



## ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Mikale Billard  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Patricia A. Hudak  
Minority Leader

ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS  
NUMBERED 170 THROUGH 187 THAT WERE ACTED UPON BY THE  
BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR SESSION  
HELD MAY 12, 2010

## ONEIDA COUNTY BOARD OF LEGISLATORS

### RESOLUTION NO. 170

INTRODUCED BY: *Messrs: Mandryck, Porter, Sadallah, Hennessy, Hendricks*

2<sup>ND</sup> BY: Mr. Goodman

**RE: APPOINTMENT OF GAYLE D. JONES TO THE POSITION OF PUBLIC HEALTH \**  
**DIRECTOR, 49H, STEP 3**

**WHEREAS**, Pursuant to Article XI, Section 1102, of the Oneida County Charter, County Executive Anthony J. Picente, Jr., has recommended the appointment of Gayle D. Jones to the Position of Oneida County Public Health Director, 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 Gayle D. Jones to the position of Oneida county Public Health Director, 49H Step 3 (\$78,296) said appointment to commence immediately.

APPROVED: Public Health Committee (April 26, 2010)  
Ways & Means Committee (April 28, 2010)

DATED: May 12, 2010

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 171***

***INTRODUCED BY: Messrs. Joseph, Porter***

***2ND BY: Mr. Sadallah***

**RE: APPROVAL OF A COMMERCIAL HANGER USE AGREEMENT BETWEEN ONEIDA COUNTY AND LANDCARE AVIATION**

**WHEREAS,** Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from W. Vernon Gray, III, Commissioner of Aviation, requesting approval of a Commercial Hanger Use Agreement between the County and Landcare Aviation at Hanger 220, and

**WHEREAS,** In accordance with stipulations set forth therein, said lease shall be for a one year term and shall have four automatic renewals for an additional one year term unless the County is notified otherwise no later than November 1 of each year, and

**WHEREAS,** The lease commences on January 1, 2010 at a rate of \$32,643 for the first year for approximately 10,881 square feet of office, manufacturing and storage space, and

**WHEREAS,** As proposed, said Lease 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 directs County Executive Anthony J. Picente, Jr., to execute a Commercial Hanger Use Agreement between the County and Landcare Aviation at Hanger 220 for approximately 10,881 square feet of office, manufacturing and storage space commencing January 1, 2010 at a rate of \$32,643 for the first year with four options to renew for an additional year each.

APPROVED: Airport Committee (April 20, 2010)  
Ways & Means Committee (April 28, 2010)

DATED: May 12, 2010

Adopted by the following v.v. vote:

AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 172***

***INTRODUCED BY: Messrs. Miller, Porter, Clancy, Leach, Hennessy, Waterman, Sadallah  
2ND BY: Mr. Wood***

### **RE: APPROVAL OF THE 2010 AGREEMENT FOR ROAD STRIPING BETWEEN ONEIDA COUNTY AND VARIOUS TOWNS AND VILLAGES**

**WHEREAS,** This Board is in receipt of correspondence from County Executive Anthony J. Picente, Jr., and Dennis S. Davis, Commissioner of Public Works, requesting approval of the draft Agreement between Oneida County and certain of its cities, towns and villages to provide road striping applications in various locations during the 2010 season, and

**WHEREAS,** In accordance with the Oneida County Charter 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 hereby authorized and directed to execute such Agreements between Oneida County and certain of its cities, towns and villages to provide road striping applications in various locations during the 2010 season.

APPROVED: Public Works Committee (April 20, 2010)  
Ways & Means Committee (April 28, 2010)

DATED: May 12, 2010

Adopted by the following v.v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 173**

**INTRODUCED BY:** *Messrs. Flisnik, Porter, Caruso*  
**2ND BY:** *Mr. Caruso*

**RE: SUPPLEMENTAL APPROPRIATION OF \$7,500 TO AA#A1162.495121, DISTRICT ATTORNEY, OTHER EXPENSES-FEDERAL FORFEITURE FUNDS**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$7,500 to AA#A1162.495121 District Attorney, Other Expenses-Federal Forfeiture Funds, and

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

RA#A2678.1, Federal Seizure.	.	.	.	.	.	.	.	.	.	\$7,500
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now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2010 funds, as hereinafter set forth, be and the same is approved:

TO:										
AA#A1162.495121, Other Expenses-Federal Forfeiture Funds.	.	.	.	.	.	.	.	.	.	\$7,500

APPROVED: Public Safety Committee (April 14, 2010)  
                  Ways & Means Committee (April 28, 2010)

DATED:       May 12, 2010

Adopted by the following v.v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

