



ONEIDA COUNTY BOARD OF LEGISLATORS

ONEIDA COUNTY OFFICE BUILDING ♦ 800 PARK AVENUE ♦ UTICA, N.Y. 13501-2977

Gerald J. Fiorini
Chairman
(315) 798-5900

Susan L. Crabtree
Clerk
(315) 798-5901

David J. Wood
Majority Leader

Michael J. Hennessy
Minority Leader

ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS
NUMBERED 313 THROUGH 324 THAT WERE ACTED UPON BY THE
BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR SESSION
HELD SEPTEMBER 30, 2009.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 313

INTRODUCED BY: *Messrs. Joseph, Porter*

2 ND BY: *Mr. Goodman*

RE: APPROVAL OF THE GRIFFISS INTERNATIONAL AIRPORT FINANCIAL PLAN AND RATES & FEES SCHEDULE

WHEREAS, The County of Oneida operates the Griffiss International Airport for the purpose of providing a safe and well-maintained facility to serve the current and future commercial, corporate business, governmental, and general aviation needs of Oneida County and the State of New York, and

WHEREAS, The County of Oneida has accepted Federal Aviation Administration (FAA) Airport Improvement Program (AIP) funding for the planning and development of the Airport, and the acceptance of such funds includes accepting conditions and obligations, and

WHEREAS, FAA Grant Assurance #24 requires the County of Oneida to maintain a fee and rental structure for the facilities and services at the Airport which will make the Airport as self sustaining as possible under the circumstances existing at the particular Airport, taking into account such factors as the volume of traffic and economy of collection, and

WHEREAS, The June 19, 1996 FAA Policy Regarding Airport Rates and Charges, and Principles Applicable to Airport Rates and Charges, provides that rates, fees, rentals, landing fees, and other service charges ("fees") imposed on aeronautical users for aeronautical use of Airport facilities ("aeronautical fees") must be fair and reasonable, and aeronautical fees may not unjustly discriminate against aeronautical users or user groups, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves acceptance of the Griffiss International Airport Financial Plan and Rates & Fees Schedule, as submitted by W. Vernon Gray, III, Commissioner of Aviation, to become effective January 1, 2010 in accordance with terms and conditions more specifically set forth in said documentation on file with the Clerk of this Board.

APPROVED: Airport Committee (September 15, 2009)
Ways & Means Committee (September 16, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:

AYES 26 NAYS 1 (Tanoury) ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 314

**INTRODUCED BY: Messrs. Wilcox, Porter
2ND BY: Mrs. Hudak**

**RE: TRANSFER \$20,000 TO AA#A4310.49521, MOHAWK VALLEY COUNCIL ON
ALCOHOLISM AND ADDICTIONS**

WHEREAS, There is a need for additional funds in AA#A4310.49521, Mohawk Valley Council on Alcoholism and Addictions, 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 \$20,000 from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:
AA#A4310.49523, Catholic Charities..... \$20,000

TO:
AA#A4310.49521, Mohawk Valley Council on Alcoholism and Addictions...\$20,000

APPROVED: Public Health Committee (August 19, 2009)
 Ways & Means Committee (September 16, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 315

INTRODUCED BY: Messrs. Flisnik, Porter
2ND BY: Mr. Furgol

RE: APPROVAL FOR REIMBURSEMENT FROM NEW YORK STATE FOR EXPENSES INCURRED BY THE PUBLIC DEFENDER'S OFFICE

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, while incarcerated therein, required the services of the Oneida County Public Defender, Criminal Division, to represent them before the various courts in Oneida County, and

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

WHEREAS, Section 606 of the Correction Law and Title 7, Part 410 of the New York Code of Rules and Regulations (NYCRR) provides for reimbursement to counties when legal defense is provided by public funds, and

