



ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5404

George Joseph
Majority Leader

Timothy Julian
Minority Leader

*** NOTICE OF MEETINGS ***

Notice is hereby given that the Oneida County Board of Legislators will meet in accordance with the following schedule on Wednesday, June 12, 2024.

10:00 A.M. – DISTRIBUTION OF COMMUNICATIONS

12:00 P.M. WAYS & MEANS COMMITTEE

2:00 P.M. FULL BOARD SESSION- LEGISLATIVE CHAMBERS

Pursuant to Local Law Number 1 of 2024, the Board of County Legislators or its Standing Committees will use Extraordinary Circumstances Videoconferencing at this meeting. The public may view and/or participate in this meeting at the physical location identified in this notice, or by using remote meeting software using the link provided below. The documents and records for this meeting will be available at https://ocgov.net/departments/board-of-legislators/agenda-minutes-communications-and-schedules/.

Join from the meeting link

https://ocny.webex.com/ocny/j.php?MTID=m78545d33dd3669d02aa0a848193b6a6f

Join by meeting number

Meeting number (access code): 2311 936 6579

Meeting password: June2024

All meetings are available on the Oneida County Board of Legislators Facebook Page

www.facebook.com @ONEIDACOUNTYLEGISLATURE or at

https://fb.me/ONEIDACOUNTYLEGISLATURE

MEETING REMINDERS:

INTRODUCTORY

F.N. 2024-247

NO. 233

BOARD OF COUNTY LEGISLATORS
ONEIDA COUNTY

RESOLUTION NO.

INTRODUCED BY: Messrs. Leach, Flisnik

2ND BY:

LOCAL LAW INTRO. "C" OF 2024

LOCAL LAW NO. ____ OF 2024

A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 1956, AS PREVIOUSLY AMENDED, REGARDING ENTRY INTO THE PLAN.

Legislative Intent: To ensure the efficient and equitable operation of the Oneida County Workers' Compensation Self-Insurance Plan, the Board of Legislators wishes to set forth requirements for participation in the Plan.

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

SECTION 3 (2) OF LOCAL LAW NUMBER 1 OF 1956 SHALL BE AMENDED BY DELETING THE FOLLOWING BRACKETED MATTER, AND ADDING THE FOLLOWING UNDERScoreD MATTER:

2. [Any other public corporation situate in Oneida County, may, by resolution of its governing body, become a participant in this plan, by filing with the Committee a certified copy of said resolution on or before July 15, 1956, and, thereafter, any public corporation may participate in this plan as of the beginning of the next ensuing calendar year by filing a certified copy of the said resolution on or before the 15th day of July of any year.] Any other public corporation or otherwise eligible entity, situate in Oneida County, which elects to become a participant in the Plan shall file with the Committee, on or before the first day of April in any calendar year, the following: a certified list of its current employees with corresponding job titles and earned wages; a certified five-year claims history, including the number of claims, and any indemnity and medical paid with respect thereto; a certified copy of the resolution of its governing body electing to become a participant in the Plan; and any other information deemed necessary by the Committee to ascertain the prospective participant's experience rating and apportioned share of the administrative and reserve fund costs of the Plan. The Committee may impose fair and equitable terms and conditions to be fulfilled by a prospective participant as a condition precedent to acceptance as a participant in the Plan. Participation in the Plan shall be effective upon the Committee's approval and will commence on the first day of January following any such approval, provided that the prospective participant has, on or before the first day of January following the Committee's approval, paid its apportioned share of the administrative and reserve fund costs. The

NO. 236

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Flisnik

2ND BY:

RE: APPROVAL OF A SETTLEMENT WITH DAWN M. NOBLE

WHEREAS, Oneida County Executive, Anthony J. Picente, Jr. is in receipt of correspondence from County Attorney, Amanda L. Cortese-Kolasz, requesting Board approval of a settlement with Dawn M. Noble, and

WHEREAS, Claimant filed a New York State Division of Human Rights Complaint against Oneida County in March 2023 alleging employment discrimination and retaliation under federal law. The parties have agreed to settle this matter for the sum of \$26,225.00, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby authorizes settlement of this matter with Dawn M. Noble in the amount of \$26,225.00 in full satisfaction of any and all claims against the County of Oneida.

APPROVED: Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 237

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Flisnik

2ND BY:

**RE: REAPPOINTMENT OF DAVID MATHIS TO SERVE ON THE MOHAWK VALLEY
COMMUNITY COLLEGE BOARD OF TRUSTEES**

WHEREAS, Pursuant to Article XX, Section 2002, of the Oneida County Charter and Administrative Code and Section 6306 of the New York State Education Law, Oneida County Executive, Anthony J. Picente, Jr., has recommended the reappointment of David Mathis to serve on the Board of Trustees of Mohawk Valley Community College, and

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

RESOLVED, That the Oneida County Board of Legislators hereby approves and confirms the reappointment of David Mathis to serve on the Board of Trustees of Mohawk Valley Community College for a seven (7) year term commencing July 1, 2023 ending June 30, 2030.

APPROVED: Ways and Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 238

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Flisnik

2ND BY:

RE: REAPPOINTMENT OF WILLIAM S. CALLI, JR. TO SERVE ON THE MOHAWK VALLEY COMMUNITY COLLEGE BOARD OF TRUSTEES

WHEREAS, Pursuant to Article XX, Section 2002, of the Oneida County Charter and Administrative Code and Section 6306 of the New York State Education Law, Oneida County Executive, Anthony J. Picente, Jr., has recommended the reappointment of William S. Calli, Jr. to serve on the Board of Trustees of Mohawk Valley Community College, and

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

RESOLVED, That the Oneida County Board of Legislators hereby approves and confirms the reappointment of William S. Calli, Jr. to serve on the Board of Trustees of Mohawk Valley Community College for a seven (7) year term commencing July 1, 2024 ending June 30, 2031.

