



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

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Minority Leader

EXPEDITED COMMUNICATIONS FOR DISTRIBUTION FOR THE JUNE 9, 2021 MEETING

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

<u>FILE NO.</u>	<u>COMMITTEE</u>	<u>PAGES</u>
2021-143 . . .	Public Works, Ways & Means	1-12
2021-144 . . .	Public Works, Ways & Means	13-21
2021-145 . . .	Public Works, Ways & Means	22-24
2021-146 . . .	Government Operations, Ways & Means	25-26
2021-147 . . .	Health & Human Services, Ways & Means	27-28
2021-148 . . .	Economic Development & Tourism, Ways & Means	29-31
2021-149 . . .	Economic Development & Tourism, Ways & Means	32-33
2021-150 . . .	Ways & Means	34-35
2021-151 . . .	Health & Human Services	36-38
2021-152 . . .	Health & Human Services	39-41
2021-153 . . .	Ways & Means	42

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ONEIDA COUNTY
DEPARTMENT OF PUBLIC WORKS
 George E. Carle Complex
 5999 Judd Road, Oriskany, NY 13424
 Phone: (315) 793-6235 Fax: (315) 768-6299

ANTHONY J. PICENTE JR.
 County Executive

MARK E. LARAMIE, P.E.
 Commissioner

May 18, 2021

FN 20 51 - 143

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

PUBLIC WORKS

Re: Eminent Domain Proceedings
 Middle Settlement Road Reconstruction Project
 Determinations & Findings from a Public Hearing held on March 22, 2021

WAYS & MEANS

Dear Mr. Picente:

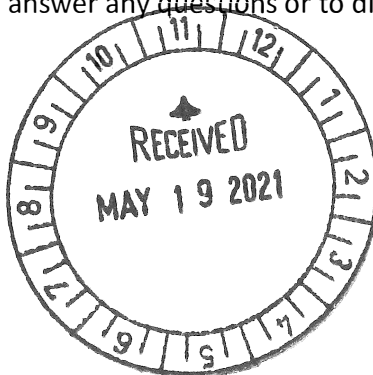
On March 22, 2021, a public hearing was held virtually pursuant to Article Two of the Eminent Domain Procedure Law of the State of New York. Following this hearings, a hearing record was prepared and made available to the public for inspection and download. The next step in the process is the publication of a series of Determinations and Findings from the hearing. These Determinations and Findings must be approved by the Board of Legislators.

Attached please find a proposed set of Determinations and Findings from the March 22, 2021 hearing with accompanying acquisition maps, along with a proposed Resolution for the Board to pass adopting and certifying the same. If you concur with the Board of Legislators taking this action at this time, would you please be so kind as to indicate so by endorsing this letter, and forwarding the same, with the attachments. to the Board for action at their next scheduled meeting.

As always, I am available to answer any questions or to discuss this matter further should you so desire. Thank you.

Sincerely,

Mark E. Laramie, P.E.
 Commissioner



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

Anthony J. Picente, Jr.
 County Executive

Date 5-19-21

DETERMINATIONS AND FINDINGS
OF THE
ONEIDA COUNTY BOARD OF LEGISLATORS
IN CONNECTION WITH THE PROPOSED ACQUISITION OF REAL PROPERTY FOR A
HIGHWAY RECONSTRUCTION PROJECT ON MIDDLE SETTLEMENT ROAD IN THE
TOWN OF NEW HARTFORD

Pursuant to Section 203 of the Eminent Domain Procedure Law, a Public Hearing was conducted on March 22, 2021 by the County Attorney. At that Public Hearing, the County of Oneida outlined the purpose, proposed location and alternate locations of the highway reconstruction project, provided maps and descriptions of the properties to be acquired and adjacent parcels. Every person in attendance was given a reasonable opportunity to present an oral or written statement and to submit other documents concerning the proposed public project. The Public Hearing was held open for ten (10) days, through April 1, 2021, in order to allow the submission of written comments relative to the project.

The Public Hearing commenced with presentations by Assistant County Attorney Robert Pronteau, Esq. and the Commissioner of Public Works, Mark E. Laramie, outlining the purpose of the project, a description of the project, its location, the anticipated impact on the environment and the residents, and the identity of the parcels to be condemned. No members of the public offered verbal statements at the hearing, but one person did submit a written statement that was read into the record of the hearing. The Public Hearing was continued for further comments and written submissions by the public which were accepted up to and including April 1, 2021. No additional commentary was received, and the Public Hearing was concluded on April 1, 2021.

The Oneida County Board of Legislators has considered the proposed acquisition pursuant to the Eminent Domain Procedure Law, the comments submitted by the public at the hearing, the submissions made following the hearing and other matters pertinent to the acquisition of the properties by Eminent Domain. The Board adopts relevant determinations and findings as set forth below:

1. That Middle Settlement Road in the Town of New Hartford in Oneida County is one of the most heavily traveled roads in the County, with a daily average traffic count exceeding 10,000 cars.
2. That the reconstruction and improvement of Middle Settlement Road will aid in the continuing development of a commercial corridor that serves essential financial, retail and home improvement establishments, as well as large residential developments in the area.
3. That the acquisition of rights-of-way along Middle Settlement Road are necessary in order to bring the reconstruction into compliance with current local, state and federal highway design standards.
4. That failure to meet these standards will result in potentially hazardous conditions for motorists, bicyclists and pedestrians.
5. That following final design of the highway reconstruction project, the required parcels were identified, and the owners of the parcels were contacted to negotiate the purchase of their properties. Several of the owners agreed to sell and their properties were purchased. Two owners declined or were otherwise unwilling to sell.
6. That there were three parcels left to be acquired by condemnation, one parcel owned by the first owner and the other two from another.
7. The first of these parcels is identified as approximately 403 square feet of Tax Parcel 328.00-3-16.1, as shown on Map Number 2, Parcel Number 2, sheets 1 and 2, prepared by Prudent Engineering on behalf of Oneida County, and attached to these Determinations and Findings. This property is required to provide adequate operation and maintenance of the storm water drainage system.
8. The second and third of these parcels are collectively identified as approximately 13,772 square feet of Tax Parcel Number 328.00-3-25 as shown on Park Map Number 9, Parcels Number 12 and 13, prepared by Prudent Engineering on behalf of Oneida County, and also attached to these Determinations and Findings. These parcels are required to eliminate a nonstandard horizontal curve.
9. That the acquisition by the County of Oneida of these properties for use as a part of the road reconstruction is necessary and will achieve the following purposes: to ensure the reconstruction of Middle Settlement Road is conducted in a safe and proper manner, and in full compliance with all applicable federal, state and local design standards.

10. That the County of Oneida will benefit by the reconstruction of Middle Settlement Road through improved traffic vehicle flow, increased motorist, cyclist and pedestrian traffic, improved storm-water management along the roadway, and increased ease of access to local businesses
11. That there will be no significant adverse effect to the environment or upon the residents of the area and locality immediately adjacent and in close proximity to the properties from the aforesaid land acquisition and the reconstruction of the highway.
12. That, pursuant to Section 202 of the Eminent Domain Procedure Law, a Notice of Public Hearing was published in the Observer-Dispatch from March 12, 2020 through March 21, 2021. This same Notice of Public Hearing was personally served on all interested property owners, by personal service and/or by certified mail, return receipt requested, more than ten (10) days prior to the Public Hearing.
13. That pursuant to Section 203 of the Eminent Domain Procedure Law, a Public Hearing was conducted on March 22, 2021 and concluded on April 1, 2021. At that Public Hearing, the County of Oneida outlined the purpose and proposed location of the highway reconstruction project, and provided maps and descriptions of the properties to be acquired. Every person in attendance was given a reasonable opportunity to present an oral or written statement and to submit other documents concerning the proposed public project.
14. That the record for the Public Hearing was kept open until April 1, 2021, to allow for the submission of additional commentary or documentation concerning the highway reconstruction project. No additional submissions were made.
15. That, following the closing of the record, copies of the complete record of the hearing were filed with the Oneida County Clerk, and were also made available for download on the Oneida County website.
16. That the County of Oneida has considered the proposed taking, the comments submitted at the hearing, as well as other matters related to the prospect of litigating the acquisition of the properties.
17. That despite repeated and continuing negotiations with the remaining property owners, agreements cannot be reached for purchase of the remaining properties by the County.
18. That the County of Oneida, as lead agency, by Resolution 2021-23.2 of this Board, dated February 10, 2021, authorized the submission of a Short Environmental Assessment Form

finding that the reconstruction of Middle Settlement Road in the Town of New Hartford, will not result in any significant environmental impacts. A copy of this form is included in the record of the hearing.

19. That, accordingly, the County of Oneida issued a Negative Declaration with regard to the reconstruction of Middle Settlement Road in the Town of New Hartford, in compliance with the State Environmental Quality Review Act (SEQRA).
20. That the County of Oneida accepts and adopts the testimony of Mark E. Laramie, Commissioner of the Oneida County Department of Public Works, submitted at the hearing, in its entirety.
21. That the County is satisfied that, as required under Section 204(B) of the Eminent Domain Procedures Law that: (1) the public use, benefit, or purpose of the project has been established in the record; (2) the approximate location of the proposed public project has been established and an explanation of the reasons for the selection of that location has been provided; and (3) the general effect of the proposed project on the environment and the residents of the localities in which the project will be located has been comprehensively examined. Accordingly, the County finds that the necessary justification exists to proceed to condemn the parcels identified above.
22. Copies of all documentation concerning the above acquisition and condemnation are on file at the offices of the Oneida County Clerk at 800 Park Avenue, Utica, New York, which include the transcript of public hearing held on March 22, 2021, and all documentation submitted to the County concerning said acquisition. The same is available for download on the Oneida County Web Page at <http://www.ocgov.net>.

The County Attorney is hereby directed to proceed as necessary and in accordance with the Eminent Domain Procedure Law in order to effect the acquisition of the properties.

