EXPEDITED COMMUNICATIONS FOR DISTRIBUTION
DECEMBER 13, 2019

(Correspondence relating to upcoming legislation, appointments, petitions, etc.)

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AVAILABLE ON WEBSITE ONLY
www.ocgov.net
December 10, 2019

Board of Legislators
800 Park Ave.
Utica, NY 13501

Honorable Members:

I am writing in regards to “LOCAL LAW INTRODUCTORY “G” OF 2019 EXTENDING THE HOTEL MOTEL OCCUPANCY TAX.”

To ensure that this law takes effect prior to the end of the year, I am attaching a message of necessity to this Local Law pending passage by Ways and Means, and I am requesting that the waiting period be waived for passage by this Board at the December 18, 2019 board meeting.

Thank you in advance.

Sincerely,

[Signature]

Gerald J. Fiorini
Chairman of the Board
Oneida County
Office of the District Attorney
Scott D. McNamara
District Attorney

November 27, 2019

Hon. Anthony J. Picente, Jr.
Oneida County Executive
800 Park Avenue
Utica, New York 13501

Dear County Executive Picente:

Enclosed herewith please find a draft of the proposed Traffic Diversion Program Local Law, which will codify the District Attorney’s Office newly created vehicle and traffic law diversion efforts. I propose this legislation to address the newly created discovery law that will require discovery on all traffic offenses within fifteen days of arraignment on said tickets. This program attempts to address the overwhelming demands that legislation places upon my office while at the same time balancing the public safety that is required when considering traffic offenses.

If this proposed legislation meets with your approval, I ask that you indicate so by endorsing this letter and forwarding this Local Law to the Board of Legislators for their consideration. As always, I am at your disposal should you have any questions or concerns. Thank you in advance for your kind attention to and consideration of this matter.

Respectfully yours,

Scott D. McNamara
Oneida County District Attorney

Enc.

cc: Anthony Carville
ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Flisnik, D’Onofrio
2ND BY:

LOCAL LAW INTRO. “G” OF 2019
LOCAL LAW NO. ___ OF 2019

A LOCAL LAW ESTABLISHING A TRAFFIC TICKET DIVERSION PROGRAM

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

SECTION 1. PURPOSE AND INTENT.

A. The Office of the District Attorney prosecutes violations of New York State Vehicle and Traffic Law in the City, Town, and Village courts of Oneida County. A significant portion of these violations involve a threat to public safety as a result of poor driving habits and/or decision making. Many of these drivers would benefit from defensive and safe driving education that would improve their driving habits and increase public safety on the public roadways. It is the intent of this Local Law to authorize the establishment of a traffic ticket diversion program that would improve public safety by targeting particular motor vehicle operators for participation in a diversion program. This diversion program would include mandating defensive and safe driving courses for persons charged with certain Vehicle and Traffic Law violations. This will be a voluntary educational program entered by defendants with the goal to increase the safety of the roads in Oneida County.

B. In order to effectuate “the government, protection, order, conduct, safety, health, and well-being of persons and property” [New York Municipal Home Rule Law §10] within Oneida County, the Oneida County Legislature hereby finds that it is in the best interests of Oneida County to establish a Traffic Ticket Diversion Program (the “Program”).

SECTION 2. ADMINISTRATION OF THE PROGRAM.

The Oneida County District Attorney is hereby authorized to establish this Program, and shall have complete discretion over the administration of the Program.

SECTION 3. ADMINISTRATIVE FEE
A. The Oneida County District Attorney has authorization to set an administrative fee for the Program.

B. The District Attorney shall collect the administrative fee, and thereafter, the District Attorney shall forward such funds to the Oneida County Commissioner of Finance.

SECTION 4. FEE DISBURSEMENT.

A. The administrative fee shall be shared by the County and the City, Town, or Village that had jurisdiction over the Vehicle and Traffic offense(s) that was/were the subject of the diversion.

B. Two-thirds (2/3) of the administrative fee shall be retained by the County and utilized by the Office of the District Attorney for administration of the Program, crime prevention programs, and educational programs. One-third (1/3) of the administrative fee shall be distributed to the City, Town, or Village where the tickets originated to cover the clerical work required for administration of the Program.

i. The County will forward the Cities, Towns, and Villages their share of the administrative fee on a quarterly basis.

C. All such disbursements of the administrative fees by Oneida County from this Program to the Cities, Towns, and Villages shall be made pursuant to agreements approved by resolution of the Oneida County Legislature with such Cities, Towns, and Villages.

SECTION 5. SEVERABILITY.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalidated or unconstitutional, provided that such judgment does not invalidate this Local Law or prohibit its administration, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Sections 20, 21, and 27 of New York State Municipal Home Rule Law.

APPROVED: Public Safety Committee ( )
Ways and Means Committee ( )

DATED: December 18, 2019

Adopted by the following vote:
AYES  NAYS  ABSENT
November 27, 2019

Board of Legislators
Oneida County
800 Park Avenue
Utica, New York, 13501

Re: Local Law to amend a Section 306 of the Oneida County Charter and Local Law to amend Section 306 if the Oneida County Administrative Code

Honorable Members:

I am proposing an amendment to Section 306 of the Oneida County Charter and Section 306 of the Oneida County Administrative Code in order to allow the heads of administrative units to make purchases that do not exceed $250.00 independently and without the need for a formal requisition.

To that end, enclosed, please find a proposed Local Law Amending the Oneida County Charter and Local Law Amending the Oneida County Administrative Code in accordance with the above. I ask that you consider the enclosed at the next meeting.