APPROVED: Ways and Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 2-10

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Idzi, Flisnik

2ND BY:

RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES, AND NEW YORK STATE, THROUGH ITS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, This Board is in receipt of correspondence from Edward T. Stevens, Director of Emergency Services, requesting approval of a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, through the Statewide Interoperable Communications Grant Program, in the amount of \$759,816.00, to provide continued support for the expansion of the Oneida County public safety radio system, specifically for P25 interoperable communications equipment and to pay for the County’s annual Lease Agreement with Motorola, which covers portable radios and related equipment, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Grant Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, in the amount of \$759,816.00, for a term commencing January 1, 2023 and ending December 31, 2025, including any renewals or non-material amendments.

APPROVED: Public Safety Committee
Ways and Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 241

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Boucher, Flisnik

2ND BY:

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF MENTAL HEALTH, AND CENTER FOR FAMILY LIFE AND RECOVERY, INC.

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Department of Mental Health, and Center for Family Life and Recovery, Inc., granting funds from the Oneida County Opioid Response Funds for the Peer Alliance Services Expansion of the Center for Family Life and Recovery, Inc. Said project will enhance the pre-existing Peer Alliance to address priority areas across the service continuum, priority populations, and recovery/prevention, which will improve the capacity of the Peer Alliance by hiring three (3) Certified Peer Advocates to facilitate groups and provide trainings, support, anti-stigma campaign messages, outreach, etc., and

WHEREAS, The Agreement shall be for a term commencing June 1, 2024, and ending May 31, 2025, for an amount not to exceed \$99,000.00, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That this Board approves of and authorizes Oneida County Executive Anthony J. Picente, Jr., to execute an Agreement between Oneida County, through its Department of Mental Health, and Center for Family Life and Recovery, Inc., for an amount not to exceed \$99,000.00, and for a term commencing June 1, 2024, and ending May 31, 2025, and hereby authorizes the County Executive to execute any future extensions of time or non-material amendments.

APPROVED: Health & Human Services Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 242

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Boucher, Flisnik

2ND BY:

RE: APPROVAL OF A TEMPLATE FOR THE ONEIDA COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM (SYEP) TO BE USED FOR AGREEMENTS BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF WORKFORCE DEVELOPMENT, AND VARIOUS ONEIDA COUNTY PROVIDERS

WHEREAS, This Board is in receipt of correspondence from David L. Mathis, Director of Oneida County Workforce Development, requesting approval of a Template to be used for Agreements between Oneida County, through its Office of Workforce Development, and various Oneida County providers for the Oneida County Summer Youth Employment Program (SYEP), and

WHEREAS, The Template will be used to enter into Agreements with various Oneida County providers to provide work experience for the youth of our community, who will learn lessons that only come from a job site, and to help our community by working with public, private and not-for-profit partners, for a term commencing on or about July 1, 2024 and expiring on or about September 1, 2024, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Template must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida Board of Legislators hereby approves a Template to be used for Agreements between Oneida County, through its Office of Workforce Development, and various Oneida County providers for the Oneida County Summer Youth Employment Program (SYEP), and it is further

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute Agreements between Oneida County, through its Office of Workforce Development, and various Oneida County providers using the approved Template, and the County Executive is hereby authorized to execute any extensions of time or non-material amendments for these Agreements.

APPROVED: Health & Human Services Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 243

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: *Messrs. Boucher, Flisnik*

2ND BY:

RE: APPROVAL OF A STATE SEPTIC SYSTEM REPLACEMENT PROGRAM COUNTY PARTICIPATION AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND NEW YORK STATE, THROUGH ITS ENVIRONMENTAL FACILITIES CORPORATION

WHEREAS, This Board is in receipt of a State Septic System Replacement Program County Participation Agreement between Oneida County, through its Department of Health, and New York State, through its Environmental Facilities Corporation, to provide Oneida County property owners within the priority geographic area with a 50% reimbursement of eligible costs of Septic System Projects, up to a maximum of \$10,000.00 per project, in accordance with Clean Water Infrastructure Act of 2017, and

WHEREAS, The State Septic System Replacement Program County Participation Agreement shall be for a term commencing May 1, 2024 and ending March 31, 2027, for a maximum amount of \$200,000.00, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute a State Septic System Replacement Program County Participation Agreement between Oneida County, through its Department of Health, and New York State, through its Environmental Facilities Corporation, for a maximum amount of \$200,000.00, and for a term commencing May 1, 2024 and ending March 31, 2027, and the County Executive is hereby authorized to execute any extensions of time or non-material amendments for this Agreement.

APPROVED: Health & Human Services Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 244

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: *Messrs. Boucher, Flisnik*

2ND BY:

RE: APPROVAL OF A TEMPLATE FOR PRESCHOOL RELATED SERVICES BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND VARIOUS PROVIDERS

WHEREAS, This Board is in receipt of correspondence from Daniel W. Gilmore, PhD, MPH, Director of Health, requesting approval of a Template to be used for Agreements between Oneida County, through its Department of Health, and various providers to provide related services rendered to eligible preschool age children with disabilities in accordance with section 4410 of the New York State Education Law and in compliance with 8 NYCRR Part 200 (Regulations of the Commissioner of Education), and

WHEREAS, The Template will be used to enter into Agreements with various providers for terms commencing July 1, 2024 and ending June 30, 2029, and for reimbursements rates approved by the New York State Education Department, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Template must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves a Template to be used for Agreements between Oneida County, through its Department of Health, and various providers for preschool related services, and it is further

RESOLVED, That Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to execute Agreements between Oneida County, through its Department of Health, and various providers using the approved Template, and the County Executive is hereby authorized to execute any extensions of time or non-material amendments to these Agreements.