**ONEIDA COUNTY BOARD OF LEGISLATORS**

***RESOLUTION NO. 174***

***INTRODUCED BY: Messrs. Flisnik, Porter  
2ND BY: Mr. Wood***

**RE: SUPPLEMENTAL APPROPRIATION OF \$25,840 TO AA#A3120.103, SHERIFF'S  
DEPARTMENT, OVERTIME**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$25,840 to AA#A3120.103 Sheriff's Department, Overtime, and

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

RA#A3387, State Aid: Safety Traffic. . . . . \$25,840

now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2010 funds, as hereinafter set forth, be and the same is approved:

TO:  
AA#A3120.103, Overtime . . . . . \$25,840

APPROVED: Public Safety Committee (April 14, 2010)  
                  Ways & Means Committee (April 28, 2010)

DATED:       May 12, 2010

Adopted by the following v.v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## ONEIDA COUNTY BOARD OF LEGISLATORS

### RESOLUTION NO. 175

**INTRODUCED BY:** Messrs. Flisnik, Porter  
**2ND BY:** Mr. Wood

**RE: SUPPLEMENTAL APPROPRIATION OF \$5,440 TO AA#A3120.103, SHERIFF'S  
DEPARTMENT, LAW ENFORCEMENT OVERTIME**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$5,440 to AA#A3120.103 Sheriff's Department, Law Enforcement Overtime, and

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

RA#A3387, State Traffic Safety Grant.	.	.	.	.	.	\$5,440
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now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2010 funds, as hereinafter set forth, be and the same is hereby approved:

TO:						
AA#A3120.103, Law Enforcement Overtime.	.	.	.	.	.	\$5,440

APPROVED: Public Safety Committee (April 14, 2010)  
                  Ways & Means Committee (April 28, 2010)

DATED:       May 12, 2010

Adopted by the following v.v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 176***

***INTRODUCED BY: Messrs. Flisnik, Porter***

***2ND BY: Mr. Caruso***

**RE: SUPPLEMENTAL APPROPRIATION OF \$6,800 TO AA#A3120.295, SHERIFF'S  
DEPARTMENT, LAW ENFORCEMENT EQUIPMENT**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$6,800 to AA#A3120.295 Sheriff's Department, Law Enforcement Equipment, and

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

RA#A3387, State Aid- Traffic Safety . . . . . \$6,800

now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2010 funds, as hereinafter set forth, be and the same is hereby approved:

TO:  
AA#A3120.295, Law Enforcement Equipment. . . . . \$6,800

APPROVED: Public Safety Committee (April 14, 2010)  
                  Ways & Means Committee (April 28, 2010)

DATED:       May 12, 2010

Adopted by the following v.v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)



# ONEIDA COUNTY BOARD OF LEGISLATORS

## RESOLUTION NO. 177

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

RE: SUPPLEMENTAL APPROPRIATION OF \$50,333 TO AA#A3152.0, SHERIFF-INMATE  
COMMISSARY

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$50,333 to AA#A3152.0 Sheriff Inmate Commissary, and

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

RA#A1525, Commissary Revenue . . . . . \$50,333

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2010 funds, as hereinafter set forth, be and the same is hereby approved:

TO:

AA#A3152.211, Office Equipment. . . . .	5,000
AA#A3152.212, Hardware. . . . .	14,000
AA#A3152.271, Recreational Equipment . . . . .	5,133
AA#A3152.295, Other Equipment . . . . .	7,200
AA#A3152.411, Office Supplies. . . . .	5,000
AA#A3152.431, Commissary Supplies. . . . .	1,000
AA#A3152.471, Recreational Supplies. . . . .	5,000
AA#A3152.472, Recreational Activities. . . . .	2,000
AA#A3152.491, Other Materials/Supplies. . . . .	5,000
AA#A3152.495, Other Expenses. . . . .	<u>1,000</u>
TOTAL	\$50,333

APPROVED: Public Safety Committee (April 14, 2010)  
                  Ways & Means Committee (April 28, 2010)

DATED:       May 12, 2010

Adopted by the following v.v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 178***

***INTRODUCED BY: Messrs. Brennan, Porter, Leach, Hennessy, Mandryck, Davis, Miller, Sadallah, Wilcox  
2ND BY: Mr. Brennan***

**RE: FINAL APPROVAL OF THE "OPEN ENROLLMENT" FOR FARM-LAND OWNERS**

**WHEREAS,** On December 10, 2003, the Oneida County Board of Legislators adopted Resolution #365 designating an "Open Enrollment" period (January 1 through January 31, 2010) to consider the inclusion of any viable agricultural land in an Agricultural District prior to its sanctioned review period, and

**WHEREAS,** Applications for inclusion in existing Agricultural Districts have been received by the Farmland Protection Board for consideration and have been reviewed with 30 landowners owning 2,887.6 acres and such applications found to be in accordance with the qualifications for inclusion within an agricultural district, therefore, be it hereby

**RESOLVED,** That the Board of Legislators approves of the inclusion of 2,887.6 acres to the existing Agricultural Districts as applied for during Oneida County's "Open Enrollment" period

**RESOLVED,** That the Clerk of the Oneida County Board of Legislators be, and hereby is, authorized and directed to submit the list of landowners to the State for final approval.