Dated: June 9, 2021

ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MAP NO. 2
PARCEL NO. 2
SHEET 1 OF 2 SHEETS

MIDDLE SETTLEMENT ROAD

MAP REFERENCE INFORMATION:

A portion of the
Seventh Division of Coxe's Patent
Parcel Locator Point:

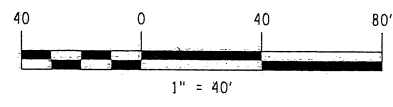
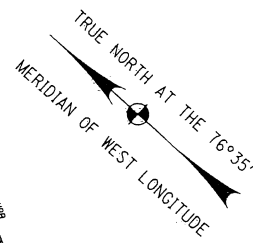
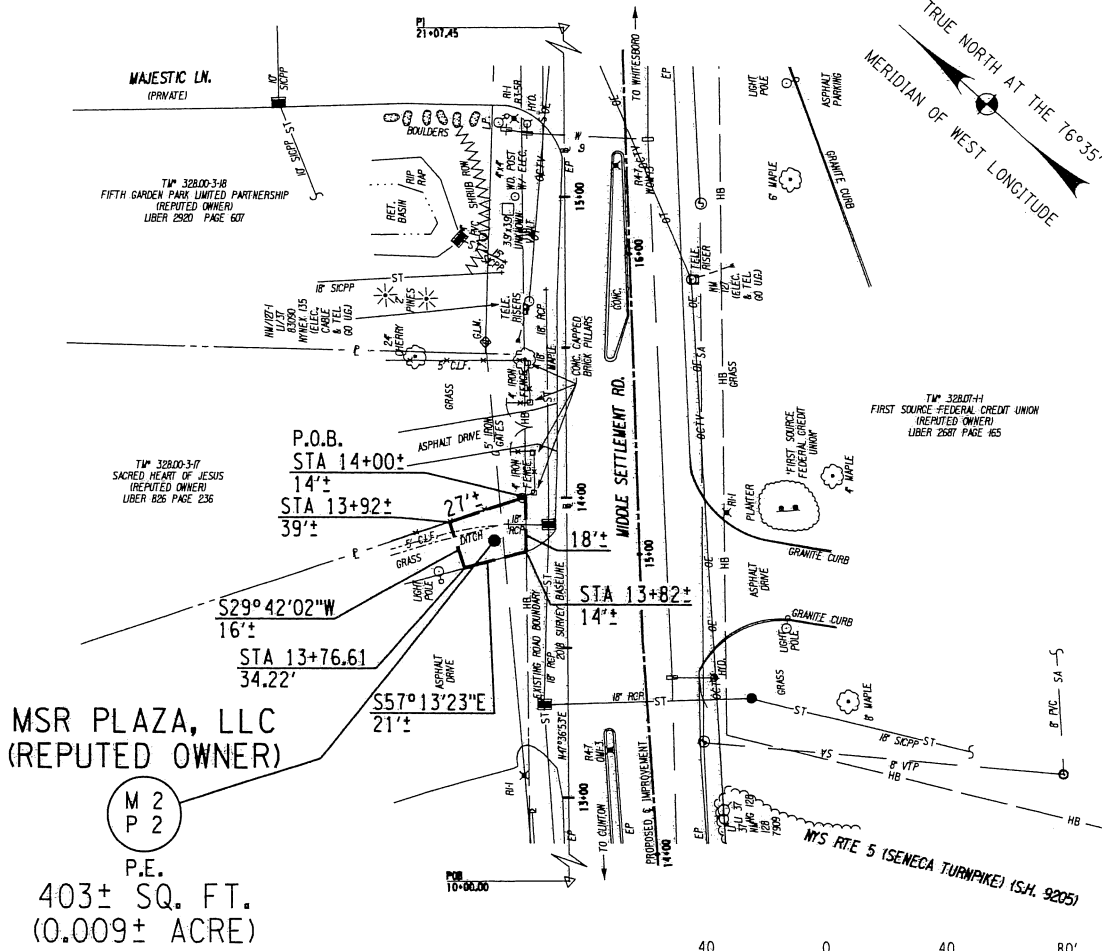
N: 1126148.956
E: 1156358.037

MSR PLAZA, LLC
(REPUTED OWNER)

CCD INSTR. NO. 2004-028031
TRN NONE

PARCEL SUMMARY:

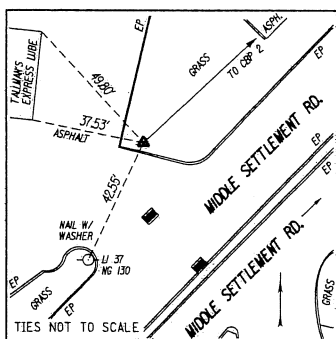
Type: PERMANENT EASEMENT
Portion of 2019 Tax
Map Ref. No. 328.00-3-16.1
Town of New Hartford
County of Oneida
State of New York



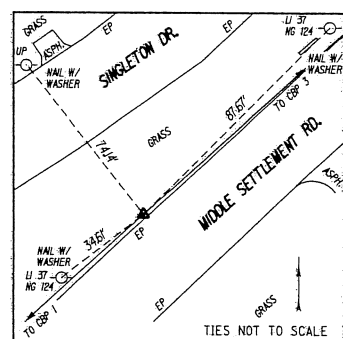
MSR PLAZA, LLC
(REPUTED OWNER)

M
2
P
2

P.E.
403± SQ. FT.
(0.009± ACRE)



ⓑ STA. 10+00.00
CBP 1 IS A CAPPED IRON ROD SET
IN GROUND EAST OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1125868.97
E: 1156071.65



ⓑ STA. 21+07.45
CBP 2 IS A CAPPED IRON ROD SET
IN GROUND EAST OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1126615.51
E: 1156889.64

6

ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MIDDLE SETTLEMENT ROAD

MAP NO. 2
PARCEL NO. 2
SHEET 2 OF 2 SHEETS

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property delineated above for the purpose of constructing, reconstructing and maintaining thereon a road, together with such bridges and other facilities in connection therewith as may be deemed necessary by the County of Oneida, in and to all that piece or parcel of property designated as Parcel No. 2, as shown on the accompanying map and described as follows:

Beginning at a point in the northwesterly boundary of the existing Middle Settlement Rd. at its intersection with the division line between the property of MSR Plaza, LCC (Reputed Owner) on the southwest and the property of Sacred Heart of Jesus (Reputed Owner) on the northeast, said point being 14± feet distant northwesterly measured at right angles from station 14+00± of the hereinafter described 2018 Survey Baseline for the Rehabilitation of Middle Settlement Road; thence northwesterly along said division line a distance of 27± feet to a point being 39± feet distant northwesterly measured at right angles from station 13+92± of said survey baseline; thence through the property of MSR Plaza, LCC (Reputed Owner) the following two (2) courses and distances:

1) S29°42'02"W, 16± feet to a point 34.22 feet distant northwesterly measured at right angles from station 13+76.61 of said survey baseline;

2) S57°13'23"E, 21± feet to a point in the northwesterly boundary of said existing Middle Settlement Rd., said point being 14± feet distant northwesterly measured at right angles from station 13+82± of said survey baseline;

thence northeasterly along said road boundary a distance of 18± feet to the point of beginning, being 403± square feet (0.009± acre), more or less.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.


The above mentioned Survey Baseline is the 2018 Survey Baseline for the Rehabilitation of Middle Settlement Road, as shown on a map and plan on file at the Oneida County Department of Public Works and described as follows:

Beginning at Station 10+00.00; thence North 47°36'53" East to Station 21+07.45.

All bearings are based on True North at the 76°35' Meridian of West Longitude.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date October 16, 20 19

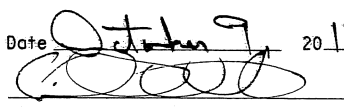

Mark Laramie, PE
Deputy Commissioner
Oneida County Department of Public Works



"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate map of an actual survey.

Date October 9, 20 19


Prudent Engineering LLP
Engineering and Land Surveying
By Michael A. Venturo, Land Surveyor
L.S. License No. 050079

MSR PLAZA, LLC
(Reputed Owner)

ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MAP NO. 9
PARCEL NOS. 12 AND 13
SHEET 1 OF 4 SHEETS

MIDDLE SETTLEMENT ROAD

MAP REFERENCE INFORMATION:

A portion of the
Seventh Division of Coxe's Patent
Parcel Locator Point:

P-12:
N: 1127394.980
E: 1157676.584

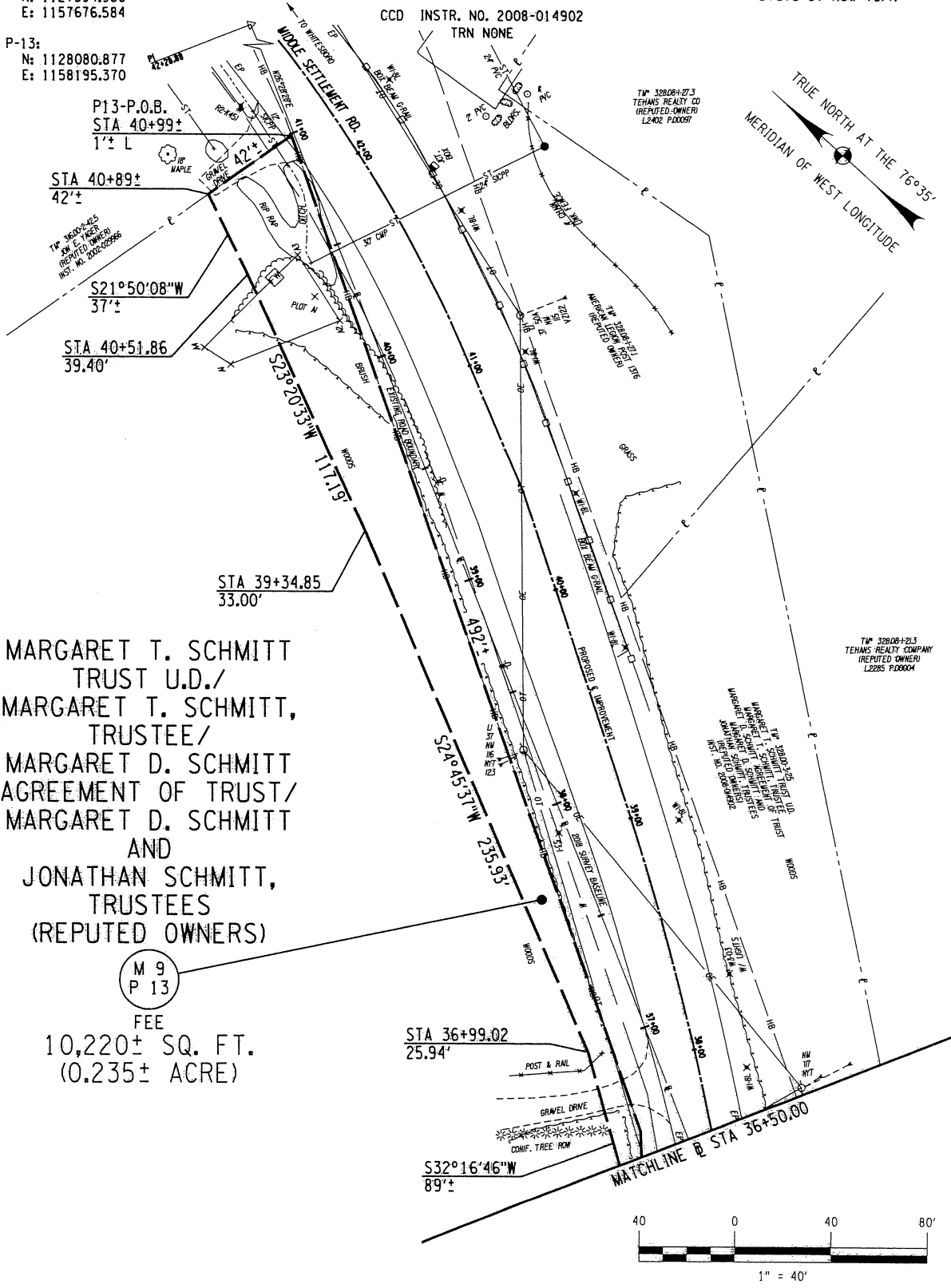
P-13:
N: 1128080.877
E: 1158195.370

MARGARET T. SCHMITT TRUST U.D.
MARGARET T. SCHMITT, TRUSTEE
MARGARET D. SCHMITT AGREEMENT OF TRUST
MARGARET D. SCHMITT AND
JONATHAN SCHMITT, TRUSTEES
(REPUTED OWNERS)