APPROVED: Health & Human Services Committee
 Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 245

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Boucher, Flisnik

2ND BY:

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

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Family and Community Services, and New York State, through its Office of Children and Family Services, in the sum of \$49,999.00, which will be used to fund necessary training and staff development to Oneida County Child Advocacy Center (CAC) personnel and for the purchase of office furniture and supplies for the CAC building, and

WHEREAS, The Agreement shall be for a term commencing March 1, 2024 and ending September 30, 2024, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Grant Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute any and all documents related to a Grant Agreement between Oneida County, through its Department of Family and Community Services, and New York State, through its Office of Children and Family Services, in the sum of \$49,999.00, for a term commencing March 1, 2024 and ending September 30, 2024, including any renewals or non-material amendments.

APPROVED: Health & Human Services Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 246

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Boucher, Flisnik

2ND BY:

RE: APPROVAL OF AN AMENDMENT TO A PURCHASE OF SERVICES AGREEMENT TEMPLATE BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, AND VARIOUS DAY CARE AGENCIES

WHEREAS, This Board is in receipt of an Amendment to a Purchase of Services Agreement Template between Oneida County, through its Department of Family and Community Services, and Various Day Care Agencies, and

WHEREAS, This Board previously approved a Purchase of Services Agreement Template wherein Various Day Care Agencies would provide day care services to eligible low income employed families or public assistance recipients involved in approved educational, vocational job search or work experience activities, for a term commencing October 1, 2021 and ending March 31, 2026 (Resolution No. 153 of 2022), and

WHEREAS, Colleen Fahy-Box, Commissioner of Family and Community Services, has requested that the Purchase of Services Agreement Template be amended to reflect an increase in the number of required reimbursed absences from 24 to 80 per child, per provider, per state fiscal year pursuant to legislative changes amending New York State Social Services Law Section 410-x, with all other terms and conditions of the Purchase of Services Agreement Template remaining the same, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Amendment must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That this Board authorizes and approves an Amendment to a Purchase of Services Agreement Template between Oneida County, through its Department of Family and Community Services, and Various Day Care Agencies, for a term commencing October 1, 2023 and ending March 31, 2026, including any renewals or non-material amendments.

APPROVED: Health & Human Services Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 247

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: *Mme. Pratt, Mr. Flisnik*

2ND BY:

RE: APPROVAL OF THE MORTGAGE TAX RECEIPTS AND DISTRIBUTION FOR THE PERIOD ENDING MARCH 2024

WHEREAS, The Oneida County Clerk and the Commissioner of Finance have prepared and submitted to the Board of County Legislators their joint semi-annual report on the Mortgage Tax Receipts, and

WHEREAS, This report shows the credit statement to the sum of \$1,250,106.36 to be distributed to the various towns, cities and villages pursuant to Section 261 of the Tax Law, now therefore, be it hereby

RESOLVED, That the Oneida County Commissioner of Finance be and hereby is authorized and directed to remit payments in the amounts shown in said semi-annual report of the Mortgage Tax Receipts.

APPROVED: Government Operations Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 248

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mme. Pratt, Mr. Flisnik

2ND BY:

RE: APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PURCHASING, AND PITNEY BOWES INC.

WHEREAS, This Board is in receipt of a Lease Agreement between Oneida County, through its Department of Purchasing, and Pitney Bowes Inc. for a Send Pro Mail Center to be used to process outgoing mail for all Oneida County Departments, Oneida County Court, New York State Supreme Court, Surrogates Court, Family Court and the City of Utica, and

WHEREAS, Oneida County shall lease the Send Pro Mail Center, for the sum of \$105,256.20, for a sixty (60) month term commencing January 1, 2024 and ending December 31, 2028, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Lease Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute a Lease Agreement on behalf of the County of Oneida, through its Department of Purchasing, and Pitney Bowes Inc., for the sum of \$105,256.20, and for a sixty (60) month term commencing January 1, 2024 and ending December 31, 2028, including any renewals or non-material amendments, and it is further

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

APPROVED: Government Operations Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 249

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mme. Pratt, Mr. Flisnik

2ND BY:

RE: APPROVAL OF A PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF INFORMATION TECHNOLOGY, AND ANJOLEN, INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and Anjolen, Inc., for the provision of cybersecurity services to Oneida County at all of its locations throughout the County, and

WHEREAS, The Agreement shall be for a three (3) year term commencing upon execution, plus two (2) additional one (1) year renewal terms, and

WHEREAS, The Agreement does not state a maximum price, it being the County’s intention to use multiple vendors on a non-exclusive basis to provide cybersecurity services, in a total amount among all vendors anticipated not to exceed \$500,000.00 per year or \$2,500,000.00 over five years, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and Anjolen, Inc. for cybersecurity services for a three (3) year term commencing upon execution, plus two (2) additional one (1) year renewal terms and any non-material amendments.

APPROVED: Government Operations Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 250

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mme. Pratt, Mr. Flisnik

2ND BY:

RE: APPROVAL OF A PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF INFORMATION TECHNOLOGY, AND M.A. POLCE CONSULTING INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and M.A. Polce Consulting Inc. for the provision of cybersecurity services to Oneida County at all of its locations throughout the County, and

WHEREAS, The Agreement shall be for a three (3) year term commencing upon execution, plus two (2) additional one (1) year renewal terms, and

WHEREAS, The Agreement does not state a maximum price, it being the County’s intention to use multiple vendors on a non-exclusive basis to provide cybersecurity services, in a total amount among all vendors anticipated not to exceed \$500,000.00 per year or \$2,500,000.00 over five years, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and M.A. Polce Consulting Inc., for cybersecurity services for a three (3) year term commencing upon execution, plus two (2) additional one (1) year renewal terms and any non-material amendments.

APPROVED: Government Operations Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Idzi, D'Onofrio

2ND BY:

RE: APPOINTMENT OF CHRISTOPHER K. THIESEN AS DIRECTOR OF INFORMATION TECHNOLOGY

WHEREAS, In accordance with the provisions of Article III, Section 307, of the Oneida County Charter, Oneida County Executive, Anthony J. Picente, Jr., has requested confirmation of the appointment of Christopher K. Thiesen to serve as Director of Information Technology, and

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

RESOLVED, That the Oneida County Board of Legislators confirms the appointment of Christopher K. Thiesen to serve as Director of Information Technology – effective April 29, 2024.