Very truly yours,

Gerald J. Fiorini
Chairman

Enclosures
RESOLUTION NO.

INTRODUCED BY: Mr. Fiorini
2ND BY:
LOCAL LAW INTRO. H OF 2019
LOCAL LAW NO. ___ OF 2019

A LOCAL LAW AMENDING THE ONEIDA COUNTY CHARTER

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF ONEIDA, STATE OF NEW YORK, AS FOLLOWS:

1. That Article III, Section 306 of the Oneida County Charter 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:

There shall be in the office of the County Executive, a Division of Purchase, the head of which shall be a Purchasing Director who shall be appointed by and serve at the pleasure of the County Executive, subject to confirmation by the Board of County Legislators. The Purchasing Director shall, in accordance with the requirements as to advertising and competitive bidding, make purchases and sales of all materials, supplies and equipment and contract for the rental or servicing of equipment for the County, except as otherwise provided in this Charter or the Code. (He shall not contract for or furnish any services, equipment or other articles except upon the receipt of authorized requisitions and the certification(s) as to availability of funds.) He shall also have the powers and perform such duties in relation to printing and mail delivery services as defined in the Code.

2. This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Sections 20, 21 and 27 of the New York State Municipal Home Rule Law.

APPROVED: Ways & Means Committee ( )

DATED: December 18, 2019

Adopted by the following vote:
AYES NAYS ABSENT
INTRODUCTORY NO.

BOARD OF COUNTY LEGISLATORS
ONEIDA COUNTY

RESOLUTION NO.

INTRODUCED BY: Mr. Fiorini
2ND BY:
LOCAL LAW INTRO. I OF 2019
LOCAL LAW NO. ____ OF 2019

A LOCAL LAW AMENDING THE ONEIDA COUNTY ADMINISTRATIVE CODE

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF ONEIDA, STATE OF NEW YORK, AS FOLLOWS:

1. That Article III, Section 306 of the Oneida County Administrative Code shall be amended by the deletion of all matters that are in parenthesis and (strikethrough) and the addition of all matters in bold and underlined as set forth below:

   (a) The Purchasing Director shall be the head of the Division of Purchase and shall have the powers and duties set forth in Section 306 of Article 3 of the Charter. He shall, in addition to his powers and duties, set forth in the Charter or this Code, perform such other and related duties as the County Executive may require.

   (b) The Purchasing Director shall:

      (1) Establish and maintain a central purchasing system;

      (2) Establish and enforce standard specifications with respect to supplies, materials, equipment, and services;

      (3) Inspect or supervise, or otherwise provide for the inspection of all deliveries of supplies, materials and equipment and determine their quality, quantity and conformance to contract;

      (4) Establish and maintain necessary contact and liaison with the Division of Information Technology, including but not limited to procedure for coordinating the controls as set forth relating to the disbursement and transfer of supplies, materials and equipment under the custody of the Division of Information Technology to any County administrative unit.
(5) Sell or lease any surplus, obsolete or unused supplies, materials and equipment under such rules and regulations as may be established by resolution of the Board of County Legislators;

(6) Upon the request of any city, town, village, school district or other unit of local government, act as purchasing agent for the same, either for all or for any part of its purchases, upon such conditions as may be prescribed by the Board of County Legislators;

(7) Except as otherwise provided in the Charter or this Code, and subject to the approval of the County Executive, approve and execute all contracts on behalf of the County with respect to the buying, selling or leasing of any supplies, materials, equipment and services other than personal services for any amount not more than such sum set forth in sub-division (c)(1) of this section. The County Executive shall execute all other contracts on behalf of the County as provided by Section 2202 of Article 22 of the Charter;

(8) Perform, under the direction of the County Executive, all other duties of a county purchasing agent under the laws of the State of New York, not inconsistent with the provisions of the Charter or this Code;

(9) Prepare procedural regulations to amplify the provisions of this section and submit such regulations to the County Executive for approval and upon such approval, promulgate and enforce compliance with such regulations.

(c) Purchasing Procedure.

(1) The Division of Purchase shall make all purchases of and contract for supplies, materials, equipment and services for the County, the Board of County Legislators or any administrative unit for the payment of which the County shall be liable in an amount that exceeds $250.00. The head of each administrative unit shall be authorized to make such purchases that do not exceed $250.00 Any such purchase or contract of purchase involving an expenditure of the amount set forth in Section 103, sub-division (1) of the General Municipal Law of the State of New York, as amended, shall be made after advertisement in an official daily newspaper printed in the English language and published in the County of Oneida, and having a general circulation in the County of Oneida, which advertisement shall invite sealed bids for the same. The purchase of perishable foodstuffs, drugs and medical supplies, may be made without public advertisement when expressly permitted by written order of the County Executive.

(2) Such advertisement shall contain a statement of the time when and the place where all bids received pursuant to such notice will be publicly opened and read. At least five (5) days shall elapse between the first publication of such advertisement and the date specified therein for the opening and reading of bids. The Purchasing Director, or the person designated by him to open the bids at the
time and place specified, shall make a record of such bids in such form and detail as the Purchasing Director shall prescribe. The contract shall be awarded to the lowest responsible bidder furnishing the required security, if any, after advertisement for sealed bids in the manner provided by this section. In cases where two or more responsible bidders furnishing the required security, if any, and submit identical bid as to price, the Purchasing Director may award the contract to any of such bidders. The Purchasing Director may, in his discretion, reject all bids and re-advertise for new bids in the manner provided by this section.