PARCEL SUMMARY:

Type: P-12: FEE, P-13: FEE
Portion of 2019 Tax
Map Ref. No. 328.00-3-25
Town of New Hartford
County of Oneida
State of New York

CCD INSTR. NO. 2008-014902
TRN NONE



MARGARET T. SCHMITT
TRUST U.D./
MARGARET T. SCHMITT,
TRUSTEE/
MARGARET D. SCHMITT
AGREEMENT OF TRUST/
MARGARET D. SCHMITT
AND
JONATHAN SCHMITT,
TRUSTEES
(REPUTED OWNERS)

M 9
P 13

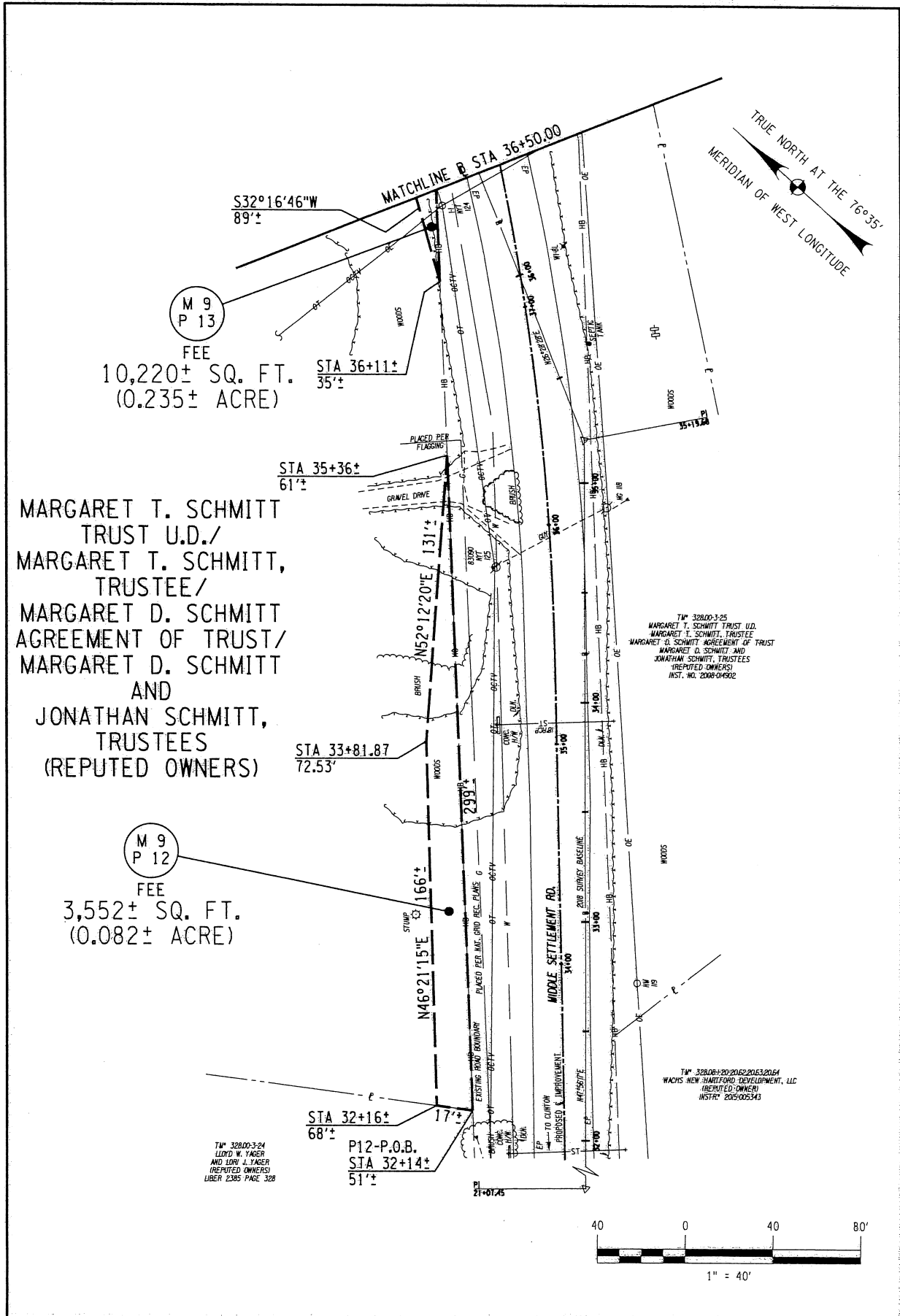
FEE
10,220± SQ. FT.
(0.235± ACRE)

8

ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MAP NO. 9
PARCEL NOS. 12 AND 13
SHEET 2 OF 4 SHEETS

MIDDLE SETTLEMENT ROAD



M 9
P 13
FEE
10,220± SQ. FT.
(0.235± ACRE)

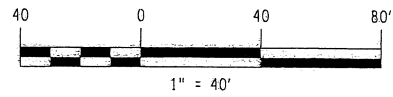
MARGARET T. SCHMITT
TRUST U.D./
MARGARET T. SCHMITT,
TRUSTEE/
MARGARET D. SCHMITT
AGREEMENT OF TRUST/
MARGARET D. SCHMITT
AND
JONATHAN SCHMITT,
TRUSTEES
(REPUTED OWNERS)

M 9
P 12
FEE
3,552± SQ. FT.
(0.082± ACRE)

T.M. 32800-324
LLOYD W. YAGER
AND LORI J. YAGER
(REPUTED OWNERS)
LIBER 2385 PAGE 328

T.M. 32800-325
MARGARET T. SCHMITT TRUST U.D.
MARGARET T. SCHMITT, TRUSTEE
MARGARET D. SCHMITT AGREEMENT OF TRUST
MARGARET D. SCHMITT AND
JONATHAN SCHMITT, TRUSTEES
(REPUTED OWNERS)
INST. NO. 2008-04902

T.M. 32800-320/2016/2016/2016
WACHS NEW HARTFORD DEVELOPMENT, LLC
(REPUTED OWNER)
INST. NO. 2015-005343



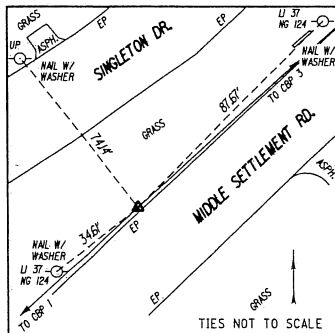
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9

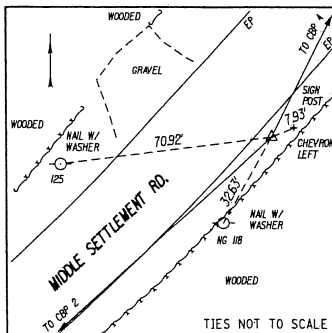
ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MAP NO. 9
PARCEL NOS. 12 AND 13
SHEET 3 OF 4 SHEETS

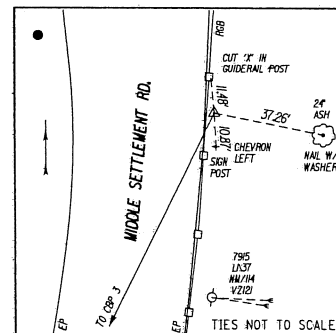
MIDDLE SETTLEMENT ROAD



Ⓢ STA. 21+07.45
CBP 2 IS A CAPPED IRON ROD SET
IN GROUND EAST OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1126615.51
E: 1156889.64



Ⓢ STA. 35+19.68
CBP 3 IS A CAPPED IRON ROD SET
IN GROUND WEST OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1127561.61
E: 1157938.11



Ⓢ STA. 42+28.88
CBP 4 IS A CAPPED IRON ROD SET
IN GROUND WEST OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1128196.44
E: 1158254.27

All those pieces or parcels of property designated as Parcel Nos. 12 and 13, situated in the Town of New Hartford, County of Oneida, State of New York, as shown on the accompanying map and described as follows:

PARCEL NO. 12:

Beginning at a point in the northwesterly boundary of the existing Middle Settlement Rd. at its intersection with the division line between the property of Margaret T. Schmitt, Trust U.D., Margaret T. Schmitt, Trustee, Margaret D. Schmitt Agreement of Trust, Margaret D. Schmitt and Jonathan Schmitt, Trustees (Reputed Owners) on the northeast and the property of Lloyd W. Yager and Lori J. Yager (Reputed Owners) on the southwest, said point being 51± feet distant northwesterly measured at right angles from station 32+14± of the hereinafter described 2018 Survey Baseline for the Rehabilitation of Middle Settlement Road; thence northwesterly along said division line a distance of 17± feet to a point being 68± feet distant northwesterly measured at right angles from station 32+16± of said survey baseline; thence through the property of Margaret T. Schmitt Trust U.D., Margaret T. Schmitt, Trustee, Margaret D. Schmitt Agreement of Trust, Margaret D. Schmitt and Jonathan Schmitt, Trustees (Reputed Owners) the following two (2) courses and distances:

- 1) N46°21'15"E, 166± feet to a point 72.53 feet distant northwesterly measured at right angles from station 33+81.87 of said survey baseline;
 - 2) N52°12'20"E, 131± feet to a point in the northwesterly boundary of said existing Middle Settlement Rd., said point being 61± feet distant northwesterly measured at right angles from station 35+36± of said survey baseline;
- thence southwesterly along said road boundary a distance of 299± feet to the point of beginning, being 3,552± square feet (0.082± acre), more or less.

PARCEL NO. 13:

Beginning at a point in the northwesterly boundary of the existing Middle Settlement Rd. at its intersection with the division line between the property of Margaret T. Schmitt Trust U.D., Margaret T. Schmitt, Trustee, Margaret D. Schmitt Agreement of Trust, Margaret D. Schmitt and Jonathan Schmitt, Trustees (Reputed Owners) on the southwest and the property of Jon E. Yager (Reputed Owner) on the northeast, said point being 1± foot distant northwesterly measured at right angles from station 40+99± of the hereinafter described 2018 Survey Baseline for the Rehabilitation of Middle Settlement Road; thence northwesterly along said division line a distance of 42± feet to a point being 42± feet distant northwesterly measured at right angles from station 40+89± of said survey baseline; thence through the property of Margaret T. Schmitt Trust U.D., Margaret T. Schmitt, Trustee, Margaret D. Schmitt Agreement of Trust, Margaret D. Schmitt and Jonathan Schmitt, Trustees (Reputed Owners) the following four (4) courses and distances:

- 1) S21°50'08"W, 37± feet to a point 39.40 feet distant northwesterly measured at right angles from station 40+51.86 of said survey baseline;
 - 2) S23°20'33"W, 117.19 feet to a point 33.00 feet distant northwesterly measured at right angles from station 39+34.85 of said survey baseline;
 - 3) S24°45'37"W, 235.93 feet to a point 25.94 feet distant northwesterly measured at right angles from station 36+99.02 of said survey baseline;
 - 4) S32°16'46"W, 89± feet to a point in the northwesterly boundary of said existing Middle Settlement Rd., said point being 35± feet distant northwesterly measured at right angles from station 36+11± of said survey baseline;
- thence northeasterly along said road boundary a distance of 492± feet to the point of beginning, being 10,220± square feet (0.235± acre), more or less.