APPROVED: AGRICULTURE AND RURAL DEVELOPMENT COMMITTEE (April 28, 2010)  
WAYS AND MEANS COMMITTEE (April 28, 2010)

DATED: May 12, 2010

Adopted by the following v.v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 179***

***INTRODUCED BY: Messrs. Waterman, Porter, Miller***

***2ND BY: Mr. Wood***

### **RE: AUTHORIZATION TO ACCEPT A PURCHASE OFFER FOR PROPERTY LOCATED IN THE TOWN OF BRIDGEWATER**

**WHEREAS,** Certain real property located on Stone Road in the Town of Bridgewater, identified as Tax Map #302889 387.000-1-5, was acquired by Oneida County for tax purposes, and

**WHEREAS,** The subject property is landlocked and previous attempts to sell the parcel at public auction have been unsuccessful, and

**WHEREAS,** The adjoining landowner has asked the County to convey this parcel to him for the amount of \$100 plus the recording fee amount of \$310.00 and the Commissioner of Finance recommends same, now, therefore be it hereby

**RESOLVED,** That the Oneida County Board of Legislators authorizes and approves the transfer of real property located in the Town of Bridgewater, identified as Tax Map #302889 387.000-1-5, from the County to Mr. William Stephan for the cost of \$100 plus the recording fee of \$310.

APPROVED: Internal Affairs Committee (April 14, 2010)  
Ways & Means Committee (April 28, 2010)

DATED: May 12, 2010

Adopted by the following v.v. vote:

AYES 27 NAYS 0 ABSTAINED 1 (Porter) ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 180***

***INTRODUCED BY: Messrs. Joseph, Porter  
2ND BY: Mr. Wood***

**RE: RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL GRANT AGREEMENT #4 WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (H-339)**

**WHEREAS**, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Aviation, W. Vernon Gray, III, requesting approval of Supplemental Agreement #4 between Oneida County and the NYS Department of Transportation which provides funding in the amount of \$6,525,000 for the Airport Improvement Program Projects completed at the Griffiss Airfield under Capital Account H-339, and

**WHEREAS**, As proposed, said Supplemental 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 Supplemental Agreement #4 between Oneida County and the NYS Department of Transportation which provides funding in the amount of \$6,525,000 for the Airport Improvement Program Projects completed at the Griffiss Airfield under Capital Account H-339, which include Rehab Hanger Bldg. 782, Wildlife Hazard Management Study, Construct Airport Access Road and Runway 15-33 Rehab.

APPROVED: Airport Committee (April 20, 2010)  
Ways & Means Committee (April 28, 2010)

DATED: May 12, 2010

Adopted by the following Roll Call vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

**ROLL CALL**

**DATE** May 12, 2010

**SESSION** Regular

**MEMBERS PRESENT:** 28

**MEMBERS ABSENT:** 1

**AYES:** 28 **NAYS:** 0

**INTRODUCTORY NO.** 181

**RESOLUTION NO.** 180

DIST	MEMBERS	AYES	NAYS
D-1	PUMA	X	
D-2	HENNESSY	X	
R-3	BRENNAN	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	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK	X	
D-18	DAVIS	X	
R-19	ROEFARO	X	
R-20	FIORINI	ABS	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS	X	
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	HUDAK		

**ONEIDA COUNTY BOARD OF LEGISLATORS**

***RESOLUTION NO. 181***

***INTRODUCED BY: Messrs. Flisnik, Porter***

***2ND BY: Mr. Furgol***

**RE: APPROVAL OF AN AGREEMENT BETWEEN THE SHERIFF'S DEPARTMENT AND THE  
NEW YORK STATE DEPARTMENT OF CORRECTIONS FOR FOOD SERVICES  
AT THE ONEIDA COUNTY JAIL**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County, through its Sheriff's Department, and the New York State Department of Corrections, for food services at the Oneida County Jail, 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 an Agreement between Oneida County, through its Sheriff's Department, and the New York State Department of Corrections, for food services at the Oneida County Jail in the amount of \$111,028.