(3) The Purchasing Director may purchase supplies, materials, equipment or services to be rendered by contract without the advertisement required by paragraphs (1) and (2) of this section subsection (c) herein in the following cases:

(i) When the County Executive has declared a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting the life, health, or safety of inhabitants of the County of Oneida require immediate action which cannot await competitive bidding;

(ii) When, by resolution adopted by a vote of at least two-thirds (2/3) of the whole number, the Board of County Legislators has determined it to be impracticable to advertise for such bids;

(iii) When through some accident or other unforeseen circumstances the heating, air-conditioning, ventilating, lighting, plumbing system, machinery, equipment or other apparatus of any of the public buildings of the county shall become disabled or any of such buildings or parts thereof shall be rendered untenable by reason of the sudden action of the elements or for some cause due to explosion or fire or from generally unforeseeable events creating an emergency, and the administrative head in charge of such building shall certify in writing to the purchasing director such emergency and the necessity of immediate repair to the defect or defects, and such certificate of necessity is approved by the County Executive; or

(iv) Whenever the machinery, equipment or other apparatus of the Department of Public Works or of the Department of Solid Waste Management becomes disabled or worn and requires immediate repair, making necessary the immediate purchase of parts for repairs to the same, the Commissioner of Public Works or the Commissioner of Solid Waste Management, as the case may be, shall certify in writing to the director of purchasing of the necessity of such immediate repair and/or replacement, and such certificate of necessity is approved by the County Executive.

(4) Upon the adoption of a resolution by a vote of at least two-thirds (2/3) of the whole number of the Board of County Legislators stating that, for reasons of efficiency and economy, there is need for standardization, purchase contracts for a
particular type of or kind of equipment, material or services in excess of the amount fixed by the Board of County Legislators pursuant to paragraph (c)(1) of this section may be awarded to the lowest responsible bidder furnishing the required security, if any, after advertisement for sealed bids therefor in the manner provided by this section. Such resolution shall contain a full explanation of the reasons for its adoption.

(5) All required supplies which can be furnished by the State Department of Correction, and all required products made by the blind which can be furnished by any appropriate charitable non-profit making agency for the blind, incorporated under the laws of the State of New York, shall, after such purchases have been authorized, be purchased from them without competitive bidding at prices established pursuant to Section 175-a of the State Finance Law. In addition, the Purchasing Director may, without the competitive bidding herein before required, make purchases of supplies, materials or equipment, except printed materials, through the State Office of General Services, subject to such rules and regulations as may be established pursuant to section one hundred sixty-three of the State Finance Law or other applicable law.

(6) Surplus and second-hand supplies, materials or equipment may be purchased without competitive bidding from the Federal government, the State of New York or from any other political subdivision or district.

(7) Except as otherwise specifically provided, no supplies, materials or equipment shall be delivered except as specifically ordered by the head of each administrative unit if the purchase does not exceed $250.00, or the Division of Purchase if the purchase exceeds $250.00. No supplies, materials or equipment shall be purchased in an amount exceeding $250.00 (delivered by such division to any administrative unit, officer or employee) except upon a requisition in writing.

(8) The Comptroller shall not audit any bill for supplies, materials, equipment or services unless it shall fully appear that such items or services were ordered by the appropriate head of the administrative unit or the Purchasing Director in accordance with the provisions of this Code and the appropriate head of the administrative unit or the Purchasing Director has certified the prices at which he made the purchases. All requisitions received by the Purchasing Director shall be filed in his office and open to public inspection under reasonable regulations for their safety and preservation. Neither (4) the Purchasing Director, nor the appropriate head of the administrative unit shall make (no-)purchases until he has first secured the certification of the Comptroller that there are unencumbered balances available for the purpose.

(9) No bid for materials, supplies, equipment or services may be accepted from or contract therefor awarded to any person who is in arrears in taxes or upon debt or contract to or with the County or who has defaulted as surety or otherwise upon a
contract or obligation to the County, or who may be otherwise disqualified under any act of the legislature not inconsistent with the Charter or this Code.

(d) Mail Services

(1) The Purchasing Director shall establish mailing services for all County Departments utilizing the services of the United States Postal Services and any other 3rd party carrier that can provide cost effective delivery services to administrative units. Additionally, the Mail Services shall process and deliver all inter-office mail by means of a dedicated County Mail Courier.

(e) Printing and Duplication Services

(1) The Purchasing Director shall establish and maintain printing, duplication and bindery services for all administrative units, and can extend those services to other local governments within Oneida County, as well as not-for-profit agencies within Oneida County.

2. This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Sections 20, 21 and 27 of the New York State Municipal Home Rule Law.

APPROVED: Government Operations ( )
Ways & Means Committee ( )

DATED: December 18, 2019

Adopted by the following vote:
AYES NAYS ABSENT
November 25, 2019

Oneida County Executive Anthony J. Picente, Jr.
Oneida County Office Building, 10th Floor
800 Park Avenue
Utica, New York 13501

Dear County Executive Picente:

Attached please find a poll site agreement for The Jewish Community Federation of the Mohawk Valley, N.Y., Inc., which is being submitted as the proposed template for all the 2020 Poll Site Agreements. We respectfully request that you review the proposed agreement and if you approve, kindly endorse this letter and forward the enclosed to the Board of Legislators for consideration at their next meeting.