The above mentioned Survey Baseline is the 2018 Survey Baseline for the Rehabilitation of Middle Settlement Road, as shown on a map and plan on file at the Oneida County Department of Public Works and described as follows:

Beginning at Station 21+07.45; thence North 47°56'17" East to Station 35+19.68; thence North 26°28'28" East to Station 42+28.88.

All bearings are based on True North at the 76°35' Meridian of West Longitude.

10


ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MAP NO. 9
PARCEL NOS. 12 AND 13
SHEET 4 OF 4 SHEETS

MIDDLE SETTLEMENT ROAD

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

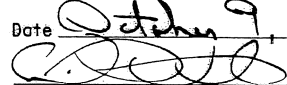
Date October 16, 2019


Mark Laramie, PE
Deputy Commissioner
Oneida County Department of Public Works



"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate map of an actual survey.

Date October 9, 2019


Prudent Engineering LLP
Engineering and Land Surveying
By Michael A. Ventura, Land Surveyor
L.S. License No. 050079

Total: 13,772± Sq. Ft. (0.317± Acre)

MARGARET T. SCHMITT TRUST U.D.
MARGARET T. SCHMITT, TRUSTEE
MARGARET D. SCHMITT AGREEMENT OF TRUST
MARGARET D. SCHMITT AND
JONATHAN SCHMITT, TRUSTEES
(Reputed Owners)

FILE NAME = 215-802 / 2754.27.AMP.PHO.A--PE 063--WORKFILE.DON 149 P12.13

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. ____

INTRODUCED BY: Messrs. _____
2ND BY: Mrs.

RE: RESOLUTION ADOPTING DETERMINATIONS AND FINDINGS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH ACQUISITION OF PROPERTY FOR THE RECONSTRUCTION OF MIDDLE SETTLEMENT ROAD IN THE TOWN OF NEW HARTFORD

WHEREAS, The Oneida County Board of Legislators, by Resolution 23 of 2021, passed on February 10, 2021, as amended by Resolution 43 of 2021, passed on March 10, 2021, authorized and directed the County Attorney to perform any and all tasks necessary and appropriate to acquire real property in connection with the reconstruction of Middle Settlement Road in the Town of New Hartford, and

WHEREAS, In accordance with Article 2 of the New York State Eminent Domain Procedure Law ("EDPL"), Oneida County held a virtual Public Hearing on March 22, 2021, where public comment was heard regarding the public uses, benefits and purposes to be served by the proposed acquisition; and

WHEREAS, After consideration of the record of the proceedings related to the reconstruction of Middle Settlement Road, including the record of the Public Hearing held pursuant to the Eminent Domain Procedure Law; now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby adopts the Determinations and Findings for the acquisition of property as described herein, in the form attached hereto, and directs the County Attorney to arrange for publication and service of a synopsis of the attached Determinations and Findings in accordance with the provisions of the Eminent Domain Procedure Law; and it is further

RESOLVED, That the Oneida County Attorney is hereby authorized and directed to proceed to have the necessary acquisition maps prepared to satisfy the requirements of the Eminent Domain Procedure Law, and to prepare and file the necessary petition and accompanying documents with the Supreme Court, Oneida County, New York for an Order granting the County permission to file the acquisition maps in order to obtain title to the subject properties for the purpose of constructing the public parking facility.

APPROVED:

DATED:

Adopted by the following vote:
AYES NAYS ABSENT

12



ONEIDA COUNTY
 DEPARTMENT OF PUBLIC WORKS
 George E. Carle Complex
 5999 Judd Road, Oriskany, NY 13424
 Phone: (315) 793-6235 Fax: (315) 768-6299

ANTHONY J. PICENTE JR.
 County Executive

MARK E. LARAMIE, P.E.
 Commissioner

FN 20 21-144

May 18, 2021

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

PUBLIC WORKS
WAYS & MEANS

Re: Eminent Domain Proceedings
 Middle Settlement Road Reconstruction Project
 Determinations & Findings from a Public Hearing held on April 19, 2021

Dear Mr. Picente:

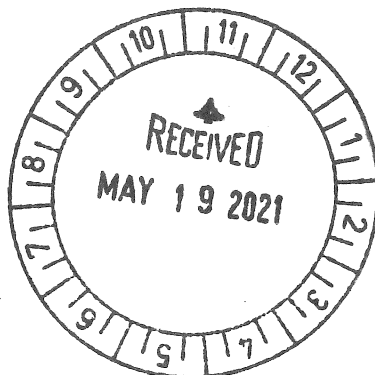
On April 19, 2021, a public hearing was held virtually pursuant to Article Two of the Eminent Domain Procedure Law of the State of New York. Following this hearings, a hearing record was prepared and made available to the public for inspection and download. The next step in the process is the publication of a series of Determinations and Findings from the hearing. These Determinations and Findings must be approved by the Board of Legislators.

Attached please find a proposed set of Determinations and Findings from the April 19, 2021 hearing with an accompanying acquisition map, along with a proposed Resolution for the Board to pass adopting and certifying the same. If you concur with the Board of Legislators taking this action at this time, would you please be so kind as to indicate so by endorsing this letter, and forwarding the same, with the attachments. to the Board for action at their next scheduled meeting.

As always, I am available to answer any questions or to discuss this matter further should you so desire. Thank you.

Sincerely,

Mark E. Laramie, P.E.
 Commissioner



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

Anthony J. Picente, Jr.
 County Executive

Date 5-19-21

DETERMINATIONS AND FINDINGS
OF THE
ONEIDA COUNTY BOARD OF LEGISLATORS
IN CONNECTION WITH THE PROPOSED ACQUISITION OF REAL PROPERTY FOR A
HIGHWAY RECONSTRUCTION PROJECT ON MIDDLE SETTLEMENT ROAD IN THE
TOWN OF NEW HARTFORD

Pursuant to Section 203 of the Eminent Domain Procedure Law, a Public Hearing was conducted on April 19, 2021 by the County Attorney. At that Public Hearing, the County of Oneida outlined the purpose, proposed location and alternate locations of the highway reconstruction project, provided maps and descriptions of the properties to be acquired and adjacent parcels. Every person in attendance was given a reasonable opportunity to present an oral or written statement and to submit other documents concerning the proposed public project. The Public Hearing was held open for seven (7) days, through April 26, 2021, in order to allow the submission of written comments relative to the project.

The Public Hearing commenced with presentations by Assistant County Attorney Robert Pronteau, Esq. and the Commissioner of Public Works, Mark E. Laramie, outlining the purpose of the project, a description of the project, its location, the anticipated impact on the environment and the residents, and the identity of the parcels to be condemned. No members of the public offered verbal statements at the hearing. The Public Hearing was continued for further comments and written submissions by the public which were accepted up to and including April 26, 2021. No additional commentary was received, and the Public Hearing was concluded on April 26, 2021.

The Oneida County Board of Legislators has considered the proposed acquisition pursuant to the Eminent Domain Procedure Law, the comments submitted by the public at the hearing, the submissions made following the hearing and other matters pertinent to the acquisition of the properties by Eminent Domain. The Board adopts relevant determinations and findings as set forth below:

1. That Middle Settlement Road in the Town of New Hartford in Oneida County is one of the most heavily traveled roads in the County, with a daily average traffic count exceeding 10,000 cars.

2. That the reconstruction and improvement of Middle Settlement Road will aid in the continuing development of a commercial corridor that serves essential financial, retail and home improvement establishments, as well as large residential developments in the area.
3. That the acquisition of rights-of-way along Middle Settlement Road are necessary in order to bring the reconstruction into compliance with current local, state and federal highway design standards.
4. That failure to meet these standards will result in potentially hazardous conditions for motorists, bicyclists and pedestrians.
5. That following final design of the highway reconstruction project, the required parcels were identified, and the owners of the parcels were contacted to negotiate the purchase of their properties. Several of the owners agreed to sell and their properties were purchased. One of these owners declined or was otherwise unwilling to sell.
6. That there were two parcels left to be acquired by condemnation, both owned by the same owner.
7. These two parcels are collectively identified as approximately 3,240 square feet identified as Parcel No. 10 and approximately 198 square feet as Parcel No. 11 of Tax Parcel No. 328.00-1-20, as shown on Map No. 8, sheets 1, 2 and 3, prepared by Prudent Engineering on behalf of Oneida County, and attached to these Determinations and Findings. These parcels are required to provide adequate operation and maintenance of the storm water drainage system, as well as slope flattening to eliminate a potential hazard.
8. That the acquisition by the County of Oneida of these parcels for use as a part of the road reconstruction is necessary and will achieve the following purposes: to ensure the reconstruction of Middle Settlement Road is conducted in a safe and proper manner, and in full compliance with all applicable federal, state and local design standards.
9. That the County of Oneida will benefit by the reconstruction of Middle Settlement Road through improved traffic vehicle flow, increased motorist, cyclist and pedestrian traffic, improved storm-water management along the roadway, and increased ease of access to local businesses
10. That there will be no significant adverse effect to the environment or upon the residents of the area and locality immediately adjacent and in close proximity to the properties from the aforesaid land acquisition and the reconstruction of the highway.

11. That, pursuant to Section 202 of the Eminent Domain Procedure Law, a Notice of Public Hearing was published in the Observer-Dispatch from April 6, 2021 through April 15, 2021. This same Notice of Public Hearing was personally served on all interested property owners, by personal service and/or by certified mail, return receipt requested, more than ten (10) days prior to the Public Hearing.
12. That pursuant to Section 203 of the Eminent Domain Procedure Law, a Public Hearing was conducted on April 19, 2021 and concluded on April 26, 2021. At that Public Hearing, the County of Oneida outlined the purpose and proposed location of the highway reconstruction project, and provided maps and descriptions of the properties to be acquired. Every person in attendance was given a reasonable opportunity to present an oral or written statement and to submit other documents concerning the proposed public project.
13. That the record for the Public Hearing was kept open until April 26, 2021, to allow for the submission of additional commentary or documentation concerning the highway reconstruction project. No additional submissions were made.
14. That, following the closing of the record, copies of the complete record of the hearing were filed with the Oneida County Clerk, and were also made available for download on the Oneida County website.
15. That the County of Oneida has considered the proposed taking, the comments submitted at the hearing, as well as other matters related to the prospect of litigating the acquisition of the properties.
16. That despite repeated and continuing negotiations with the remaining property owners, agreements cannot be reached for purchase of the remaining properties by the County.
17. That the County of Oneida, as lead agency, by Resolution 2021-23.2 of this Board, dated February 10, 2021, authorized the submission of a Short Environmental Assessment Form finding that the reconstruction of Middle Settlement Road in the Town of New Hartford, will not result in any significant environmental impacts. A copy of this form is included in the record of the hearing.
18. That, accordingly, the County of Oneida issued a Negative Declaration with regard to the reconstruction of Middle Settlement Road in the Town of New Hartford, in compliance with the State Environmental Quality Review Act (SEQRA).