APPROVED: Government Operations Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 252

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: *Messrs. Schiebel, Flisnik*

2ND BY:

RE: APPROVAL OF A GRANT DISBURSEMENT AGREEMENT BETWEEN NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT AND MOHAWK VALLEY COMMUNITY COLLEGE

WHEREAS, This Board is in receipt of a Grant Disbursement Agreement, in the sum of \$976,000.00, between New York State Urban Development Corporation d/b/a Empire State Development and Mohawk Valley Community College for the FastTrack Career Program, and

WHEREAS, In accordance with Education Law Section 6306(7), said Grant Disbursement Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators approves a Grant Disbursement Agreement between New York State Urban Development Corporation d/b/a Empire State Development and Mohawk Valley Community College.

APPROVED: Economic Development & Tourism Committee
Ways and Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 253

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: *Messrs. Schiebel, Flisnik*

2ND BY:

RE: APPROVAL OF AN INCENTIVE PROPOSAL BETWEEN ONEIDA COUNTY AND NEW YORK STATE, THROUGH ITS DEPARTMENT OF ECONOMIC DEVELOPMENT AND ITS URBAN DEVELOPMENT CORPORATION, D/B/A EMPIRE STATE DEVELOPMENT

WHEREAS, This Board is in receipt of an Incentive Proposal between Oneida County and New York State, through its Department of Economic Development and its Urban Development Corporation, d/b/a Empire State Development, in the sum of \$125,000.00, to help fund the International Ice Hockey Federation’s 2024 Women’s World Championship tournament at the Adirondack Bank Center and the Utica University Nexus Center, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Incentive Proposal Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby ratifies, approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute any and all documents related to an Incentive Proposal between Oneida County and New York State, through its Department of Economic Development and its Urban Development Corporation, d/b/a Empire State Development, in the sum of \$125,000.00, and for a term commencing November 15, 2023 and ending December 31, 2025, including any renewals or non-material amendments.

APPROVED: Economic Development and Tourism Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 254

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Schiebel, Flisnik

2ND BY:

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY AND SYRACUSE HIBERNIAN FESTIVAL CORPORATION

WHEREAS, This Board is in receipt of an Agreement between Oneida County and the Syracuse Hibernian Festival Corporation, in the sum of \$10,000.00, for the purpose of publicizing the advantages of Oneida County and the region, by advancing, fostering and promoting economic development within Oneida County, as well as contributing to, and promoting, the cultural development of the residents of Oneida County, and

WHEREAS, The Agreement shall be for a term commencing upon execution and ending August 31, 2024, and

WHEREAS, In accordance with Oneida County Charter Section 2202 and County Law Section 224(14), said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, to execute an Agreement between Oneida County and the Syracuse Hibernian Festival Corporation, in the sum of \$10,000.00, and for a term commencing upon execution and ending August 31, 2024, including any renewals or non-material amendments.

APPROVED: Government Operations Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES **NAYS** **0ABSENT**

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Koenig, Flisnik
2ND BY:

**RE: ESTABLISHMENT OF CAPITAL PROJECT H-AIR – 132 – CONTROL TOWER
DESIGN & REHAB**

WHEREAS, This Board is in receipt of a request to establish “Capital Project H-AIR – 132 – Control Tower Design & Rehab,” with approval of funding for such project, now, therefore, it is hereby

RESOLVED, That the Oneida County Board of Legislators authorizes the establishment of “Capital Project H-AIR – 132 – Control Tower Design & Rehab,” with approval of funding for such project as follows:

H-AIR-132-4592 – Federal Aid	\$146,821.00
H-AIR-132-3589 – State Aid	\$ 8,157.00
H-AIR-132-5031-000 – Transfer/Other Fund	<u>\$ 8,157.00</u>
	\$163,135.00

APPROVED: Airport Committee
 Ways & Means Committee

DATED: June 12, 2024

Adopted by the following roll call vote:
AYES NAYS ABSENT

NO. 256

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Koenig, Flisnik

2ND BY:

RE: APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND ASSURED INFORMATION SECURITY, INC.

WHEREAS, This Board is in receipt of correspondence from Commissioner of Aviation, Edward A. Arcuri, requesting approval of a Lease Agreement between Oneida County, through its Department of Aviation, and Assured Information Security, Inc. for 2,224 +/- square feet of office space, together with 17,916 +/- square feet of hangar space located at 116 Langley Road (Building "221") at Griffiss International Airport, and

WHEREAS, In accordance with terms set forth therein, Assured Information Security, Inc. shall lease 224 +/- square feet of office space, together with 17,916 +/- square feet of hangar space at a total cost of \$331,380.00 for an initial term commencing March 14, 2024 and ending March 13, 2027, with five (5) consecutive one (1) year renewals terms, containing a three percent (3%) escalator on the base rent charged in the immediately preceding twelve (12) months, unless terminated on notice, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Lease Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes County Executive, Anthony J. Picente, Jr., to execute a Lease Agreement on behalf of the County of Oneida, through its Department of Aviation, and Assured Information Security, Inc. for 2,224 +/- square feet of office space, together with 17,916 +/- square feet of hangar space located at 116 Langley Road (Building "221") at Griffiss International Airport at a total cost of \$331,380.00 for an initial term commencing March 14, 2024 and ending March 13, 2027, with five (5) consecutive one (1) year renewals terms, including any non-material amendments, and it is further

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

APPROVED: Airport Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 257

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Koenig, Flisnik

2ND BY:

RE: RESOLUTION AUTHORIZING THE COUNTY TO CONVEY AND/OR ACCEPT CONVEYANCE OF ANY REAL PROPERTY TITLE, EASEMENT, AND/OR RESTRICTIVE COVENANTS DEEMED NECESSARY AS PART OF THE DEVELOPMENT OF THE TRIANGLE SITE AT GRIFFISS INTERNATIONAL AIRPORT IN A FORM AND UPON SUCH TERMS AND CONDITIONS AS APPROVED BY THE COUNTY ATTORNEY