APPROVED: Public Safety Committee (April 14, 2010)  
                  Ways & Means Committee (April 28, 2010)

DATED:        May 12, 2010

Adopted by the following v. v. vote:

AYES 28 NAYS 0 ABSENT 1 (Fiorini)\_\_\_\_\_

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 182***

***INTRODUCED BY: Messrs. Mandryck, Porter***

***2ND BY: Mr. Wood***

### **RE: APPROVAL OF AN AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND THE NYSDOH FOR SCREENING NEWLY ARRIVED REFUGEES**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County, through its Health Department, and the New York State Department of Health, for screening newly arrived refugees, 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 an Agreement between Oneida County, through its Health Department, and the New York State Department of Health, for screening newly arrived refugees in the amount of \$280,085 paid in full by State funds.

APPROVED: Public Health Committee (April 26, 2010)  
Ways & Means Committee (April 28, 2010)

DATED: May 12, 2010

Adopted by the following v. v. vote:

AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 183***

***INTRODUCED BY: Messrs. Mandryck, Porter  
2ND BY: Mr. Flisnik***

**RE: AMENDMENT TO AN AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND THE  
NYSDOH-ENVIRONMENTAL HEALTH**

**WHEREAS,** This Board is in receipt of an Amendment to a Purchase of Service Agreement between Oneida County, through its Health Department, and the New York State Department of Health, to include a Cost of Living Adjustment (COLA) for the Environmental Health Program to be used for recruitment and retention of support staff, 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 an Amendment to a Purchase of Service Agreement between Oneida County, through its Health Department, and the New York State Department of Health, to include a Cost of Living Adjustment (COLA) for the Environmental Health Program in the amount of \$6,451 from the State of New York for the April 1 2009 through March 31, 2010 term.

APPROVED: Public Health Committee (April 26, 2010)  
                  Ways & Means Committee (April 28, 2010)

DATED:       May 12, 2010

Adopted by the following v. v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 184***

***INTRODUCED BY: Messrs. Mandryck, Porter  
2ND BY: Mr. Wood***

### **RE: AMENDMENT TO AN AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND THE NYSDOH-COMMUNITY HEALTH WORKER PROGRAM**

**WHEREAS,** This Board is in receipt of an Amendment to a Purchase of Service Agreement between Oneida County, through its Health Department, and the New York State Department of Health, to include a Cost of Living Adjustment (COLA) for the Community Health Worker Program to be used for recruitment and retention of support staff, 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 an Amendment to a Purchase of Service Agreement between Oneida County, through its Health Department, and the New York State Department of Health, to include a Cost of Living Adjustment (COLA) for the Community Health Worker Program in the amount of \$14,565 from the State of New York for the April 1 2009 through March 31, 2010 term.

APPROVED: Public Health Committee (April 26, 2010)  
Ways & Means Committee (April 28, 2010)

DATED: May 12, 2010

Adopted by the following v. v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 185***

***INTRODUCED BY: Messrs. Mandryck, Porter  
2ND BY: Mr. Wood***

### **RE: AMENDMENT TO AN AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND THE NYSDOH-TOBACCO ENFORCEMENT PROGRAM**

**WHEREAS,** This Board is in receipt of an Amendment to a Purchase of Service Agreement between Oneida County, through its Health Department, and the New York State Department of Health, to include a Cost of Living Adjustment (COLA) for the Tobacco Enforcement Program to be used for recruitment and retention of support staff, 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 an Amendment to a Purchase of Service Agreement between Oneida County, through its Health Department, and the New York State Department of Health, to include a Cost of Living Adjustment (COLA) for the Tobacco Enforcement Program in the amount of \$5,720 from the State of New York for the April 1 2009 through March 31, 2010 term.

APPROVED: Public Health Committee (April 26, 2010)  
                  Ways & Means Committee (April 28, 2010)

DATED:       May 12, 2010

Adopted by the following v. v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 186**

**INTRODUCED BY:** *Messrs. Welsh, Porter*

**2ND BY:** *Mr. Goodman*

#### **RE: APPROVAL OF A FIVE YEAR AGREEMENT WITH THE TOWN OF WHITESTOWN FOR THE TOWN'S SHARE OF THE CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY COSTS**

**WHEREAS,** In April 2005, Oneida County joined the Central New York Regional Transportation Authority (CNYRTA), which ultimately assumed all operations of the Utica Transit Authority and the Rome VIP Transportation, and

**WHEREAS,** As required by state law, an annual local match to the State Transportation Operating Assistance in the amount of \$515,153.80 is paid to CNYRTA by the County, and

**WHEREAS,** The County of Oneida entered into five year agreements with the cities of Rome and Utica and the towns of New Hartford, Whitestown and Kirkland to reimburse the County for those municipalities' respective local match based on the historic local share each had previously paid, and

**WHEREAS,** The original five year contract term expired December 2009 and the Town of Whitestown has committed to a new five year agreement in the annual amount of \$25,000 for the period January 1, 2010 through December 31, 2014, now, therefore, be it hereby

**RESOLVED,** The Oneida County Board of Legislators approves an agreement between Oneida County and the Town of Whitestown for the payment of Whitestown's respective share of the annual local match funding for CNYRTA operations in the amount \$25,000 each year for the period January 1, 2010 through December 31, 2014.