19. That the County of Oneida accepts and adopts the testimony of Mark E. Laramie, Commissioner of the Oneida County Department of Public Works, submitted at the hearing, in its entirety.
20. That the County is satisfied that, as required under Section 204(B) of the Eminent Domain Procedures Law that: (1) the public use, benefit, or purpose of the project has been established in the record; (2) the approximate location of the proposed public project has been established and an explanation of the reasons for the selection of that location has been provided; and (3) the general effect of the proposed project on the environment and the residents of the localities in which the project will be located has been comprehensively examined. Accordingly, the County finds that the necessary justification exists to proceed to condemn the parcels identified above.
21. Copies of all documentation concerning the above acquisition and condemnation are on file at the offices of the Oneida County Clerk at 800 Park Avenue, Utica, New York, which include the transcript of public hearing held on April 19, 2021, and all documentation submitted to the County concerning said acquisition. The same is available for download on the Oneida County Web Page at <http://www.ocgov.net>.

The County Attorney is hereby directed to proceed as necessary and in accordance with the Eminent Domain Procedure Law in order to effect the acquisition of the properties.

Dated: June 9, 2021

ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MAP NO. 8
PARCEL NOS. 10 AND 11
SHEET 1 OF 3 SHEETS

MIDDLE SETTLEMENT ROAD

MAP REFERENCE INFORMATION:

A portion of the
Seventh Division of Cox's Patent

Parcel Locator Point:

P-10:
N: 1127090.487
E: 1157458.377

P-11:
N: 1127369.725
E: 1157745.262

WACHS NEW HARTFORD DEVELOPMENT, LLC
(REPUTED OWNER)

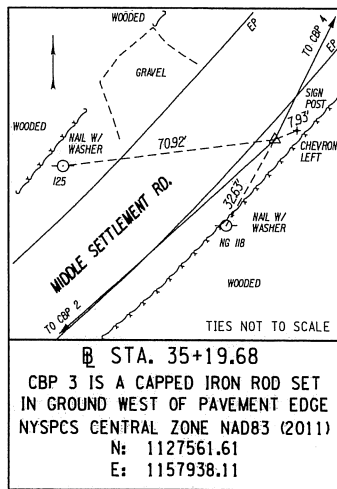
CCD INSTR. NO. 2015-005343
TRN NONE

PARCEL SUMMARY:

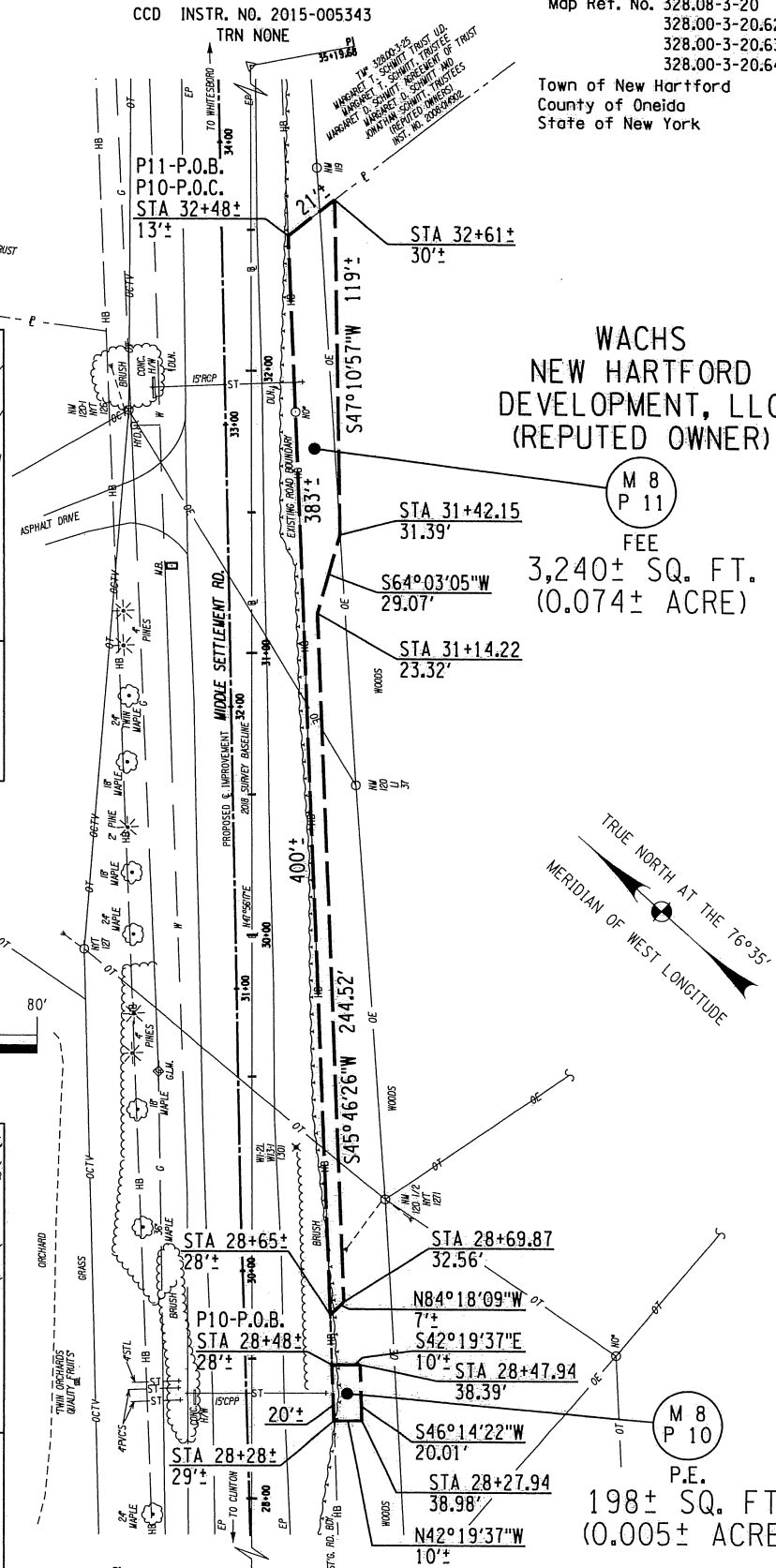
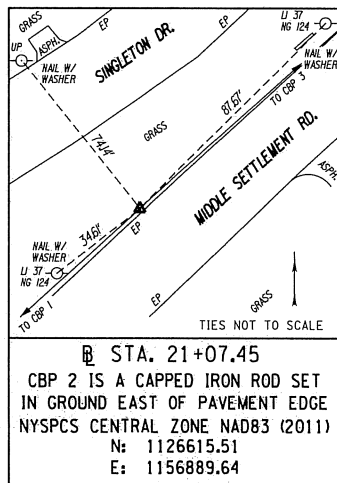
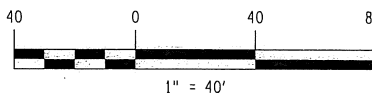
Type: P-10: PERMANENT EASEMENT
P-11: FEE

Portion of 2019 Tax
Map Ref. No. 328.08-3-20
328.00-3-20.62
328.00-3-20.63
328.00-3-20.64

Town of New Hartford
County of Oneida
State of New York



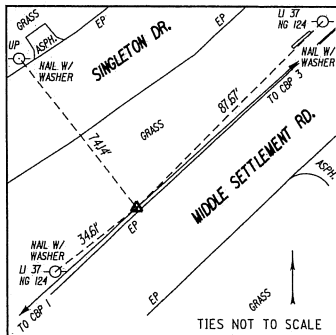
TM 32800-3-24
LLOYD W. YAGER
AND LORI J. YAGER
(REPUTED OWNERS)
LIBER 2385 PAGE 328



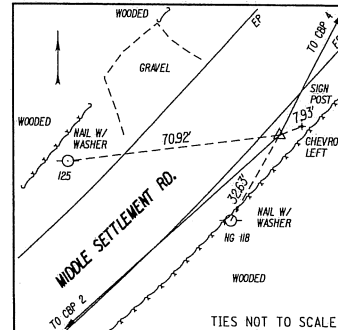
ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MAP NO. 8
PARCEL NOS. 10 AND 11
SHEET 2 OF 3 SHEETS

MIDDLE SETTLEMENT ROAD



① STA. 21+07.45
CBP 2 IS A CAPPED IRON ROD SET
IN GROUND EAST OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1126615.51
E: 1156889.64



② STA. 35+19.68
CBP 3 IS A CAPPED IRON ROD SET
IN GROUND WEST OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1127561.61
E: 1157938.11

PARCEL NO. 10:

PERMANENT EASEMENT FOR HIGHWAY PURPOSES

A permanent easement to be exercised in, on and over the property delineated above for the purpose of constructing, reconstructing and maintaining thereon a road, together with such bridges and other facilities in connection therewith as may be deemed necessary by the County of Oneida, in and to all that piece or parcel of property designated as Parcel No. 10, as shown on the accompanying map and described as follows:

Commencing at a point in the southeasterly boundary of the existing Middle Settlement Rd. at its intersection with the division line between the property of Wachs New Hartford Development, LLC (Reputed Owner) on the southwest and the property of Margaret T. Schmitt Trust U.D., Margaret T. Schmitt, Trustee, Margaret D. Schmitt Agreement of Trust, Margaret D. Schmitt and Jonathan Schmitt, Trustees (Reputed Owners) on the northeast, said point being 13± feet distant southeasterly measured at right angles from station 32+48± of the hereinafter described 2018 Survey Baseline for the Rehabilitation of Middle Settlement Road; thence southwesterly along said road boundary a distance of 400± feet to the Point of Beginning, said point being 28± feet distant southeasterly measured at right angles from station 28+48± of said survey baseline; thence through the property of Wachs New Hartford Development, LLC (Reputed Owner) the following three (3) courses and distances:

- 1) S42°19'37"E, 10± feet to a point 38.39 feet distant southeasterly measured at right angles from station 28+47.94 of said survey baseline;
 - 2) S46°14'22"W, 20.01 feet to a point 38.98 feet distant southeasterly measured at right angles from station 28+27.94 of said survey baseline;
 - 3) N42°19'37"W, 10± feet to a point in the southeasterly boundary of said existing Middle Settlement Rd., said point being 29± feet distant southeasterly measured at right angles from station 28+28± of said survey baseline;
- thence northeasterly along said road boundary a distance of 20± feet to the point of beginning, being 198± square feet (0.005± acre), more or less.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

PARCEL NO. 11:

All that piece or parcel of property designated as Parcel No. 11, situated in the Town of New Hartford, County of Oneida, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point in the southeasterly boundary of the existing Middle Settlement Rd. at its intersection with the division line between the property of Wachs New Hartford Development, LLC (Reputed Owner) on the southwest and the property of Margaret T. Schmitt Trust U.D., Margaret T. Schmitt, Trustee, Margaret D. Schmitt Agreement of Trust, Margaret D. Schmitt and Jonathan Schmitt, Trustees (Reputed Owners) on the northeast, said point being 13± feet distant southeasterly measured at right angles from station 32+48± of the hereinafter described 2018 Survey Baseline for the Rehabilitation of Middle Settlement Road; thence easterly along said division line a distance of 21± feet to a point 30± feet distant southeasterly measured at right angles from station 32+61± of said survey baseline; thence through the property of Wachs New Hartford Development, LLC (Reputed Owner) the following four (4) courses and distances:

- 1) S47°10'57"W, 119± feet to a point 31.39 feet distant southeasterly measured at right angles from station 31+42.15 of said survey baseline;
 - 2) S64°03'05"W, 29.07 feet to a point 23.32 feet distant southeasterly measured at right angles from station 31+14.22 of said survey baseline;
 - 3) S45°46'26"W, 244.52 feet to a point 32.56 feet distant southeasterly measured at right angles from station 28+69.87 of said survey baseline;
 - 4) N84°18'09"W, 7± feet to a point in the southeasterly boundary of said existing Middle Settlement Rd., said point being 28± feet distant southeasterly measured at right angles from station 28+65± of said survey baseline;
- thence northeasterly along said road boundary a distance of 383± feet to the point of beginning, being 3,240± square feet (0.074± acre), more or less.