WHEREAS, The Oneida County Public Defender, Criminal Division, has certified to the Oneida County Board of Legislators that the expense incurred by him while undertaking said legal representation amounted to \$44,728.48 for the defense of Mohamed Alaouie, Shawn Andrews, Keith Bell, Christopher Brooks, Gregory Brunson, Isaiah Britton, Rashida Bubb, Cieron Coley, John Davis, Raymond Diaz, William Durgan, Hector Fernandez, Gerald Garcia, Luis Hernandez a/k/a "Pork Chop", Shawn Lucas, Carl Madison, Richard Matthews, Jordan Mohammed, Christopher Moore, Omar Ocasio, James Oliver, Eric Ortiz DOB 11/20/84 a/k/a Eric Ortis DOB 5/29/87, Joel Perez, Clifford Person, Scott Rashawn, Timothy Reeves, Armando Reyes, Robert Smith, Carlos Sosa, Louis Velez, Jason Watson, Jesse Weldon and Kirk Williams being inmates of the State of New York, now, therefore, be it hereby

RESOLVED, That the Clerk of the Oneida County Board of Legislators be and hereby is directed to submit a certified copy of this Resolution with attached vouchers, documents, and affidavit of the Oneida County Public Defender to the Budget and Finance Office of the NYS 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 (NYCRR) for payment.

APPROVED: Public Safety Committee (September 8, 2009)
 Ways & Means Committee (September 16, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 316

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Furgol

RE: APPROVAL OF GRANT AWARD FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES FOR AID TO PROSECUTION SERVICES

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from District Attorney Scott D. McNamara requesting approval of an Agreement between Oneida County and the NYS Division of Criminal Justice Services for acceptance of an Aid to Prosecution Grant in the amount of \$58,600 to enhance the prosecution of repeat felony offenders by maintaining increased levels of experienced personnel in the District Attorney's Office, and

WHEREAS, As proposed, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That County Executive Anthony J. Picente, Jr., is authorized and directed to execute any and all documents related to an Agreement by and between Oneida County and the NYS Division of Criminal Justice Services for a Grant in the amount of \$58,600 to enhance the prosecution of repeat felony offenders by maintaining increased levels of experienced personnel in the District Attorney's Office, and it is further

RESOLVED, That said Agreement does not require matching County funds.

APPROVED: Public Safety (September 8, 2009)
 Ways & Means Committee (September 16, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 317

INTRODUCED BY: *Messrs. Flisnik, Porter*

2ND BY: *Mr. Wood*

RE: SUPPLEMENTAL APPROPRIATION OF \$32,400 TO AA#A3120.212, SHERIFF-LAW ENFORCEMENT

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$32,400 to AA#A3120.212, Sheriff-Law Enforcement, and

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

RA#A4321, Federal Aid, US DOJ, JAG (City of Utica).	\$32,400
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now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

TO:	
AA#A3120.212, Computer Equipment.	\$32,400

APPROVED: Public Safety Committee (September 8, 2009)
 Ways & Means Committee (September 16, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 318

INTRODUCED BY: Messrs. Flisnik, Porter
2ND BY: Mr. D'Onofrio

RE: AMENDMENT TO RESOLUTION NO. 27 AND 126 OF 2009 IMPLEMENTING FISCAL RESTRICTIONS REGARDING VACANT POSITIONS FOR FISCAL YEAR 2009 (IN ORDER TO EXEMPT SHERIFF'S DEPARTMENT COURT ATTENDANTS)

WHEREAS, Oneida County is facing significant financial pressures in the 2009 and 2010 budget cycles caused by the general economic downturn, increased costs and decreased state and federal revenues, and

WHEREAS, This Board has the responsibility to the taxpayers to implement cost control measures to address these financial factors, and

WHEREAS, Cost control measures must be immediately put in place to prevent a projected large tax increase for the fiscal year 2010, and

WHEREAS, In the past, this Board of Legislators has enacted legislation abolishing vacant positions in the budget in order to control costs and limit new hiring, now, therefore, be it hereby

RESOLVED, That all positions currently listed as vacant in the 2009 Oneida County budget and those positions that shall become vacant by resignation or retirement throughout the 2009 fiscal year shall be immediately abolished and, be it further