WHEREAS, The County is working on the development of the Triangle Site at Griffiss International Airport. Said development will require certain deed conveyances to the County, as well as certain easement conveyances to and from the County in order to complete the infrastructure improvements associated with the FAST NY award from New York State to the County, and

WHEREAS, The development of the Triangle Site at Griffiss International Airport will also require environmental mitigation measures that will include necessary conveyance of conservation easements to the County and implementation of conservation easements and restrictive covenants on the County-owned property at and around the former Oneida County Airport, and

WHEREAS, This Board is in receipt of correspondence from Amanda L. Cortese-Kolasz, County Attorney, requesting a resolution authorizing the County to convey and/or accept conveyance of any real property title, easement, and/or restrictive covenant deemed necessary as part of the Triangle Site development, including those deemed necessary for environmental mitigation measures at and around the former Oneida County Airport, in a form and upon such terms and conditions as approved by the County Attorney in order to facilitate smooth implementation of this project, now, therefore be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby authorizes the County to convey and/or accept conveyance of any real property title, easement, and/or restrictive covenant deemed necessary as part of the development of the Triangle Site at Griffiss International Airport, including those deemed necessary for environmental mitigation measures at and around the former Oneida County Airport, in a form and upon such terms and conditions as approved by the County Attorney.

APPROVED: Airport Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 258

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Waterman, Flisnik

2ND BY:

RE: SUPPLEMENTAL APPROPRIATION OF \$36,000.00 TO A 5130.0 – VARIOUS ROAD MACHINERY ACCOUNTS (DPW)

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$36,000.00 to A 5130.0 – Various Road Machinery Accounts (DPW), and

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

M.599 Appropriated Fund Balance \$36,000.00

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2024 funds, as hereinafter set forth, is hereby approved:

TO:

M 5130 5130.492 Computer Software & Licenses (DPW) \$16,000.00
M 5130 5130.493 Maintenance, Repair & Servies Contracts (DPW) \$20,000.00
\$36,000.00

APPROVED: Public Works Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 260

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: *Messrs. Waterman, Flisnik*

2ND BY:

RE: APPROVAL OF SUPPLEMENTAL AGREEMENT NO. 1 TO AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, THE TOWN OF NEW HARTFORD, AND BARTON & LOGUIDICE, D.P.C.

WHEREAS, This Board is in receipt of Supplemental Agreement No. 1 to an Agreement between Oneida County, through its Department of Public Works, the Town of New Hartford, and Barton & Loguidice, D.P.C. for required bridge maintenance, rehabilitation and reconstruction of the Clinton Street Bridge over Sauquoit Creek Bridge (BIN 2206280) in the Town of New Hartford, and

WHEREAS, The original Agreement, in the sum of \$270,000.00, was for a term commencing upon the issuance of written notice to proceed and ending no later than September 30, 2021, and

WHEREAS, The parties wish to enter into Supplemental Agreement No. 1 to provide additional funding in the sum of \$137,000.00, bringing the new Agreement total to \$407,000.00, for additional effort outside the original scope of work which is attributable to the advanced detail design work completed after design approval to address the flooding concerns identified by the New York State Department of Transportation and Sauquoit Creek Basin Intermunicipal Commission, and to extend the original end date of the Agreement to September 30, 2028, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Supplemental Agreement No. 1 must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute Supplemental Agreement No. 1 between Oneida County, through its Department of Public Works, the Town of New Hartford, and Barton & Loguidice, D.P.C., in the sum of \$407,000.00, and for a term commencing August 14, 2018 and ending September 30, 2028, including any renewals or non-material amendments.

APPROVED: Public Works Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 261

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Waterman, Flisnik

2ND BY:

RE: APPROVAL OF A CONSULTANT SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND JMT OF NEW YORK, INC.

WHEREAS, This Board is in receipt of a Consultant Services Agreement between Oneida County, through its Department of Public Works, and JMT of New York, Inc. to provide design services relative to Project Identification Number 2754.90, rehabilitation of a bridge on Firehouse Road over Reall Creek, in the Town of Deerfield, and

WHEREAS, JMT of New York, Inc. will provide the services for an amount not to exceed \$624,000.00, for a term commencing upon a written notice to proceed and ending upon completion of the work, anticipated to be no later than December 31, 2033, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Consultant Services Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute a Consultant Services Agreement between Oneida County, through its Department of Public Works, and JMT of New York, Inc., for an amount not to exceed \$624,000.00, and for a term commencing upon a written notice to proceed and ending upon completion of the work, anticipated to be no later than December 31, 2033, including any renewals or non-material amendments.

APPROVED: Public Works Committee
Ways and Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 262

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Waterman, Flisnik

2ND BY:

RE: APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY AND CITY OF ROME YOUTH BASEBALL, INC.

WHEREAS, This Board is in receipt of a Lease Agreement between Oneida County and City of Rome Youth Baseball, Inc. for part of real property located at 1101 Floyd Avenue in Rome, which includes several athletic fields in the northern half of said property, and

WHEREAS, In accordance with the terms set forth in therein, City of Rome Youth Baseball, Inc. shall lease part of real property located at 1101 Floyd Avenue in Rome, which includes several athletic fields in the northern half of said property for the sum of \$1.00 for a five (5) year term commencing January 1, 2024 and ending December 31, 2028, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Lease Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr. to execute a Lease Agreement between Oneida County and City of Rome Youth Baseball, Inc., in the sum of \$1.00, and for a five (5) year term commencing January 1, 2024 and ending December 31, 2028, including any non-material amendments, and it is further

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

APPROVED: Public Works Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT

NO. 263

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Waterman, Flisnik

2ND BY:

RE: APPROVAL OF CHANGE ORDER NO. 3 TO AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.