ONEIDA COUNTY
ACQUISITION MAP
PIN 2754.27

MAP NO. 8
PARCEL NOS. 10 AND 11
SHEET 3 OF 3 SHEETS

MIDDLE SETTLEMENT ROAD


The above mentioned Survey Baseline is the 2018 Survey Baseline for the Rehabilitation of Middle Settlement Road, as shown on a map and plan on file at the Oneida County Department of Public Works and described as follows:

Beginning at Station 21+07.45; thence North 47°56'17" East to Station 35+19.68.

All bearings are based on True North at the 76°35' Meridian of West Longitude.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date October 16, 2019


Mark L. Lamie, PE
Deputy Commissioner
Oneida County Department of Public Works



"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate map of an actual survey.

Date October 9, 2019


Prudent Engineering LLP
Engineering and Land Surveying
By Michael A. Ventura, Land Surveyor
L.S. License No. 050079

Total: 3,438± Sq. Ft. (0.079± Acre)

WACHS NEW HARTFORD DEVELOPMENT, LLC
(Reputed Owner)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. ____

INTRODUCED BY: Messrs. _____

2ND BY: Mrs.

RE: RESOLUTION ADOPTING DETERMINATIONS AND FINDINGS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH ACQUISITION OF PROPERTY FOR THE RECONSTRUCTION OF MIDDLE SETTLEMENT ROAD IN THE TOWN OF NEW HARTFORD

WHEREAS, The Oneida County Board of Legislators, by Resolution 23 of 2021, passed on February 10, 2021, as amended by Resolution 43 of 2021, passed on March 10, 2021, authorized and directed the County Attorney to perform any and all tasks necessary and appropriate to acquire real property in connection with the reconstruction of Middle Settlement Road in the Town of New Hartford, and

WHEREAS, In accordance with Article 2 of the New York State Eminent Domain Procedure Law (“EDPL”), Oneida County held a virtual Public Hearing on April 19, 2021, where public comment was heard regarding the public uses, benefits and purposes to be served by the proposed acquisition; and

WHEREAS, After consideration of the record of the proceedings related to the reconstruction of Middle Settlement Road, including the record of the Public Hearing held pursuant to the Eminent Domain Procedure Law; now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby adopts the Determinations and Findings for the acquisition of property as described herein, in the form attached hereto, and directs the County Attorney to arrange for publication and service of a synopsis of the attached Determinations and Findings in accordance with the provisions of the Eminent Domain Procedure Law; and it is further

RESOLVED, That the Oneida County Attorney is hereby authorized and directed to proceed to have the necessary acquisition maps prepared to satisfy the requirements of the Eminent Domain Procedure Law, and to prepare and file the necessary petition and accompanying documents with the Supreme Court, Oneida County, New York for an Order granting the County permission to file the acquisition maps in order to obtain title to the subject properties for the purpose of constructing the public parking facility.

APPROVED:

DATED:

Adopted by the following vote:
AYES NAYS ABSENT



ONEIDA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

ANTHONY J. PICENTE, JR.
County Executive
ce@ocgov.net

FN 20 21145

PUBLIC WORKS

WAYS & MEANS

May 18, 2021

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

Re: Consolidated Funding Application Grant (Second Amendment)

Dear Honorable Members:

The Oneida County Soil and Water Conservation District, working with and through Oneida County, had previously been awarded a Consolidated Funding Application Grant from the New York State Department of State in the amount of \$907,600.00. The Oneida County Board of Legislators previously approved, and I have previously executed, a grant contract accepting the grant funds, as well as two prior amendments. We have now received a third and final amendment to this grant contract, extending the term of the grant from April 30, 2021 to April 30, 2022. No other terms of the grant agreement are changed with this amendment, other than the ending date.

I therefore, respectfully request your Board accept and approve this amendment to the grant agreement for the Consolidated Funding Application Grant through the New York State Department of State. Thank you for your prompt attention to this matter.

Respectfully submitted,

Hon. Anthony J. Picente, Jr.
Oneida County Executive



Oneida Co. Department: County Attorney

Competing Proposal	_____
Only Respondent	_____
Sole Source RFP	_____
Other	<u> X </u>

**ONEIDA COUNTY BOARD
OF LEGISLATORS**

Name & Address of Vendor: New York State Department of State
Office of Planning and Development
One Commerce Plaza
99 Washington Ave., Suite 1010
Albany, NY 12231

Title of Activity or Service: LWRP (Local Waterfront Revitalization Project),
Consolidated Funding Grant, Third Amendment

Proposed Dates of Operation: May 1, 2016 through April 30, 2022

Client Population/Number to be Served: Oneida, Fulton & Schoharie Counties

Summary Statements

- 1) **Narrative Description of Proposed Services:** The goal of this grant is to fund the continuation of the implementation of the Mohawk River Watershed Management Plan, and includes the restoration of six streams, two tributaries to Oriskany Creek in Oneida County, three tributary streams of Cayadutta Creek in Fulton County, and Cobleskill Creek in Schoharie County. Oneida County is the lead county for this Grant, having applied on behalf of the Oneida County Soil & Water Conservation District (OCSWCD), a member of the multi-county Mohawk River Watershed Coalition. This amendment changes the end date of the grant agreement from April 30, 2021 to April 30 2022.
- 2) **Program/Service Objectives and Outcomes:** The projects involve stream restorations and the implementation of storm-water management practices including streambank stabilization, restoring the natural channels and floodways of streams, hardening streams with riprap, right-sizing culverts and bridges, and installing riparian buffers. The expected outcome is to mitigate the impact of flooding to homes, businesses, and infrastructure.
- 3) Program Design & Staffing: N/A

Total Funding Requested: \$907,600.00 **Account #** H554

Oneida County Dept. Funding Recommendation: \$907,600.00

Proposed Funding Sources (Federal \$/ State \$/County \$): State (\$907,600.00 in Grant Funds with a local, vendor-supplied match of \$907,600.00)

Cost Per Client Served: n/a
Past Performance Data: n/a
O.C. Department Staff Comments:



ONEIDA COUNTY BOARD OF ELECTIONS

Union Station ♦ 321 Main St. ♦ 3rd Floor
Utica, New York 13501
Fax: 315-798-6412

Sarah F. Bormann
Democratic Commissioner
315-798-5762

Nichole D. Shortell
Republican Commissioner
315-798-5763

Anthony J. Picente Jr.
County Executive

FN 20 21-146

May 26, 2021

GOVERNMENT OPERATIONS

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

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

[Signature]
Anthony J. Picente, Jr.
County Executive

WAYS & MEANS

Date 5-27-21

Dear County Executive Picente:

Attached please find a State of New York Master Contract For Grants between the New York State Board of Elections and Oneida County, which amends a prior contract by extending the term of the prior agreement. This contract provides our County with reimbursement with up to \$154,605.14 in reimbursement for expenses incurred for the purchase of electronic poll books and ballot-on-demand printers which have been utilized in prior elections. The term of the agreement has been amended to cover the period of April 12, 2019 through January 22, 2022.

We are requesting that this matter be passed before the Board of Legislators at the June 9, 2021 meeting. Once this amendment to the contract is passed, we request that you execute and return to our office so that we may forward the same onto the New York State Board of Elections. *The State Board of Elections has indicated that they must have a signed copy of this contract back as soon as possible.*

Should you have any questions, please contact our office. Thank you for your attention to this matter.

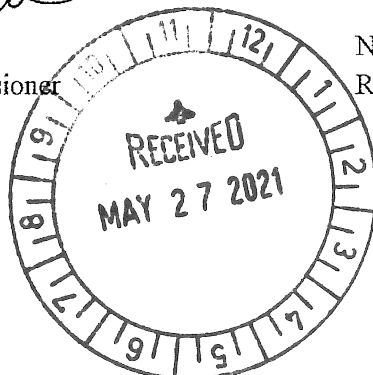
Sincerely,

[Signature]

Sarah F. Bormann
Democratic Commissioner

[Signature]

Nichole D. Shortell
Republican Commissioner



25

Oneida Co. Department: Board of Elections

Competing Proposal	_____
Only Respondent	_____
Sole Source RFP	_____
Other	<u> X </u>

ONEIDA COUNTY BOARD

Name & Address of Vendor: New York State Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

Title of Activity or Service: GRANT: Electronic Poll Books Capital Grant Project.

Proposed Dates of Operation: April 12, 2019 to January 28, 2022

Client Population/Number to be served: N/A

Summary Statements

- 1) Narrative Description of Proposed Services:** Grant for the purchase of Electronic Poll Books and Ballot-on-Demand Printers. This extends the term of the original contract (#91039).
- 2) Program/Service Objectives and Outcomes:** See Number "1" above.
- 3) Program Design and Staffing:** N/A

Total Funding Requested: \$154,605.14

Account: #A1451

Oneida County Dept. Funding Recommendation: \$154,605.14 (Grant—Revenue)

Proposed Funding Sources (Federal \$/ State \$/County \$): State

Cost Per Client Served: N/A

Past Performance Data: N/A

O.C. Department Staff Comment:



ONEIDA COUNTY HEALTH DEPARTMENT

ANTHONY J. PICENTE, JR
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D., MPH
DIRECTOR OF HEALTH



"PROMOTING & PROTECTING THE HEALTH OF ONEIDA COUNTY"

OCGOV.NET/HEALTH

FN 20 21-147

May 13, 2021

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

HEALTH & HUMAN SERVICES
WAYS & MEANS

Dear Mr. Picente:

Attached is an Agreement between Oneida County through its Health Department (OCHD) and Health Research, Inc. for Public Health Emergency Preparedness Program.

The goal of the Public Health Emergency Preparedness Program is to protect the health of the community from disease outbreaks and natural and man-made disasters. OCHD engages in preparedness activities with County and community partners to identify resources, establish mutual agreements, develop coordinated response plans, conduct drills and exercises, identify and follow up on areas of improvement, train staff and coordinate public and media communications.

The term of this Agreement shall commence on July 1, 2020 and remain in effect through June 30, 2021. The total Agreement amount is \$327,325.00 which consists of a maximum reimbursable amount of \$127,325.00 and up to \$200,000 in restricted funds which may be dispersed to the County from New York State in the event of Public Health Emergency.

This grant supports a program mandated by Public Health Law. The reason this grant is being forwarded for signature after the commencement date is due to delays in receiving the Agreement from Health Research, Inc..

If this Agreement meets with your approval, please forward to the Board of Legislators for consideration at their next meeting.