RESOLVED, That this Board shall exempt the Caseworker series positions in the Department of Social Services, and the Correction Officer series from the Sheriff's Department, and Sheriff's Department-Court Attendants, to ensure that appropriate numbers of these positions be maintained to provide essential services for the protection of the public safety and welfare of Oneida County residents and, be it further

RESOLVED, That this resolution shall not apply to administrative positions that are required by the Oneida County Charter or under the laws or constitution of the State of New York and, be it further

RESOLVED, That the Oneida County Comptroller is hereby directed to transfer all 2009 funds which have been or shall be allocated to any position abolished by this resolution, including salary and benefits, to A1992.9, Contingent Salaries to be held in such account until such time as a position may be re-established by the Board of Legislators, and be it further

RESOLVED, That this Resolution shall expire on December 31, 2009.

APPROVED: Public Safety Committee (September 8, 2009)
Ways & Means Committee (September 16, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:
AYES 26 NAYS 1 (Tanoury) ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 319

***INTRODUCED BY: Messrs. Wilcox, Porter
2ND BY: Mr. Paparella***

**RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE MENTAL HEALTH
DEPARTMENT AND CENTRAL NEW YORK SERVICES, INC.**

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Mental Health and Central New York Services, Inc., of Syracuse, NY, for continued development of a case management program serving homeless individuals in Oneida County and implementation of a Homeless Management Information System (HMIS), and

WHEREAS, In accordance with Local Law #3 of 2001, 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 authorizes and approves a Purchase of Service Agreement between the Department of Mental Health and Central New York Services, Inc., for continued development of a case management program serving homeless individuals in Oneida County and implementation of a Homeless Management Information System (HMIS) during a one year term commencing May 1, 2009 and ending April 30, 2010 at a cost of \$185,034 supported, in full, by the United States Department of Housing and Urban Development.

APPROVED: Public Health Committee (September 14, 2009)
Ways & Means Committee (September 16, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 320

INTRODUCED BY: Mr. Porter, Leach

2 ND BY: Mr. Mandryck

RE: FINAL APPROVAL OF CONSOLIDATED AGRICULTURAL DISTRICT #1 TO INCLUDE THE TOWNS OF ANNSVILLE, CAMDEN, FLORENCE, VIENNA (FORMERLY DISTRICT 21, TOWNS OF CAMDEN, ANNSVILLE AND VIENNA)

WHEREAS, The creation of Agricultural District #1 in the Towns of Annsville, Camden, Florence and Vienna, within the County of Oneida (formerly District #21, Towns of Camden, Annsville and Vienna) was established pursuant to Article 25AA of the New York State Agricultural and Markets Law, and

WHEREAS, Under Section 303(7A) of the New York State Agricultural and Markets Law, the County of Oneida is required to review an Agricultural District eight years after its creation and every eight years thereafter, and

WHEREAS, Proposed modifications for the newly consolidated Agricultural District #1, were reviewed by the Oneida County Agricultural & Farmland Protection Board and the Oneida County Department of Planning and a requisite Public Hearing was held on August 25, 2009 for the purpose of considering the recommendations of the Oneida County Agricultural and Farmland Protection Board and the Commissioner of the Oneida County Department of Planning, and

WHEREAS, The Oneida County Board of Legislators has complied with the requirements of the New York State Environmental Quality Review Act, now, therefore, be it hereby

RESOLVED, That this Board hereby authorizes final approval for the consolidation of Agricultural District #1 to include the Towns of Annsville, Camden, Florence and Vienna (previously District #21, Towns of Camden, Annsville and Vienna), and it is further

RESOLVED, That the eight year review of the newly consolidated Agricultural District #1 in the Towns of Annsville, Camden, Florence and Vienna (formerly District #21, Towns of Camden, Annsville and Vienna) is hereby completed by the Oneida County Board of Legislators and adopted, with modifications, for an additional eight years.