Once approved, this agreement will be forwarded to all the poll sites which our office utilizes throughout the County on Election Days. Once it has been signed by the designated officials at each location and returned to our office, it will be forwarded to you for final execution. Then the signed versions will be forwarded to the Finance Department for preparation of an insurance binder, after which a fully-executed copy will be provided to the poll site. We anticipate this to be a lengthy process; therefore time is of the essence, particularly during the 2020 election season as the presidential primary will be held on April 28, 2020.

Should you have any questions, please feel free to contact us at our office.

Thank you for your assistance in this matter.

Respectfully,

Carolann N. Cardone
Democratic Commissioner

Enc.

Reviewed and Approved for submittal to the Oneida County Board of Legislators by

Anthony J. Picente, Jr.
County Executive

Date 12/14/19
Oneida Co. Department: Board of Elections

Competing Proposal
Only Respondent
Sole Source RFP
Other

ONEIDA COUNTY BOARD
OF LEGISLATORS

Name & Address of Vendor: The Jewish Community Federation of the Mohawk Valley, N.Y., Inc.
2310 Oneida Street
Utica, New York 13501

Title of Activity or Service: 2020 Poll Site Agreement

Proposed Dates of Operation: January 1, 2020 – December 31, 2020

Client Population/Number to be Served: N/A

Summary Statements

1) Narrative Description of Proposed Services: Poll site agreement for use of premises by the Oneida County Board of Elections on Election Days.

2) Program/Service Objectives and Outcomes: N/A

3) Program Design and Staffing: N/A

Total Funding Requested: $675.00
($225.00 per election date)

Account: A1450.4951

Oneida County Dept. Funding Recommendation: $675.00

Proposed Funding Sources (Federal $/ State $/County $): 100% County

Cost Per Client Served: N/A

Past Performance Data: N/A

O.C. Department Staff Comments: This agreement is the template upon which the remaining 2020 Poll Site Agreements will be based following Board of Legislators approval.
November 25, 2019

Oneida County Executive Anthony J. Picente, Jr.
800 Park Avenue
Utica, New York 13501

Dear County Executive Picente:

Attached is a Temporary Use Agreement that requires both Board of Legislators action and your signature. This agreement, which is between Oneida County, through the Board of Elections, and the Waterville Central School District, provides for the school districts within Oneida County to utilize goods and services provided by the Board of Elections for local school elections.

We are respectfully requesting that this agreement for the Waterville Central School District be approved as a template for all school district agreements for 2020, with appropriate variations in content based upon the number of elections, optical scan machines, privacy booths and poll sites utilized by each district. While the 2020 Presidential Primary makes the logistics of scheduling the school elections extremely difficult, we would still like to have this option available to us as we decide what to do. The revenue to the County per poll site is $750.00 per election.

If you approve of this agreement, please indicate so by endorsing this letter and attachment and forwarding the same to the Board of Legislators for consideration at their next meeting. Should you have any questions, please feel free to contact the Board of Elections and speak with the Commissioners.

Thank you for your attention to this matter.

Sincerely,

Carolann N. Cardone
Democratic Commissioner

Rose Marie Grimaldi
Republican Commissioner

Reviewed and Approved for submittal to the
Oneida County Board of Legislator by
Anthony J. Picente, Jr.
County Executive
Date 12/4/19
Oneida Co. Department: Board of Elections

Competing Proposal: ________
Only Respondent: ________
Sole Source RFP: ________
Other: X

ONEIDA COUNTY BOARD OF LEGISLATORS

Name & Address of Vendor: Waterville Central School District
381 Madison Street
Waterville, New York 13480

Title of Activity or Service: Temporary Use Agreement

Proposed Dates of Operation: January 1, 2020 to December 31, 2020

Client Population/Number to be served: N/A

Summary Statements

1) Narrative Description of Proposed Services: Temporary Use Agreement between the Oneida County Board of Elections and the Waterville Central School District for goods and/or services to be performed for School Elections.

2) Program/Service Objectives and Outcomes: N/A

3) Program Design and Staffing: N/A

Total Funding Requested: $750.00 per poll site

Revenue Account #A2215

Oneida County Dept. Funding Recommendation: $750.00 (REVENUE)

Proposed Funding Sources (Federal $/ State $/County $): The School District

Cost Per Client Served: N/A

Past Performance Data: N/A

O.C. Department Staff Comment: This agreement is proposed for Board approval as a master template for all 2020 School District Agreements, if needed. The equipment, supplies and services are paid for to the County by the school districts.
December 4, 2019

Gerald Fiorini, Chairman of the Board
Oneida County Board of Legislators
800 Park Avenue
Utica, New York 13501

Dear Chairman Fiorini:

As per the Deputy Commissioner of Public Works letter dated November 4, 2019, to the Commissioner, they respectfully requests your Board of Legislators to approve a transfer which will enable them to purchase automobile supplies and do some automobile repairs for the Division of Buildings and Grounds.

Fortunately, there are still funds available in the Buildings and Grounds Other Expenses account as a result of new technologies and improved operating procedures which will result in a surplus to cover this transfer.

I therefore request your Board’s approval of the following 2019 transfer for the General Fund:

TO:
AA# A1620.451 Buildings and Grounds – Automotive Supplies…………. $ 15,000.00
AA# A1620.452 Buildings and Grounds – Automotive Repairs……….. $ 5,000.00
Total………………………….. $ 20,000.00

FROM:
AA# A1620.4951 Other Expenses…………………………………… $ 20,000.00

Thank you for your consideration of this piece of legislation.