Sincerely,

Daniel W. Gilmore, PhD., MPH
Director of Health

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

Anthony J. Picente, Jr.
County Executive

Date 5/28/21

attachments
CM

ADMINISTRATION
ADIRONDACK BANK BLDG., 5TH FL.,
185 GENESEE ST. UTICA, NY 13501
TEL: (315) 798-6400 • FAX: (315) 266-6138

SPECIAL CHILDREN SERVICES
ADIRONDACK BANK BLDG., 5TH FL.,
185 GENESEE ST. UTICA, NY 13501
TEL: (315) 798-5249 • FAX: (315) 731-3491

ENVIRONMENTAL HEALTH
ADIRONDACK BANK BLDG., 4TH FL.,
185 GENESEE ST. UTICA, NY 13501
TEL: (315) 798-5064 • FAX: (315) 798-6486

CLINICAL SERVICES
406 ELIZABETH ST. UTICA, NY 13501
TEL: (315) 798-5748 • FAX: (315) 798-1057

Oneida Co. Department: Public Health

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____
Other Grant

**ONEIDA COUNTY BOARD
OF LEGISLATORS**

Name & Address of Vendor: Health Research, Inc.
Riverview Center
150 Broadway, Suite 516
Menands, NY 12204-2719

Title of Activity or Service: Public Health Emergency Preparedness

Proposed Dates of Operation: July 1, 2020 through June 30, 2021

Client Population/Number to be Served: All County residents

Summary Statements

1) Narrative Description of Proposed Services

Public Health Emergency Preparedness is now a core, mandated public health program.

2) Program/Service Objectives and Outcomes: Coordinate plans, conduct drills and exercises, identify and follow up on areas for improvement, train staff and coordinate public and media communications, working alongside County and community partners .

3) Program Design and Staffing: Program funding supplements the county funded Public Health mandated activities and services.

Total Funding Requested: \$127,325.00 Guaranteed **Expense Account:** A4092
(\$200,000.00) Restricted **Revenue Account:** A3481

Oneida County Dept. Funding Recommendation: \$127,325.00

Proposed Funding Sources (Federal \$/ State \$/County \$): 100% Grant reimbursement.

Cost Per Client Served: N/A

Past Performance Data: N/A

O.C. Department Staff Comments: This Agreement guarantees a maximum reimbursement of \$127,325.00 for Public Health Emergency Preparedness Program. In the event of health crisis, New York may provide up to \$200,000 of additional funding.



**ONEIDA COUNTY
DEPARTMENT OF PLANNING**

Boehlert Center at Union Station
321 Main St., Utica NY 13501
Phone: (315) 798-5710 Fax: (315) 798-5852

ANTHONY J. PICENTE, JR.
County Executive

James J. Genovese II
Commissioner

May 11 2021

FN 20 21-148

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

**ECONOMIC DEVELOPMENT
& TOURISM**

WAYS & MEANS

Re: NYS Office of Community Renewal – 2021 Consolidated Funding Application –
CORONAVIRUS, RELIEF, AND ECONOMIC SECURITY (CARES)

Dear County Executive Picente:

In a continuing effort to assist businesses throughout Oneida County, we are proposing to apply for Community Development Block Grant (CDBG) funding made available by the New York State Office of Community Renewal (OCR) through 2021 under the Coronavirus, Relief, and Economic Security (CARES) Act.

Based on the requirements from the OCR, Oneida County will apply for an amount not to exceed \$1,500,000 for a CARES Act Program. This funding will assist Oneida County and small businesses by providing financial assistance in order to prevent, prepare for, and respond to COVID-19.

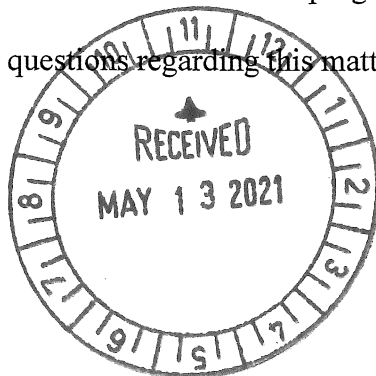
Since the CDBG program does not require a local match, no Oneida County dollars will be expended on these projects. Upon award of the CDBG grant, Mohawk Valley EDGE will administer the program on behalf of Oneida County.

Therefore, we respectfully request that you submit to the Oneida County Board of Legislators a request to authorize you to submit an application to the New York State Office of Community Renewal for CDBG funding totaling \$1,500,000. Included in this resolution is the authorization to conduct the mandated public hearings on the Community Development Block Grant application, as required by the statutory requirements of the CDBG program, and, if awarded the grant, authorization to enter into an agreement with the Mohawk Valley EDGE to administer the program.

Should you have any questions regarding this matter please contact me.

Sincerely,

James J. Genovese II
Commissioner



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

Anthony J. Picente, Jr.
County Executive

Date 5-12-21

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Oneida County Board of Legislators will conduct a public hearing **July 14, 2021 at 2:00 p.m. in the Oneida County Board of Legislators Chambers, 10th floor, 800 Park Avenue, Utica, New York** to hear public comments regarding Oneida County's community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications. The CDBG Program is administered by the New York State Office of Community Renewal, and makes available to eligible local governments funding for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons. The hearing will provide further information about the CDBG program and will allow for citizen participation in the development of any proposed grant applications and/or to provide technical assistance to develop alternate proposals. Comments on the CDBG program or the proposed project: Coronavirus Aid, Relief, and Economic Security Act (CARES); will be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

The Oneida County Board of Legislators Chambers is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should contact Christopher Henry at 315-798-5710, at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be

submitted to Christopher Henry, Oneida County Department of Planning, 321 Main Street, Utica, New York, until July 15, 2021.

DATED: July 7, 2021



**ONEIDA COUNTY
DEPARTMENT OF PLANNING**

Boehlert Center at Union Station
321 Main St., Utica NY 13501
Phone: (315) 798-5710 Fax: (315) 798-5852

ANTHONY J. PICENTE, JR.
County Executive
James J. Genovese II
Commissioner

May 10, 2021

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

FN 20 21-10149

**ECONOMIC DEVELOPMENT
& TOURISM**

WAYS & MEANS

Re: NYS Office of Community Renewal – 2021 Consolidated Funding Application –
Microenterprise Grant Project

Dear County Executive Picente:

In a continuing effort to assist businesses throughout Oneida County, we are proposing to apply for Community Development Block Grant (CDBG) funding made available by the New York State Office of Community Renewal (OCR) through the 2021 New York State Consolidated Funding Application.

Based on the requirements from the OCR, Oneida County will apply for an amount not to exceed \$200,000 for a Microenterprise Grant Program. This funding will assist small existing companies or start-up companies to support and foster their development or expansion. Eligible microenterprises must be or shall become a commercial enterprise with five or less employees. Since Utica and Rome are entitlement communities under the U.S. Department of Housing and Urban Development CDBG Program, their residents are not eligible for this program.

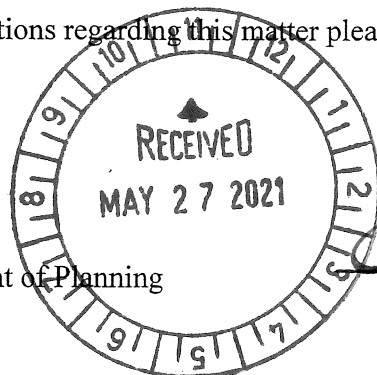
Since the CDBG program does not require a local match, no Oneida County dollars will be expended on these projects. Upon award of the CDBG grant, Mohawk Valley EDGE will administer the program on behalf of Oneida County.

Therefore, we respectfully request that you submit to the Oneida County Board of Legislators a request to authorize you to submit an application to the New York State Office of Community Renewal for CDBG funding totaling \$200,000. Included in this resolution is the authorization to conduct the mandated public hearings on the Community Development Block Grant application, as required by the statutory requirements of the CDBG program, and, if awarded the grant, authorization to enter into an agreement with the Mohawk Valley EDGE to administer the program.

Should you have any questions regarding this matter please contact me.

Sincerely,

James J. Genovese II
Commissioner
Oneida County Department of Planning



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

Anthony J. Picente, Jr.
County Executive

Date 5-27-21

32

RE: AUTHORIZATION FOR ONEIDA COUNTY TO MAKE APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL (OCR) FOR GRANTS TOTALING \$200,000 TO SUPPORT ECONOMIC DEVELOPMENT EFFORTS IN ONEIDA COUNTY

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from James J. Genovese II, Commissioner of Planning, requesting submittal of an application by Oneida County to the State of New York Office of Community Renewal (OCR) for Community Development Block Grant (CDBG) direct grants totaling \$200,000, and

WHEREAS, The Community Development Block Grant funds will provide funding assistance to a Microenterprise Grant project that will result in the creation of 8 new jobs, and

WHEREAS, The CDBG program requires the holding of two public hearings by the County, a minimum of one prior to the submission of said application to obtain the views of citizens regarding the proposed application, and one following the award to report on project accomplishments, and

WHEREAS, The CDBG program requires that the Community Development Block Grant application must comply with the program requirements set forth in 2 CFR Part 200 and applicable subparts and 24 CFR Part 570, as amended, now, therefore, be it hereby

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr., is authorized to submit the application and amendments thereto and all understandings and assurances contained therein, and is further authorized to act in connection with the application to provide such additional information as may be required to request and implement said funds, and it is further

RESOLVED, That the Oneida County Board of Legislators will hold the first required public hearing on July 14, 2021 at 2:00 p.m. in the Oneida County Office Building, Board of Legislators Chambers, 10th floor, 800 Park Avenue, Utica, New York and the second on a date to be determined, and it is further

RESOLVED, That the County Executive is hereby authorized to execute all documents and certifications required as part of the submission of the application and to execute such documents as may be required in order to implement the program and enter into agreements as are necessary to accept the award and distribute the funds.

APPROVED: Ways & Means Committee

DATED:

Adopted by the following vote:

AYES___NAYS___



Griffiss International Airport

660 Hangar Road, Suite 223
Rome, NY 13441
Telephone: 315-736-4171 / Fax: 315-736-0568

ANTHONY J. PICENTE, JR
County Executive

EDWARD ARCURI
Commissioner of Aviation

FN 20

21-150

May 28, 2021

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

WAYS & MEANS

Re: FAA AIP Grant Offer No. 3-36-0119-053-2021

Dear County Executive Picente,

Please consider acceptance of a grant offer from the Federal Aviation Administration relative to the Airport Improvement Program (AIP). The total amount of this grant is \$297,000.00 and is allocated for the rehabilitation of existing Apron 1 and Apron 2 - Design. This grant offer was received from the Federal Aviation Administration on May 27, 2021 and must be executed by June 28, 2021, therefore, time is of the essence.

If you find the enclosed acceptable, I respectfully request that you forward to the same to the Board of Legislators for consideration at the June 9, 2021 meeting.

Thank you for your assistance in this matter.