WHEREAS, Oneida County entered into a Consultant Services Agreement with Fisher Associates, P.E., L.S., L.A., D.P.C. on May 2, 2023, in the sum of \$125,200.00, to provide design services for several projects, for a term commencing upon Written Notice to Proceed and ending upon completion of the work, anticipated to be no later than December 31, 2023, and

WHEREAS, Oneida County and Fisher Associates, P.E., L.S., L.A., D.P.C. entered into Change Order No. 1 on November 30, 2023 to provide additional survey and design work in the sum of \$6,600.00, bringing the new total of the Agreement to \$131,800.00, and

WHEREAS, Oneida County and Fisher Associates, P.E., L.S., L.A., D.P.C. entered into Change Order No. 2 on March 1, 2024 to extend the term of the Agreement to end on December 31, 2025 at no additional cost, and

WHEREAS, Oneida County and Fisher Associates, P.E., L.S., L.A., D.P.C. wish to enter into Change Order No. 3, in the sum of \$9,000.00, for the provision of additional design services for the C2A-13 Kellogg Street culvert replacement project and the C2-43 Town Line Road culvert replacement project bringing the new total of the Agreement to \$140,800.00, with the term continuing to end on December 31, 2025, and

WHEREAS, In accordance with Oneida County Charter section 2202, said Change Order must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approves of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute Change Order No. 3 between Oneida County, through its Department of Public Works, and Fisher Associates, P.E., L.S., L.A., D.P.C., in the sum of \$9,000.00, for a term commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2025, including any renewals or non-material amendments.

APPROVED: Public Works Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

NO. 264

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Messrs. Waterman, Flisnik

2ND BY:

RE: RESOLUTION AUTHORIZING THE COUNTY OF ONEIDA TO ACCEPT CONVEYANCES OF SEVERAL REAL PROPERTY INTERESTS FROM MOHAWK VALLEY HEALTH SYSTEM, AND FURTHER AUTHORIZING THE GRANTING AND ACCEPTANCE OF RECIPROCAL EASEMENTS, AND AUTHORIZING THE ONEIDA COUNTY EXECUTIVE TO EXECUTE ALL RELATED INSTRUMENTS NECESSARY TO MEMORIALIZE THE SAME

WHEREAS, The County is nearing completion of its new public parking facility adjoining the Wynn Hospital and the County wishes to accept conveyances of several real property interests from Mohawk Valley Health System, and

WHEREAS, Mohawk Valley Health System will need to convey title to several properties, as well as certain ingress, egress, signage, utility, temporary construction, drainage, maintenance and repair easements, and the County will need to convey certain reciprocal easements to Mohawk Valley Health System, and

WHEREAS, This Board is in receipt of correspondence from Andrew Dean, Deputy County Attorney – Administration, requesting a resolution authorizing the County to accept the conveyances of those properties identified on a preliminary boundary survey attached thereto and to authorize Oneida County Executive, Anthony J. Picente, Jr., to execute all instruments (deeds, easements, et cetera) necessary to memorialize the same, now, therefore be it

RESOLVED, That the Oneida County Board of Legislators hereby authorizes the County to accept the conveyances of title from Mohawk Valley Health System to those properties described in the preliminary boundary survey and further authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute all instruments necessary to memorialize the same, and it is further

RESOLVED, That the Oneida County Board of Legislators hereby authorizes the County to accept from Mohawk Valley Health System, and to provide to Mohawk Valley Health System on a reciprocal basis, all necessary easements, including those for ingress, egress, signage, utility, temporary construction, drainage, maintenance and repair, for the public parking facility project and Wynn Hospital project, and to execute all instruments and agreements necessary to memorialize the same in such form as approved by the County Attorney.

APPROVED: Public Works Committee
Ways & Means Committee

DATED: June 12, 2024

Adopted by the following vote:
AYES NAYS ABSENT

265

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Flisnik
2ND BY:

RE: APPROVAL OF ANNUAL BUDGET APPROPRIATION AGREEMENT WITH THE TOWN OF VERONA

WHEREAS, This Board is in receipt of correspondence from Oneida County Executive, Anthony J. Picente, Jr., requesting approval of an Annual Budget Appropriation Agreement between Oneida County and the Town of Verona, in the sum of \$1,750,000.00, to support the cost of providing municipal services to the citizens and businesses of Oneida County located in Verona, New York, and

WHEREAS, The Annual Budget Appropriation Agreement will be for a term commencing January 1, 2024 and ending December 31, 2028, and

WHEREAS, In accordance with the Oneida County Charter Section 2202, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby approve of and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute an Annual Budget Appropriation Agreement between Oneida County and the Town of Verona, in the sum of \$1,750,000.00, for a term commencing January 1, 2024 and ending December 31, 2028, including any non-material amendments.

APPROVED: Ways & Means Committee

DATED: June 12, 2024

Adopted by the following roll call vote:

AYES NAYS ABSENT

INTRODUCTORY

F.N. 2024-274

NO.

266

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mdme. Pratt and Mr. Flisnik

2ND BY:

LOCAL LAW INTRO. "D" OF 2024

LOCAL LAW NO. __ OF 2024

A LOCAL LAW PROVIDING FOR THE DISTRIBUTION OF SURPLUS FROM THE SALE OF TAX DELINQUENT PROPERTY

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

Section 1. Purpose and Intent. This local law is enacted pursuant to and in accordance with Part BB of the New York State 2024-2025 Budget, Senate Bill No. S.8305 and Assembly Bill No. A.8805, to provide a mechanism for former owners and other parties whose interests were extinguished by the foreclosure of a delinquent real property tax lien to claim a surplus in the manner provided by title 6 of article 11 of the Real Property Tax Law. This local law and the mechanisms set forth herein are in addition and supplemental to statute of the State of New York, being Chapter 559 of the Laws of 1902, as amended ("Oneida County Tax Act").

Section 2. Definitions.