Respectfully submitted,

Anthony J. Picente, Jr.
County Executive

CC: Comptroller
    County Attorney
    Commissioner of DPW
    Budget Director
December 3, 2019

Anthony J. Picente, Jr.
County Executive
Oneida County Office Building
800 Park Avenue
Utica, New York 13501

Re: Survey and Analysis of Flooding, Village of Whitesboro
Oneida County Flood Mitigation Grant Program

Dear County Executive Picente:

Attached for your consideration is a Flood Mitigation Grant Agreement with the Sauquoit Creek Basin Intermunicipal Commission to study flooding in Whitesboro.

As you are aware, the County authorized $2 million to be utilized for flood mitigation grants to municipalities within Oneida County to plan and implement resiliency-based flood mitigation measures to address weaknesses within the existing stormwater infrastructure, the program designated as the Oneida County Flood Mitigation Grant Program. The Sauquoit Creek Basin Intermunicipal Commission has submitted an application to the County for a Flood Mitigation Grant for $150,000 to finance a survey and analysis of flooding in the Village of Whitesboro. The study is the first step in identifying future mitigation projects to improve conditions in the affected neighborhood.

Therefore, we respectfully request that you submit to the Oneida County Board of Legislators a request to enter into agreement with the Sauquoit Creek Basin Intermunicipal Commission to receive the $150,000 requested flood mitigation assistance. Should you have any questions regarding this matter please contact me or Kristin E. Campbell, Principal Planner.

Sincerely,

Regina A. Venetozzi
Interim Commissioner of Planning
ONEIDA COUNTY BOARD
OF LEGISLATORS

Name & Address of Vendor: Sauquoit Creek Intermunicipal Basin Commission
321 Main Street
Utica, NY 13501

Title of Activity or Service: Survey and Analysis project awarded funds from the
Oneida County Flood Mitigation Grant Program in the
Village of Whitesboro.

Proposed Dates of Operation: Upon execution – Completion of Project
Anticipated 12/31/2021

Client Population/Number to be Served: Oneida County

Summary Statements
1) Narrative Description of Proposed Services: The award of $150,000 for a survey
and analysis project of a neighborhood in the Village of Whitesboro that has been
repeatedly impacted by flooding.

2) Program/Service Objectives and Outcomes: Flood Mitigation

3) Program Design and Staffing:

Total Funding Requested: $150,000
Account # H562

Oneida County Dept. Funding Recommendation: $150,000

Proposed Funding Sources (Federal $/ State $/County $): County $150,000

Cost Per Client Served: N/A

Past Performance Data: Oneida County has successfully partnered with the Sauquoit Creek
Intermunicipal Basin Commission on prior projects, with excellent results.

O.C. Department Staff Comments: N/A
December 11, 2019

Mr. Anthony J. Picente, Jr.
Oneida County Executive
800 Park Avenue
Utica, New York 13501

Dear Mr. Picente:

Please find enclosed with this correspondence several items extending against the taxable property located in Oneida County various tax levies for 2020. These items are commensurate with Resolution #376, FN 2019-373.3, dated November 13, 2019.

Please forward same to the Board of Legislators for their action on December 18, 2019.

Sincerely,

Anthony Carvellli
Commissioner of Finance

AC/bad

cc: Mike Billard, Clerk of the Board

Enclosures
ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. D’Onofrio
2ND BY:

RE: APPROVAL OF HIGHWAY 1, 2, 3 & 4 HEALTH, FIRE PREVENTION, GENERAL WELFARE, AND SPECIFIED DISTRICT TAXES TO BE LEVIED AGAINST TOWNS

WHEREAS, There has been presented to this Board a duly certified copy of the annual budget of each of the several towns in the County of Oneida for the fiscal year beginning January 1, 2020, now therefore, be it hereby

RESOLVED, That there shall be assessed and levied upon, and collected from, the real property liable therefore within the respective fire, fire protection, fire alarm and improvement districts in the towns specified in their respective annual budgets;

RESOLVED, (a) That there be and hereby is assessed and levied upon, and collected from, the taxable real property situate in the named towns outside of any incorporated village, wholly or partially located therein, the amounts indicated therein for Town-Wide General, Town-Wide Highway, Highway Outside and General Outside as specified in the budgets of the respective towns, and be it further

RESOLVED, (b) That the amounts to be raised by tax for all purposes specified in the said several annual budgets as presented to this Board and which are on file within the Office of the Clerk and/or the Commissioner of Finance, shall be and hereby are assessed and levied upon, and collectible from, all taxable property in the towns as enumerated, except as otherwise provided by law.

APPROVED: Ways and Means Committee

DATED: December 18, 2019

Adopted by the following vote:
AYES NAYS ABSENT
ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. D’Onofrio
2ND BY:

RE: AMOUNTS TO BE LEVIED AS PART OF COUNTY TAX AND EXTENDED AGAINST PROPERTIES IN VARIOUS TOWNS AND CITIES

WHEREAS, There have been filed with the Clerk of the Oneida County Board of Legislators and the Commissioner of Finance reports by various city, town and other public officials, and

WHEREAS, Said reports show various figures which are to be levied as part of the 2020 County tax, now, therefore, be it hereby

RESOLVED, That the amounts herein, as same may be subject to items returned for insufficient funds or similar adjustments, if any, be, and the same hereby are, levied as part of the 2020 County tax and ordered extended against properties in the various towns and cities according to law, as follows:

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<th>Description</th>
<th>Amount</th>
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<td>School Superintendent's levy</td>
<td>$15,657.00</td>
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<td>MVCC (incl. Students in other CC)</td>
<td>$9,686,255.46</td>
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<tr>
<td>Returned School Taxes</td>
<td>$6,416,333.88</td>
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<tr>
<td>Delinquent Charges School</td>
<td>$449,143.26</td>
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<tr>
<td>Returned Village Taxes</td>
<td>$441,596.84</td>
</tr>
<tr>
<td>Delinquent Charges Village</td>
<td>$30,911.83</td>
</tr>
<tr>
<td>UMVRWB Town Outside Water Charges</td>
<td>$91,756.71</td>
</tr>
<tr>
<td>Delinquent Charges - Water</td>
<td>$1,668.12</td>
</tr>
<tr>
<td>HAVA</td>
<td>$1,484,634.67</td>
</tr>
<tr>
<td>Erroneous Taxes and Misc. Adjustments.</td>
<td>$10,998.59</td>
</tr>
</tbody>
</table>

APPROVED: Ways and Means Committee

DATED: December 18, 2019

Adopted by the following vote:
AYES   NAYS   ABSENT
INTRODUCTORY NO.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. D'Onofrio
2ND BY:

RE: APPROVAL OF SPECIFIED AMOUNTS TO BE LEVIED AGAINST UTICA AND SPECIFIED TOWNS FOR DELINQUENT SEWER CHARGES

WHEREAS, The Finance Administrator, Oneida County Part County Sewer District, has filed with the Commissioner of Finance itemized statements showing owners and the amounts of arrears of said owners for Sewer Use Charges and SSO Abatement Charges, now, therefore, be it hereby

RESOLVED, That there shall be levied and extended certain amounts of arrears for Sewer Use Charges and SSO Abatement Charges, with such items as may be posted for insufficient funds or similar adjustments if necessary, on the 2020 tax rolls of the towns and cities listed below against the properties owned by the various persons in the amounts set opposite their respective names, as follows:

<table>
<thead>
<tr>
<th>MUNICIPALITY</th>
<th>AMOUNT</th>
<th>SSO AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utica</td>
<td>$382,444.99</td>
<td></td>
</tr>
<tr>
<td>Deerfield</td>
<td>$ 8,527.59</td>
<td></td>
</tr>
<tr>
<td>Marcy</td>
<td>$ 19,287.34</td>
<td></td>
</tr>
<tr>
<td>New Hartford</td>
<td>$ 37,941.28</td>
<td>$ 8,574.11</td>
</tr>
<tr>
<td>Paris</td>
<td>$ 14,900.59</td>
<td>$ 3,207.71</td>
</tr>
<tr>
<td>Trenton</td>
<td>$  1,719.95</td>
<td></td>
</tr>
<tr>
<td>Whitestown</td>
<td>$ 49,462.33</td>
<td>$18,272.10</td>
</tr>
<tr>
<td>Delinquent Charges</td>
<td>$ 34,285.04</td>
<td>$ 2,003.51</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$548,569.11</strong></td>
<td><strong>$32,057.43</strong></td>
</tr>
</tbody>
</table>

APPROVED: Ways and Means Committee

DATED: December 18, 2019

Adopted by the following vote:
AYES       NAYS       ABSENT
ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. D’Onofrio
2ND BY:

RE: WATER RENTS, SEWER CHARGES, AND OTHER MISCELLANEOUS CHARGES TO BE LEVIED ON PROPERTIES IN SPECIFIED TOWNS

WHEREAS, The supervisors of various towns have filed with the Commissioner of Finance itemized statements showing owners, and amounts of arrears of said owners, or water rents and sewer charges, as more particularly on file with the Commissioner of Finance, and

WHEREAS, The Commissioner of Finance may be aware of other pro-rata taxes, DEC Violations, NSF charges or other miscellaneous charges against properties owned by various persons, now, therefore, be it hereby

RESOLVED, That there be levied and extended on the 2020 tax rolls of the aforementioned towns, against properties owned by various persons mentioned in the amounts set forth opposite their respective names, along with such items as may be posted for insufficient funds or similar adjustments, if necessary.

APPROVED: Ways and Means Committee

DATED: December 18, 2019

Adopted by the following vote:
AYES NAYS ABSENT
December 13, 2019

Board of Legislators
800 Park Ave.
Utica, NY 13501

Honorable Members:

With the Legislative Chamber project coming to completion, it is necessary to amend the Rules of the Board to allow for electronic voting. I will be submitting to you at the December 18th, 2019 Board meeting such amendments.

Thank you in advance.

Sincerely,

Gerald J. Fiorini
Chairman
ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs.
2ND BY:

RE: APPROVAL OF AMENDMENT TO THE RULES OF THE BOARD OF THE ONEIDA COUNTY BOARD OF LEGISLATORS TO ALLOW FOR ELECTRONIC VOTING

WHEREAS, The Board Chambers have been renovated and certain technology has been added to allow for electronic casting and recording of votes, and

WHEREAS, The Rules of the Board must be amended to allow for such electronic voting, now, therefore, be it hereby

RESOLVED, That rule No. 16 of the Rules of the Board be amended to add the following:

Each member of the Board shall cast his or her vote electronically at the time called for by the Chair of the Board or the Clerk, and the Clerk shall cause each member's vote to be publicly displayed on the equipment provided therefor. The public display of each vote cast is equivalent to orally calling and responding to a vote, including a roll call vote.