Sincerely,

Edward A. Arcuri
Commissioner of Aviation

EAA/rae

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

Anthony J. Picente, Jr.
County Executive

Date 5/28/21

Oneida Co. Department: Aviation

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____
Other x

**ONEIDA COUNTY BOARD
OF LEGISLATORS - SUMMARY**

Name of Proposing Organization: Federal Aviation Administration
New York District Office
1 Aviation Plaza, Room 111
Jamaica, NY 11434

Title of Activity or Service: Airport Improvement Program (AIP) Project Grant

Proposed Dates of Operation: Upon execution

Client Population/Number to be Served: N/A

Summary Statements

- 1) **Narrative Description of Proposed Services:** Grant monies to support the rehabilitation of existing Apron 1 and Apron 2 - Design.
- 2) **Program/Service Objectives and Outcomes:** N/A
- 3) **Program Design and Staffing:** N/A

Total Funding Requested: \$297,000.00 **Account #** H622

Oneida County Dept. Funding Recommendation: \$297,000.00

Proposed Funding Sources (Federal \$/ State \$/County \$):

Federal: \$297,000.00 **State:** \$ 0 **County:** \$0

Cost Per Client Served: N/A

Past Performance Data: N/A

O.C. Department Staff Comments:

23



**ONEIDA COUNTY
DEPARTMENT OF MENTAL HEALTH**

120 Airline Street, Suite 200
Oriskany, NY 13424
Phone: (315) 768-3660 Fax: (315) 768-3670

ANTHONY J. PICENTE, JR.
County Executive

ASHLEE THOMPSON
Commissioner

March 8, 2021

Honorable Anthony J. Picente, Jr.
Oneida County Executive
800 Park Avenue
Utica, NY 13501

FN 20 21 - 151
HEALTH & HUMAN SERVICES

WAYS & MEANS

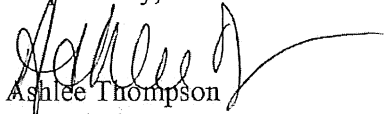
Dear Mr. Picente:

I am forwarding a copy of the 2021 Purchase of Service Agreement between the Oneida County Department of Mental Health and Integrated Community Alternatives Network, Inc. for your review and signature. If this Agreement meets with your approval, please forward it to the Board of Legislators for further consideration.

The Agreement begins on January 1, 2021 and ends on December 31, 2021. The services in this Agreement are part of a comprehensive and integrated system of community health services which are mandated by Article 41 of Mental Hygiene Law of the State of New York. The funding amount for the one year Agreement will be \$277,747.00. This amount reflects 100% OMH State Aid Funding.

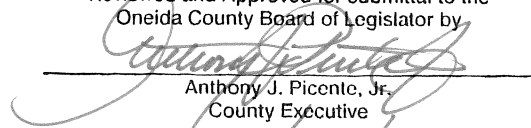
Thank you very much for your time and consideration of this request. I would be pleased to respond to any questions or concerns you might have with regard to this Agreement.

Respectfully,


Ashlee Thompson
Commissioner

AT/md
Encs.

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


Anthony J. Picente, Jr.
County Executive
Date 5/28/21

Oneida Co. Department: MENTAL HEALTH

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____
Other X

**ONEIDA COUNTY BOARD
OF LEGISLATORS**

Name & Address of Vendor: Integrated Community Alternatives Network, Inc.
310 Main Street
Utica, NY 13501

Title of Activity or Service: Health Home Non-Medicaid Care Management
Health Home Care Management Service Dollars
Health Home Care Management Service Dollar Admin.
Service Provision for Individual Needs (SPIN)

Proposed Dates of Operation: January 1, 2021 through December 31, 2021

Client Population/Number to be Served: Children with mental health needs and their families within Oneida County

Summary Statements

1) Narrative Description of Proposed Service:

Health Home Non-Medicaid Care Management (2620-00):

Provide Children and Youth Intensive Case Management Services to include linking, monitoring, and case-specific advocacy for children with mental illness.

Health Home Care Management Service Dollars (2740-00):

Manage Health Home Care Management Service Dollars for client emergency and non-immediate needs.

Health Home Care Management Service Dollar Administration (2850-00):

Administer the Health Home Care Management Service Dollars for Mohawk Valley Psychiatric Center's Intensive Case Management Program, including fiscal record keeping, check processing, and auditing.

Service Provision for Individual Needs (SPIN), also known as Coordinated Children's Service Initiative (2990-01):

Provide treatment and services for youth appropriately diagnosed, and their families. Assign a Service Program for Individual Needs (SPIN) Coordinator to monitor services implemented via the Tier 1 process. Coordination of case reviews. Provide documentation of services (within 15 days of service for each episode).

2) Program/Service Objectives and Outcomes:

The primary objective is to maintain children in the community and enhance parenting skills with the goal of keeping families intact.

3) Program Design and Staffing

The NYS Office of Mental Health (OMH), as applicable. The program meets the appropriate staffing model developed and monitored by the NYS Office of Mental Health (OMH) and guidelines and regulations.

Total Funding Requested: \$277,747.00

Account # A4310.4951

Oneida County Dept. Funding Recommendation: \$277,747.00

Proposed Funding Sources (Federal \$/ State \$/County \$): \$277,747.00

Cost Per Client Served: N/A

Past Performance Data: N/A

O.C. Department Staff Comments: N/A



**ONEIDA COUNTY
DEPARTMENT OF MENTAL HEALTH**

120 Airline Street, Suite 200
Oriskany, NY 13424
Phone: (315) 768-3660 Fax: (315) 768-3670

ANTHONY J. PICENTE, JR.
County Executive

ASHLEE L. THOMPSON
Commissioner

May 26, 2021

Honorable Anthony J. Picente, Jr.
Oneida County Executive
800 Park Avenue
Utica, NY 13501

FN 20 21-152
HEALTH & HUMAN SERVICES
WAYS & MEANS

Dear Mr. Picente:

I am forwarding four the **2021 Purchase of Services Agreement** between the Oneida County Department of Mental Health and **Helio Health, Inc.** for your review and signature. If this meets with your approval, please forward this to the Board of Legislators upon completing your review.

The Agreement begins on **January 1, 2021 and ends on December 31, 2021**. The total funding amount for this period will be a maximum of **\$3,190,126.00**. This amount reflects 100% State Aid Funding (55% OASAS; 45% OMH).

Thank you very much for your time and consideration of this request. I would be pleased to respond to any questions or concerns you might have with regard to this Agreement.

Respectfully,

Ashlee L. Thompson, MHA, MEd., Master CASAC
Commissioner of Mental Health

ALT/jh
Encs.

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

Anthony J. Picente, Jr.
County Executive

Date 5-28-21

Oneida Co. Department: Mental Health

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____
Other X

**ONEIDA COUNTY BOARD
OF LEGISLATORS**

Name & Address of Vendor: Helio Health, Inc.
555 East Genesee Street
Syracuse, NY 13202

Title of Activity or Service: Outpatient Substance Abuse Treatment Clinic
Residential Stabilization and Rehabilitation Treatment
Administration of Service Dollars
CPL-730 Evaluations
Mentally Ill Chemical Abuse Network (MICA)
Shelter Plus Care
Forensic Case Management (FCM)
Forensic Evaluation Unit (FEU)
Forensic Mental Health (FMH)
CASAC in Oneida County Correctional Facility
Insurance Navigation

Proposed Dates of Operation: January 1, 2021 through December 31, 2021

Client Population/Number to be Served: Adults and children with an alcohol and/or substance use disorder, and their families.

Summary Statements

1) Narrative Description of Proposed Services

- a. **Outpatient Substance Abuse Treatment Clinic**
Provide Outpatient Substance Abuse Clinic Treatment consistent with the New York State Office of Alcohol and Substance Abuse Services (OASAS) regulations.
- b. **Residential Stabilization and Rehabilitation Substance Abuse Treatment**
Provide a 44-bed voluntary Residential Stabilization and Rehabilitation Substance Abuse Treatment program consistent with the OASAS Part 820 regulations.
- c. **Administration of Service Dollars**
Administer Service Dollars for the Oneida County Assertive Community Treatment (ACT) Team located at Mohawk Valley Psychiatric Center and process requests for funds.
- d. **CPL-730 Evaluations**
Coordinate Criminal Procedure Law (CPL) article 730 evaluations (fitness to proceed), and administer the Medication Grant Program as defined by New York State Office of Mental Health (“OMH”);
- e. **Mentally Ill Chemical Abuse Network (MICA)**

Coordinate the Mentally Ill Chemically Addicted (“MICA”) network to ensure that MICA consumers have access to housing, treatment, peer support/self-help, alcohol/substance abuse services, and case management.

f. Shelter Plus Care

Coordinate the Shelter Plus Care program designed to maintain stable housing for low-income individuals with substance abuse and/or mental health diagnoses.

g. Forensic Case Management (FCM)

Coordinate FCM program, specifically designed for individuals who are pending release or newly released from incarceration who have had a criminal charge within the last year or those that are at imminent risk of incarceration who do not have established case services provided.

h. Forensic Evaluation Unit (FEU)

Coordinate the FEU as an alternative-to-incarceration program for adults who are involved in the Oneida County criminal justice system and are struggling with mental illness, substance use disorder, intellectual or developmental disabilities, or other behavioral health challenges.

i. Forensic Mental Health (FMH)

Coordinate the FMH Unit that provides comprehensive FMH programs within the 600 bed Oneida County Correctional Facility. Programs shall include assessments, suicide prevention, adjustment monitoring, medication management, and discharge planning.

j. CASAC in Oneida County Correctional Facility

Onboard or assign a CASAC /CASAC-T, to provide substance use services within the 600 bed Oneida County Correctional Facility for inmates who identify as having a substance use disorder.

k. Insurance Navigation

Provide insurance navigation services to inmates within the Oneida County Correctional Facility.

2) Program/Service Objectives and Outcomes:

The primary objective of all services is to support individuals to help them achieve and maintain the most independent level of functioning possible.

3) Program Design and Staffing

The OASAS programs meet the appropriate staffing models developed and monitored by the New York State Office of Alcoholism and Substance Abuse Services (OASAS) in concert with the New York State Division of Budget (DOB) and guidelines and regulations.

Total Funding Requested: \$3,190,126.00

Account # A4310.49515

Oneida County Dept. Funding Recommendation: \$3,190,126.00

Proposed Funding Sources (Federal \$/ State \$/County \$): \$3,190,126.00

Cost Per Client Served: (N/A)

Past Performance Data: (N/A)

O.C. Department Staff Comments: 55% OASAS State Aid / 45% OMH State Aid

Mandated Service: Mandated Service



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

Philip M. Sacco
Minority Leader

May 25, 2021

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

FN 20 21-153

~~HEALTH & HUMAN SERVICES~~

WAYS & MEANS

Dear Tony:

Mr. Fred Munk of the Region 6, Fish & Wildlife Management Board, has notified us that the term of Landowner Representative Michael Candella, 6976 Glass Factory Road, Holland Patent, NY 13354, expired December 2020 and asks for his reappointment.

Mr. Candella's new term will run from January 1, 2021, ending December 31, 2022.

If you concur, I ask that you send a letter to the Board at your earliest opportunity requesting his reappointment.

Respectfully,

Gerald J. Fiorini

Gerald J. Fiorini
Chairman of the Board

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

Anthony J. Picente, Jr.

Anthony J. Picente, Jr.
County Executive

Date 5-25-21