In this local law:

"Charges" or "legal charges" means:

- (a) the cost of the mailing or service of notices required or authorized by this local law and/or the Oneida County Tax Act, NYS statute and/or applicable NYS or United States Supreme Court case law;
- (b) the cost of publication of notices required or authorized by this local law and/or the Oneida County Tax Act, NYS statute and/or applicable NYS or United States Supreme Court case law;
- (c) the amount of any interest, penalties and/or fees imposed by law;
- (d) the cost of recording or filing legal documents required or authorized by this local law and/or

the Oneida County Tax Act, NYS statute and/or applicable NYS or United States Supreme Court case law;

- (e) the cost of appraising a parcel for the purpose of determining the existence and amount of any surplus pursuant to Section 3 of this local law;
- (f) the cost of surveying a parcel for the purpose of determining the existence and amount of any surplus pursuant to Section 3 of this local law;
- (g) the reasonable and necessary cost of any search of the public record required or authorized to satisfy the notice requirements of this this local law and/or the Oneida County Tax Act, and other reasonable and necessary expenses incurred by the County of Oneida in connection with a proceeding to foreclose a tax lien, including but not limited to administrative, auction and reasonable attorney fees and/or costs associated with the foreclosure process; provided, that: (i) a charge of up to either two hundred fifty dollars (\$250.00) per parcel, or two percent (2%) of the sum of the taxes, interest and penalties due on the parcel, whichever is greater, shall be deemed reasonable and necessary to cover the combined costs of such searches and the other reasonable and necessary costs and expenses delineated in this paragraph, and such an amount may be charged without substantiation, even if salaried employees of the County of Oneida performed some or all of such services; and (ii) the County of Oneida may charge a greater amount with respect to one or more parcels upon demonstration to the satisfaction of the court having jurisdiction that such greater amount was reasonable and necessary; and
- (h) the amount owed to the County of Oneida by virtue of a judgment lien, a mortgage lien, or any other lien held by the County of Oneida that is not a delinquent tax lien.
- (i) Tax liens of one or more taxing districts in the county pursuant to intermunicipal agreement for the disposition of tax liens on tax foreclosed properties, as long as said items are submitted to the Commissioner of Finance in writing within thirty (30) days from the date after the Board of Legislators accepts the sale of tax-foreclosed property, or at the discretion of the Commissioner of Finance if time permits thereafter as conditioned by the time constraint outlined in Section 3 paragraph 1 listed below.
- (j) At the discretion of the Commissioner of Finance, outstanding municipal charges and/or liens (including but not limited to unpaid code violations) including municipal charges and/or liens from taxing districts under intermunicipal agreement for the disposition of tax liens on foreclosed properties, whether said municipal charges, and/or liens originate from law, ordinance, resolution or statute, and also including municipal charges, tax liens, and/or other liens from other taxing districts, whether said municipal charges, tax liens, and/or other liens originate from law, ordinance, resolution or statute; but only after items (a) through (i) as listed above are first covered in-full, and then, only if said municipal charges and/or liens are submitted to

the Commissioner of Finance for consideration in writing within thirty (30) days from the date after the Board of Legislators accepts the sale of tax-foreclosed property, or at the discretion of the Commissioner of Finance if time permits thereafter as conditioned by the time constraint outlined in Section 3 paragraph 1 listed below.

Charges shall be deemed a part of the delinquent tax for purposes of redemption and determination of surplus.

“Former homeowner” means a person or persons who lost title to and/or ownership of residential property due to a tax foreclosure.

“Public sale” means a sale resulting from a public auction conducted in accordance with the provisions of the Oneida County Tax Act and the Oneida County Board of Legislators.

“Surplus” means the net gain, if any, realized by the County of Oneida upon the sale of tax-foreclosed property, as determined herein. Where no such gain was realized, no surplus shall be attributable to that sale.

“Sale of Tax Foreclosed Property” for the purposes of this local law providing for the distribution of surplus shall mean: the date of acceptance of an offer or offers by the majority of the Board of Legislators at any regular or special session thereof.

Section 3. Determination of existence and amount of surplus.

1. (a) Within forty-five (45) days after the Board of Legislators accepts the sale of tax-foreclosed property, the Commissioner of Finance shall determine whether a surplus is attributable to such sale and if so, the amount thereof. Subject to the provisions of subdivision two of this Section 3, such determination shall be made by ascertaining the sum of the total amount of taxes due plus interest, penalties and other charges as defined by Section 2 of this local law, and subtracting such sum from whichever of the following is applicable:
 - (i) where the sale was a public sale, the amount to be so subtracted shall be the amount paid for the property;
 - (ii) where the sale was not a public sale, the amount to be so subtracted shall be either (A) the full value of the property as shown on the most recent tax roll, (B) if available, an appraisal prepared by a licensed New York state appraiser that establishes the full value of the property as of the date of the transfer of title, or (C) the full value of the property as of the date of the transfer of title as determined by such other valuation method as the Commissioner of Finance reasonably determines will result in just compensation to the former owner and other parties whose interests were extinguished by the foreclosure.
- (b) For purposes of this subdivision, where the Commissioner of Finance has been notified that the County of Oneida intends to retain tax-foreclosed property for a public use, the property shall be deemed to have been sold on the date that the Commissioner of

Finance was so notified, and the Commissioner of Finance shall determine the existence and amount of a surplus relative to such property in the manner provided by subparagraph (ii) of paragraph (a) of this subdivision.