APPROVED: Public Works Committee
Ways and Means Committee

DATED:

Adopted by the following vote:
AYES NAYS ABSENT
December 13, 2019

Gerald J. Fiorini, Chairman
Oneida County
Board of Legislators
800 Park Avenue
Utica, New York 13501

Dear Chairman Fiorini:

Attached for your consideration is a Bill of Sale and Canal Permit Application concerning the Utica Landmark Tower. As you are aware, the Utica Landmark Tower has greeted residents and visitors to the City of Utica since it was first illuminated in 2016. This tower, owned and maintained by a small, local not-for-profit corporation, has become a point of civic pride. In November of 2019, the corporation announced that it did not have the resources to maintain the tower and planned to have it demolished. This was met with an outpouring of public support for preserving this landmark.

Through discussions with civic and community leaders, it became apparent that the County is in the best position to preserve this cherished landmark. The County is familiar with the maintenance of similar structures as it already owns and operates twelve communications towers. It works regularly with engineers and tower inspectors, and performs routine maintenance. The Deputy Commissioner of Engineering has inspected the tower and states that it is in very good condition.

To assume ownership, two transactions must occur. The County will acquire title to the structure via the attached Bill of Sale from the Utica Landmark Tower Corporation. The County will acquire rights to the real property beneath, owned by the New York State Canal Corporation, via a permit. The Canal Permit Application is attached. Said permit is anticipated to be identical to that currently issued to the Utica Landmark Tower Corporation with an annual fee of $438.50.

As this matter concerns real property and involves a public corporation, I am submitting these documents for approval by the Oneida County Board of Legislators. I am available at your convenience to answer any questions you may have regarding this transaction.

Sincerely,

Anthony J. Picente, Jr.
BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that THE UTICA LANDMARK TOWER CORPORATION, a New York not-for-profit corporation (the "Corporation"), in consideration of the sum of One and 00/100 Dollar ($1.00) and other good and valuable consideration to the Corporation paid in hand by THE COUNTY OF ONEIDA, a New York municipal corporation (the "County"), the receipt and legal sufficiency of which is hereby acknowledged, has granted, sold, conveyed, transferred, and delivered unto the County any and all assets which the Corporation owns or has an interest in relating to the 125 foot tall municipal gateway sign located in Utica, New York known as the "Utica Landmark Tower" (hereinafter referred to as the "Assets"). These Assets constitute substantially all of the assets of the Corporation.

Only to the extent any physical Assets are transferred to the County hereunder, the Corporation covenants and agrees with the County to warrant and defend title to the Assets hereby sold to the County, its successors, assigns, and legal representatives against all and every person and persons whomsoever; and the Corporation further warrants and represents to the County that the title in the Assets conveyed is good, valid, and marketable; that the Corporation has full right and authority to sell, transfer, assign, and convey the Assets; that the Corporation has no outstanding judgments in any court of the State of New York or the United States of America, and there are no replevins, attachments, executions, or other writs or processes issued against the Corporation or the Assets; that the Corporation's transfer is rightful; and the Assets have been, or shall be delivered free of/from all liens, pledges, security interests, charges, claims, restrictions, and encumbrances of any nature whatsoever.

IN WITNESS WHEREOF, the Corporation has set their hands effective as of this ___ day of ______________, 20__.

UTICA LANDMARK TOWER CORPORATION

______________________________
Sam Berardino
President

______________________________
Date
STATE OF NEW YORK  )
COUNTY OF ONEIDA  ) ss.:

On this ___ day of ___________, 20__, before me, the undersigned, a Notary Public in and for said State, personally appeared Sam Berardino, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

__________________________
NOTARY PUBLIC

SECRETARY’S CERTIFICATE

I, __________________________, the Corporate Secretary of the Utica Landmark Tower Corporation hereby certify I am the duly elected and qualified Corporate Secretary, that on the ___ day of ____________, 20__ the Board resolved to approve this Bill of Sale by a vote of ___ to ____, and that the foregoing has not been revoked, suspended or amended.
### Section I Applicant Identification Information

<table>
<thead>
<tr>
<th>Applicant/Company</th>
<th>Work Phone No.</th>
<th>Home Phone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The County of Oneida</td>
<td>(315) 793-6226</td>
<td>(NA)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contact</th>
<th>Title</th>
<th>Fax No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matthew Baisley</td>
<td>Deputy Commissioner DPW</td>
<td>(315) 768-6299</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Address</th>
<th>State</th>
<th>Zip Code</th>
<th>Cell Phone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>800 Park Avenue</td>
<td>NY</td>
<td>13501</td>
<td>(315) 790-8159</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Town/Village/City</th>
<th>County of Permit Site</th>
<th>Federal ID No. (for businesses only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utica</td>
<td>Oneida</td>
<td>15-6000460</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E-mail Address</th>
<th>Use and Occupancy Permit No. (if pre-existing)</th>
<th>Canal Plate No. (if pre-existing)</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:mbaisley@ocgov.net">mbaisley@ocgov.net</a></td>
<td>C21408</td>
<td></td>
</tr>
</tbody>
</table>

**Purpose of Application (Please provide brief description and locations):**

The County of Oneida is in the processes of acquiring the Utica Landmark Tower and desires to assume the permit previously issued to the Utica Landmark Tower Corporation, which will be dissolved.