**APPROVED:** Economic Development & Tourism Committee  
Ways & Means Committee (April 28, 2010)

**DATED:** May 12, 2010

Adopted by the following v.v. vote:

**AYES 28 NAYS 0 ABSENT 1 (Fiorini)**

## ONEIDA COUNTY BOARD OF LEGISLATORS

### RESOLUTION NO. 187

INTRODUCED BY: *Messrs. Welsh, Porter, Sadallah, Ms. Convertino, Davis*  
2<sup>ND</sup> BY: Mr. Wood

**RE: AMENDMENT OF RESOLUTION APPROVING THE ESTABLISHMENT  
OF THE ONEIDA COUNTY LOCAL DEVELOPMENT CORPORATION.**

**WHEREAS**, This Board, pursuant to Resolution No. 372 dated November 25, 2009 (the "Prior Resolution"), authorized the establishment of the Oneida County Local Development Corporation for the purpose of issuing tax-exempt bonds to refinance qualified projects, and

**WHEREAS**, This Board now desires to amend its previous action to authorize the establishment of the Oneida County Local Development Corporation for the purpose of undertaking all projects and activities allowed by law, including the issuance of bonds, notes or other obligations to provide initial financing for allowable projects, now, therefore, be it hereby

**RESOLVED**, by the Board of County Legislators of the County of Oneida, New York as follows:

Section 1. The Oneida County Local Development Corporation, as authorized to be established under the Prior Resolution, has yet to be established. This Resolution is intended to replace the Prior Resolution in its entirety.

Section 2. It is hereby determined that the establishment of the Oneida County Local Development Corporation (the "Corporation") pursuant to Section 1411 of the Not-for-Profit Corporation Law of the State of New York as an instrumentality of the County of Oneida, New York (the "County") for the specific purpose of:

- (a) promoting community and economic development and the creation of jobs in the non-profit and for-profit sectors for the citizens of the County by developing and providing programs for not-for-profit institutions, manufacturing and industrial businesses and other entities to access low interest tax-exempt and non-tax-exempt financing for their eligible projects; and

- (b) undertaking projects and activities within the County for the purpose of relieving and reducing unemployment, bettering and maintaining job opportunities, carrying on scientific research for the purpose of aiding the County by attracting new industry to the County or by encouraging the development of, or retention of, an industry in the County, and lessening the burdens of government and acting in the public interest,

is in the best interest of the County and the purposes of the Corporation will lessen the burdens of County government, perform an essential governmental function of the County, and are in the public interest of the County.

Section 3. The establishment of the Corporation and the filing of the Certificate of Incorporation for the Corporation in the form attached hereto as Exhibit A (the "Certificate of Incorporation") is hereby approved. The initial members of the Board of Directors of the Corporation identified in the Certificate of Incorporation are hereby approved.

Section 4. The Corporation shall undergo an annual independent audit and submit the audit to the County Legislature, prepare and submit annual budgets to the County and form governance and audit committees to ensure the Corporation is in compliance with New York State laws.

Section 5. Bonds, notes and other obligations (the "Obligations") issued by the Corporation will not be backed by the full faith and credit of the County and will be non-recourse to the County. Obligations issued by the Corporation will be secured solely by the creditworthiness of a particular project. The Corporation may issue Obligations for any purpose allowed by law.

Section 6. Except as expressly provided in the Corporation's Certificate of Incorporation, the County Executive is authorized and directed to act on behalf of the County in exercising the County's rights as a sole member of the Corporation under the New York Not-for-Profit Corporation Law, which delegation of authority includes, is not limited to, the power to execute all documents and agreements required to be executed by the County as a member of the Corporation and to approve the Corporation's bylaws.

Section 7. This resolution shall take effect immediately.

APPROVED: Economic, Development & Tourism Committee (May 4, 2010)  
Ways and means Committee (May 12, 2010)

DATED: May 12, 2010

Adopted by the following v.v. vote:  
AYES 28 NAYS 0 ABSENT 1 (Fiorini)