2. Notwithstanding the provisions of subdivision one of this Section 3, when the County of Oneida has sold or conveyed tax-foreclosed property to a land bank, a housing development agency or another public entity, and such sale or conveyance was not the result of a public sale, or when the County of Oneida has determined to retain tax-foreclosed property for a public use, no surplus shall be payable if all of the following conditions are satisfied:
 - (a) prior to such sale, conveyance or determination, the property had been offered for sale at two (2) separate public auctions conducted at least three (3) months apart from one another;
 - (b) both auctions had been conducted in compliance with the provisions established by the Oneida County Commissioner of Finance and the Oneida County Board of Legislators;
 - (c) the minimum acceptable bid at each auction had been set at an amount no greater than the sum of the taxes due plus interest, penalties and other charges; and
 - (d) no qualifying bids were received for the property at either auction.
3.
 - (a) If the Commissioner of Finance determines that no surplus is attributable to the sale, the Commissioner of Finance shall submit a report to the court describing the circumstances of the sale, stating that no surplus was attributable to the sale and demonstrating how the Commissioner of Finance reached that conclusion.
 - (b) If the Commissioner of Finance determines that a surplus is attributable to the sale, the Commissioner of Finance shall submit a report to the court describing the circumstances of the sale, stating that a surplus was attributable to the sale, and demonstrating how the amount of the surplus was determined. Such surplus shall be paid to the court therewith. Within ten (10) business days of submitting such report, the Commissioner of Finance shall notify the former property owner that a surplus was attributable to the sale of such property, that such surplus has been paid into court, and that the court will notify the interested parties of the procedure to be followed in order to make a claim for a share of the surplus.
 - (c) Where the Commissioner of Finance's determination of surplus is based upon his/her estimate of the property's value, the Commissioner of Finance's report to the court shall set forth an explanation of how this estimate was made, including the evidence upon which it was based.
4. Upon approval by the court of the Commissioner of Finance's report, the County of Oneida shall have no further responsibilities in relation to the parcel or any surplus

attributable thereto, except to the extent the court directs otherwise pursuant to Section 4 of this local law.

Section 4. Claims for surplus.

1. Any person who had any right, title, interest, claim, lien or equity of redemption in or upon a parcel immediately prior to the sale of tax foreclosed property through the acceptance of offer by a majority of the Board of Legislators at any regular or special session thereof, may file a claim with the court having jurisdiction for a share of any surplus resulting from the sale of such property. Such claims shall be administered and adjudicated, and such surplus shall be distributed, in the same manner as in an action to foreclose a mortgage pursuant to article thirteen of the Real Property Actions and Proceedings Law, subject to the provisions of this Section 4.
2. (a) Where the property was sold by a public sale, the amount paid for the property shall be accepted as the full value of the property. No party may maintain a claim for surplus or any other claim or action against the County of Oneida on the basis that the amount paid for the property did not fairly represent the property's value.

(b) Where the property was sold by other than a public sale, a claimant may make a motion, upon written notice to the Commissioner of Finance, for the surplus to be recalculated on the basis that the property's full value on the date of the sale was substantially higher than the value used to measure the surplus pursuant to subparagraph (ii) of paragraph (a) of subdivision one of Section 3 of this local law. If the court or its referee finds that a preponderance of the evidence supports the claimant's position, the court may direct the Commissioner of Finance to recalculate the surplus based upon the property's value as determined by the court or referee. The court may further direct the Commissioner of Finance to pay the difference into court to be distributed as required by this Section 4.
3. Where the court has appointed a referee to preside over the proceedings pursuant to subdivision two of section thirteen hundred sixty-one of the Real Property Actions and Proceedings Law, it shall not be necessary for such referee to make a report of such proceedings; nor shall it be necessary for the court to confirm by order or otherwise such proceedings.
4. In the case of residential property, if at the time of the confirmation of the report of sale, no former homeowner has filed a claim for surplus, and there are surplus proceeds that remain to be distributed, the proceeding shall remain open for at least three (3) years from the confirmation of the report of sale, or for such longer period as the court may direct. If a former homeowner should file a claim for surplus during such period, the court shall proceed as if it had been timely filed.
5. At the conclusion of such proceedings, any surplus funds that have not been claimed shall be deemed abandoned but shall be paid to the County of Oneida, not to the state comptroller, and shall be used by the County of Oneida to reduce its tax levy.

6. To the extent the provisions of article thirteen of the Real Property Actions and Proceedings Law are inconsistent with the provisions of this local law, the provisions of this local law shall govern.

Section 5. Administration of Surplus in Connection with Tax Lien Sales.

The distribution of surplus from the sale of tax delinquent property by the Oneida County Board of Legislators shall be administered in the manner described in this local law.

Section 6. Effect on Prior Legislation.

The Oneida County Tax Act, Chapter 559 of the Laws of 1902, as amended, and any additional local law or resolution regarding the sale of tax delinquent property by Oneida County shall remain in full force and effect, as supplemented by the provisions contained herein.

Section 7. Partial Invalidity

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 8. Effective Date.

This local law shall take effect immediately and shall be filed consistent with the provisions of the New York State Municipal Home Rule Law.

APPROVED: Ways & Means Committee

DATED: June 12, 2024 Message of Necessity Attached

Adopted by the following vote:

AYES NAYS ABSENT

NO. 267

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mme. Pratt, Mr. Flisnik

2ND BY:

RE: APPROVAL OF THE BIDS OFFERED AT THE MAY 18, 2024 PROPERTY AUCTION

WHEREAS, On May 18, 2024, the County held an auction of properties identified as tax delinquent by the Oneida County Department of Finance, and

WHEREAS, The Commissioner of Finance received offers for the sale of said properties described in the attached documents and duly approved same, and

WHEREAS, The Commissioner of Finance has certified to this Board that his office is in receipt of down payments for those properties in various towns/cities within Oneida County sold at auction by the Department of Finance on May 18, 2024, and

WHEREAS, The sale of these properties was duly advertised in the official newspapers of the County and affidavits of said publications are on file with the Commissioner of Finance, now, therefore, be it hereby

RESOLVED, That the Chairman and Clerk of this Board be and hereby are authorized and directed to execute and deliver quit claim deeds to the designated parties conveying the premises described for the considerations set forth in said document on file with the Clerk of this Board.

APPROVED: Government Operations Committee
Ways and Means Committee

DATED: June 12, 2024

Adopted by the following vote:

AYES NAYS ABSENT