**Duration of work (if applicable):** From: Through:

### Section II Property Information

**Intended type of use of property (check one):**

- [ ] Agricultural
- [X] Municipal
- [ ] Residential
- [ ] Not for Profit
- [ ] Commercial
- [ ] Industrial
- [ ] Utility (Commercial Only)
- [ ] Other

**Specific use (check if applicable):**

- [ ] Access
- [ ] Beautification
- [ ] Boat Launch
- [ ] Boathouse
- [ ] Camp
- [ ] Dock
- [ ] Encroachment
- [ ] Event
- [ ] Fence
- [ ] Farming
- [ ] Marina
- [ ] Mooring
- [ ] Parking Lot
- [ ] Public Park
- [ ] Shore Protection
- [X] Sign
- [ ] Slip
- [ ] Storage
- [ ] Trail
- [ ] Vendor
- [ ] Water Diversion
- [ ] Well
- [ ] Other

**Location and current use of Canal property (if known, please provide address, waterway, buoy number, tax map parcel number and GPS coordinates):**

**Location:** Access off of Gennesee Street to Harbor Lock Road  
**Current use:** Utica Landmark Tower site  
**Parcel Number:** UDS 4E-32

Latitude 43.116007  
Longitude -75.224959

### OFFICIAL USE ONLY

<table>
<thead>
<tr>
<th>Parcel:</th>
<th>Side:</th>
<th>Coord:</th>
<th>CL Sta:</th>
<th>Permit Type:</th>
<th>Work</th>
<th>Use &amp; Occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>CPM:</td>
<td>Buoy:</td>
<td>Tax:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Section III Read Thoroughly Before Signing - Applicant Affirmation/Certification

Canal property is devoted to public use. Permits, therefore, are by sufferance and the duration thereof is at the discretion of the Canal Corporation (Corporation), regardless of the length of term granted. All permits are, therefore, revocable unilaterally by the Corporation. The permittee will maintain all installations permitted hereunder subject to the risk of relocating or removing them at the permittee’s own expense, in accordance with the directions of the Corporation. Violators may be subject to a penalty.

Application is hereby made by the undersigned subject to the RULES AND REGULATIONS OF THE NEW YORK STATE CANAL CORPORATION. This applicant will obtain any other consents or permits that may be necessary to accomplish the purposes set forth above, as it is understood that in granting a permit, the Corporation merely expresses its assent in so far as it is authorized. A charge of $250 per day shall be imposed for any approved work on the Canal System requiring an on site inspection by Corporation staff.

I understand that this Application incorporates by reference the terms and conditions of the NEW YORK STATE CANAL CORPORATION OCCUPANCY AND WORK PERMIT ACCOMMODATION GUIDELINES (TAP-922), and the DESIGN AND CONSTRUCTION REQUIREMENTS (TAP-923A-D), as such documents may be amended. I agree that if granted a permit, this Application becomes a part of such permit, and as a condition of the issuance of the permit and/or exercise of any privileges granted thereunder, I shall comply with any and all RULES AND REGULATIONS OF THE NEW YORK STATE CANAL CORPORATION, as same may be amended, and any CONDITION RIDER issued with the permit and any subsequent amendments to the permit.

The Applicant affirms and certifies that all information provided by the Applicant to the Corporation is complete, true and accurate.

Dated this __________ day of __________ 20__

The County of Oneida

Name of Applicant (print or type)

Name of Co-Applicant (print or type)

Signature of Applicant

Signature of Co-Applicant

County Executive

Title (if applicable)

Title (if applicable)

Please contact the Canal Permit Engineer for the Division to which you are applying for a permit to determine whether supplemental documentation is required.

Section IV Submit Applications to the Appropriate Canal Corporation Permit Office

Division Limits

Eastern Division

Albany Office: Erie Canal River from the Hudson River to the Montgomery/Herkimer County line; Champlain Canal; Glens Falls Feeder Canal; Port Henry Terminal; and Wilcox Dock (City of Plattsburgh).

Utica Office: Erie Canal from the Herkimer/Montgomery County line to the east end of Oneida Lake (including Sylvan and Verona Beaches); Adirondack Canal Lands and all other Reservoirs and Feeder Canals in Oneida, Madison and Herkimer Counties with the exception of DeRuyter Reservoir and Cazenovia Lake.

Addresses and Phone Numbers

Eastern Division

NYS Canal Corporation
Albany Office
Canal Permit Engineer
30 South Pearl St., 5th Fl.
Albany, NY 12207
Phone: (518) 449-6060

NYS Canal Corporation
Utica Office
Canal Permit Engineer
30 South Pearl St., 5th Fl.
Albany, NY 12207
Phone: (315) 738-9031

NYS Canal Corporation
Syracuse Office
Canal Permit Engineer
149 Northern Concourse
North Syracuse, NY 13212
Phone: (315) 423-2080

Western Division

Syracuse Office: Erie Canal from Oneida Lake (excluding Sylvan and Verona Beaches) to the Monroe/Wayne County line; Oswego Canal; Cayuga-Seneca Canal; Jamesville and DeRuyter Reservoirs; and Cazenovia Lake.

Buffalo Office: Erie Canal from the Monroe/Wayne County line to the Niagara River.

Addresses and Phone Numbers

Western Division

NYS Canal Corporation
Buffalo Office
Canal Permit Engineer
4950 Genesee Street
Cheektowaga, NY 14225
Phone: (716) 686-4400

NYS Canal Corporation
Syracuse Office
Canal Permit Engineer
149 Northern Concourse
North Syracuse, NY 13212
Phone: (315) 423-2080