, be it hereby

RESOLVED, That the interim appointment of Pamela Mandryck to serve as the Republican Commissioner of Elections, Grade 38M, Step 15 (\$77,130) is hereby approved and confirmed for a term commencing November 27, 2008 and ending December 31, 2008.

APPROVED: Ways & Means Committee (November 26, 2008)

DATED: November 26, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 1 (Mr. Tanoury) ABSTAIN 1 (Mandryck) ABSENT 2 (Roefaro, Hudak)

F.N. 2008-491(2)

RESOLUTION NO. 427

INTRODUCED BY: Messrs. Porter, Leach Waterman, Flisnik, Wilcox, Joseph, Damsky, D'Onofrio, Miller, Fiorini, Welsh, Paparella, Wood 2ND BY: Mr. Miller

RE: APPOINTMENT OF PAMELA N. MADRYCK TO SERVE AS THE REPUBLICAN ELECTION COMMISSIONER COMMENCING JANUARY 1, 2009 AND ENDING DECEMBER 31, 2010, GRADE 46 M, STEP 3

WHEREAS, George Joseph, Chairman of the Oneida County Republican Committee, has certified under date of November 14, 2008, that at a meeting of the Oneida County Republican Committee, Pamela N. Mandryck was unanimously endorsed and recommended for the appointment of Republican Commissioner of Elections of Oneida County for a two year term commencing January 1, 2009, now, therefore, be it hereby

RESOLVED, That Pamela N. Mandryck be, and hereby is, appointed as the Republican Commissioner of Elections of Oneida County, Grade 46M, Step 3 (\$69,579) for a term of two years commencing January 1, 2009 and ending December 31, 2010.

APPROVED: Ways & Means Committee (November 26, 2008)

DATED: November 26, 2008

Adopted by the following v.v. vote:

AYES 25 NAYS 1 (Tanoury) ABSTAIN 1 (Mandryck) ABSENT 2 (Roefaro, Hudak)

RESOLUTION NO. 428

INTRODUCED BY: Messrs. Porter, Puma, Hennessy, Stephenson, Tallarino, Kernan, Clancy, Goodman, Davis, Scott, Ms. Convertino, Messrs. Tanoury, LaBella, Furgol, Hudak 2ND BY: Mr. Puma

RE: APPOINTMENT OF KATHLEEN M. PEREZ TO SERVE AS THE DEMOCRATIC ELECTION COMMISSIONER COMMENCING JANUARY 1, 2009 AND ENDING DECEMBER 31, 2010, GRADE 46M, STEP 3

WHEREAS, William Morris, Chairman of the Oneida County Democratic Committee, has certified under date of November 13, 2008, that at a meeting of the Oneida County Democratic Committee, Kathleen M. Perez was unanimously endorsed and recommended for the appointment of Democratic Commissioner of Elections of Oneida County for a two year term commencing January 1, 2009, now, therefore, be it hereby

RESOLVED, That Kathleen M. Perez be, and hereby is, appointed as the Democratic Commissioner of Elections of Oneida County, Grade 46M, Step 3 (\$69,579) for a term of two years commencing January 1, 2009 and ending December 31, 2010.

APPROVED: Ways & Means Committee (November 26, 2008)

DATED: November 26, 2008

RESOLUTION NO. 429

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Paparella

RE: APPROVAL OF 60 DAYS OF EXTENDED SICK LEAVE FOR JEAN SEIFERT, ASSISTANT MOTOR VEHICLE SUPERVISIOR

WHEREAS, This Board is in receipt of correspondence from County Executive Anthony J. Picente, County Clerk, Sandra J. DePerno and Paulette Z. Nickerson, Commissioner of Personnel, requesting approval of an extended sick leave, with pay, for Jean Seifert, an Assistant Motor Vehicle Supervisor employed by the County since 1983, and

WHEREAS, In accordance with Section E, paragraph 8, of the Oneida County Personnel Rules, said request must be approved by this Board, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves an extended sick leave of sixty days, with pay, for Jean Seifert, an Assistant Supervisor in the Department of Motor Vehicles

APPROVED: Ways & Means Committee (November 26, 2008)

DATED: November 26, 2008

RESOLUTION NO. 430

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Leach

RE: RESOLUTION RESCHEDULING THE SECOND DECEMBER MEETING OF THE WAYS & MEANS COMMITTEE AND THE BOARD OF LEGISLATORS MEETING TO TUESDAY, DECEMBER 30, 2008

WHEREAS, The regularly scheduled meeting of the Oneida County Board of Legislators for December 24, 2008 coincides with the Christmas Holiday and it is, therefore, the recommendation of Chairman Gerald J. Fiorini, that the Board of Legislators reschedule its meeting to convene on Tuesday, December 30, 2008 at 2:00 PM with Ways & Means at 11:00 AM on said date, now, therefore, be it hereby

RESOLVED, That the regularly scheduled meeting of the Oneida County Board of Legislators for December 24, 2008 is hereby rescheduled to convene on Tuesday, December 30, 2008 at 2:00 PM with the Ways & Means Committee meeting at 11:00 AM on said date.

APPROVED: Ways & Means Committee (November 26, 2008)

DATED: November 26, 2008

Adopted by the following v.v. vote:

RESOLUTION NO. 431

INTRODUCED BY: Mrs. Mandryck

2ND BY: ALL MEMBERS

RE: RESOLUTION EXTENDING THE BOARD'S SYMPATHY TO THE FAMILY OF THE LATE LELAND F. PAINE

WHEREAS, In the death of Leland F. (Bud) Paine, the Town of Lee and the County of Oneida has

suffered the loss of a valued citizen who held the respect and esteem of the citizens of the

entire County of Oneida, and

WHEREAS, Leland F. Paine, was in public service for his entire adult life, first serving in the Marine

Corp from 1941-1945, receiving two purple hearts, and

WHEREAS, he served the Town of Lee proudly in public office, for 25 years as Town of Lee

Assessor and from 1961 to 1965 as a member of the Oneida County Board of Supervisors where he worked vigorously to improve the quality of life not only for the Town of Lee,

but for all residents of Oneida County, and

WHEREAS, In addition to his service to the Town of Lee and the County of Oneida, Leland F. "Bud"

Paine served for 34 years on the Board of Fire Commissioners, was involved in a number of community organizations, and was proud to be a lifetime member of the Lee American

Legion Post #1794, now, therefore be it hereby

RESOLVED, That the members of this Board, speaking for the citizens of our respective communities,

extend to the family of the late Leland F. Paine our sincere sympathy, our appreciation of

the value of his services to Oneida County, and our 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 Leland F. Paine.

DATED: November 26, 2008