APPROVED: Ways & Means Committee (September 30, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 321

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Clancy

RE: SUPPLEMENTAL APPROPRIATION OF \$5,000 TO AA#A3120.0, SHERIFF-LAW ENFORCEMENT

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$5,000 to AA#A3120.0, Sheriff-Law Enforcement, to provide funding for equipment used by the Criminal Investigation Unit of the Fugitive Task Force Operation, and

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

RA#A4280, Federal Aid Law Enforcement \$5,000
now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

TO:
AA#A3120.295, Other Equipment \$1,655
AA#A3120.436, Uniforms & Clothing \$3,345
TOTAL \$5,000

APPROVED: Ways & Means Committee (September 30, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 322

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Flisnik

**RE: APPROVAL FOR SIXTY DAYS OF EXTENDED SICK LEAVE FOR ROBERT THOMAS,
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, This Board is in receipt of correspondence from Oneida County Executive Anthony J. Picente, Jr., the Commissioner of Personnel, John P. Talerico, and John J. Williams, Commissioner Public Works, requesting approval of an extended sick leave of sixty (60) days, with pay, for Robert Thomas, a Light Motor Equipment Operator (LMEO) in the Department of Public Works, 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 (60) days, with pay, for Robert Thomas, a Light Motor Equipment Operator (LMEO) in the Department of Public Works.

APPROVED: Ways & Means Committee (September 30, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 323

**INTRODUCED BY: Messrs. Miller, Porter
2ND BY: Mr. Porter**

**RE: APPROVAL OF AGREEMENTS WITH MUNICIPALITIES FOR THE CONTROL
OF ICE AND SNOW ON COUNTY ROADS FOR THE 2009/2010, 2010/2011, AND
2011/2012 SNOW SEASONS**

WHEREAS, County Executive Anthony J. Picente, Jr. is in receipt of correspondence from the Commissioner of Public Works and Deputy Commissioner of Highways & Bridges requesting approval of Agreements between Oneida County, the City of Rome and the Towns of Annsville, Ava, Boonville, Bridgewater, Camden, Deerfield, Florence, Floyd, Forestport, Kirkland, Lee, Marcy, Marshall, New Hartford, Paris, Remsen, Sangerfield, Steuben, Trenton, Vernon, Verona, Vienna, Western and Westmoreland for control of snow and ice on County roads during the 2009/2010, 2010/2011 and 2011/2012 seasons, and

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

RESOLVED, That County Executive Anthony J. Picente, Jr is hereby authorized and directed to execute Agreements between Oneida County, the City of Rome and the Towns of Annsville, Ava, Boonville, Bridgewater, Camden, Deerfield, Florence, Floyd, Forestport, Kirkland, Lee, Marcy, Marshall, New Hartford, Paris, Remsen, Sangerfield, Steuben, Trenton, Vernon, Verona, Vienna, Western and Westmoreland for control of snow and ice on County roads during the 2009/2010, 2010/2011 and 2011/2012 seasons.

APPROVED: Public Works Committee (September 30, 2009)
Ways & Means Committee (September 30, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:

AYES 24 NAYS 2 (Davis, Tanoury) ABSENTION 1 (Puma) ABSENT 2 (Damsky, Scott)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 324

INTRODUCED BY: Messrs.. Wilcox, Porter, Roefaro, Welsh, Tanoury

2ND BY: Mr. Roefaro

RE: APPROVAL OF CONTRACT BETWEEN THE HEALTH DEPARTMENT AND THE CITY OF UTICA FOR THE LEAD PROGRAM

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from Daniel W. Gilmore, Acting Public Health Director, requesting approval of an Agreement between Oneida County and the City of Utica to assist the City of Utica with codes enforcement of lead safe housing and the elimination of conditions conducive to lead poisoning, 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 this Board authorizes and approves acceptance of a Purchase of Service Agreement between Oneida County and the City of Utica to assist the City Utica with codes enforcement of lead safe housing and the elimination of conditions conducive to lead poisoning during an open-ended term commencing April 1, 2009 at a proposed cost of \$30,000 supported, in full, by a New York State Department of Health Lead Primary Prevention Grant.

APPROVED: Public Health Committee (September 14, 2009)
Ways & Means Committee (September 30, 2009)

DATED: September 30, 2009

Adopted by the following v.v. vote:
AYES 27 NAYS 0 ABSENT 2 (Damsky, Scott)