

Meeting held on Wednesday, October 9, 2024, at 2:00 P.M.
OCTOBER MEETING

The Board met pursuant to statute and called to order by the Chairman. Below is a Roster of the members of the Board of Legislators listing their respective Legislative Districts.

- R-1 Keith Schiebel (Vernon, District 1, 2, 3, 4, 5; Verona, District 3, 5)
- R-2 Colin Idzi (Augusta District 1, 2; Kirkland District 3, 8; Marshall District 1, 2; Sangerfield District 1, 2)
- R-3 Norman Leach (Rome 3rd Ward, District 3; Verona Districts 2, 4, 6; Vienna District 1, 2, 3, 4)
- R-4 Cynthia Rogers-Witt (Rome Ward 1, District 2; Ward 2 District 1, 2, 3, 4, 5 Ward 3 District, 4 Ward 7 District 2, 4 Verona District 1)
- R-5 Michael B. Waterman (Annsville, District 1, 2, 3; Camden District 1, 2, 3; Florence District 1; Lee District 3)
- R-6 Steve Boucher (Ava District 1; Boonville District 1, 2, 3, 4; Forestport District 1, 2; Remsen District 1; Steuben District 1)
- R-7 Gerald J. Fiorini (Lee District 4, 5; Rome Ward 1 District 1; Ward 6 District 1, 2, 3, 4; Ward 7 District 3, 5)
- R-8 Richard A. Flisnik (Marcy District 1, 2; Utica Ward 6 District 1; Whitestown District 1, 4, 5)
- R-9 David Buck (Deerfield District 1, 2, 3; Floyd District 1; Trenton District 1, 2, 3, 4)
- R-10 George Joseph (Kirkland District 1, 10; New Hartford Ward 4, District 4; Westmoreland District 1, 2, 3, 4)
- R-11 Robert Koenig (Whitestown District 2, 6, 7, 8, 9, 10, 11, 13, 15)
- R-12 Kenneth White (Rome Ward 3 District 1, 2, 5; Ward 4 District 1, 2, 3, 4; Ward 5 District 1, 2, 3, 4)
- R-13 Christopher Newton (New Hartford Ward 2, District 1, 2; Utica Ward 2, District 1; Whitestown District 3, 12, 14, 16)
- D-14 Chad Davis (Kirkland District 2, 4, 5, 6, 7, 9; New Hartford Ward 3 District 2 Ward 4 District 1, 2, 3, Utica Ward 3, District 2)
- D-15 Caroline Reale (New Hartford Ward 1 District 3, 5; Ward 2 District 3, 4; Ward 3 District 1, 3, 4 Utica Ward 3 District 5 Ward 4 District 2)
- R-16 Mary Pratt (Bridgewater District 1; New Hartford Ward 1 District 1, 2, 4; Paris District 1, 2, 3)
- R-17 Stephen DiMaggio (Floyd District 2, 3 Lee District 1, 2; Rome Ward 1, District 3, 4; Ward 7 District 1. Western District 1, 2, 3)
- R-18 Jeffery Daniels (Utica Ward 4 District 1, 3, 4, 5, 6, 7, 8, 9)
- D-19 Timothy Julian (Utica Ward 3 District 1, Ward 5 District 2, 3)
- D-20 Evon M. Ervin (Utica Ward 1 District 8; Ward 5 District 1, 4, 5, 6)
- D-21 Lori Washburn (Utica Ward 2 District 2, 3, 4, 5, 6, 7; Ward 3 District 10; Ward 5 District 7)
- D-22 Maria McNeil (Utica Ward 1 District 1, 2, 3, 4, 5, 6, 7; Ward 2 District 8)
- R-23 Michael Gentile. (Utica Ward 6, District 2, 3, 4, 5, 6, 7, 8, 9)

MEMBERS PRESENT: Schiebel, Idzi, Leach, Boucher, Fiorini, Flisnik, Buck, Joseph, Koenig, White, Newton, Davis, Reale, Pratt, DiMaggio, Daniels, Julian, Ervin, Washburn, McNeil, Gentile

MEMBERS ABSENT: Rogers-Witt

PUBLIC HEARING: This was to consider proposed 2025 County Budget. No speakers were in attendance

PUBLIC COMMENT: Raven Manchester spoke in favor of the Smoking Paraphernalia Retail Control Act.

PETITIONS AND COMMUNICATIONS

FN 2024-0853 – Reappointment of Sarah F Bormann as Commissioner of Elections for the Democratic Party for a term to expire December 31, 2026

FN 2024-0829 – Approval of the Proposed Workers’ Compensation Budget for 2025

FN 2024-0774 – Local Law Intro “F” of 2024, A Local Law Enacting the Smoking Paraphernalia Retail Control Act.

FN 2024-0773 – Local Law Intro “E” of 2024 A Local Law Authorizing Oneida County to Conduct Regulatory Inspections and take Actions- To Enforce New York State Cannabis Law Pursuant to NYS Cannabis Law Pursuant to NYS Cannabis Law Section 131

FN 2024-0611 – Approval of an agreement between Oneida County, Through its department of Health, and Health Research Inc.

FN 2024-0737 – Approval of a grant agreement between Oneida County, through its department of Health, and New York State through its department of Health

FN 2024-0768 – Approval of an amendment to a master contract for grants between Oneida county, through its health department and New York State, through its health department

FN 2024-0719 – Supplemental Appropriation of \$500,000.00 to A 6010 6141.495-651- other Expenses Disaster Homes Program (DFCS-Social Services)

FN 2024-0783 – Supplemental Appropriation of \$100,000.00 to A 4310 4310.495-175 – Other Expenses Grant Funded – IIR (Mental Health)

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FN 2024-0681 – Approval of an Early Voting Poll Site Agreement between Oneida County and Mohawk Valley Community College

FN 2024-0731 – Transfer of \$131,000.00 to various 1420 – County Attorney Accounts

FN 2024-0780 – Approval to set the salary for the position title of Employee benefits Administrator, Grade 33M, Step 1, \$61,729

FN 2024-0729 – Transfer of \$1,100,000.00 to A 3110 3110.251-000 – Automotive Equipment (Sheriff)

FN 2024-0399 – Approval of a Shared Services Agreement Between Oneida County, through its department of Public Works, and New York State, through its department of Transportation

FN 2024-0705 – Approval of an agreement between Oneida county, through its bureau of weights and measures, and New York State, through its department of Agriculture and Markets

FN 2024-0720 – Approval of an inter-municipal agreement between Oneida County, through its department of Water Quality and Water Pollution Control and Certain Oneida County Sewer District Constituent Municipalities in relation to New York State Environmental Facilities Corporation funds for the planning design and construction of sewer rehabilitation projects in various locations across the Oneida County Sewer District Service Area

FN 2024-0772 – Advanced Approval of Grant Agreements between Oneida County, Through its department of Aviation, and the United States of America, through the Federal Aviation Administration and Oneida County, through its department of Aviation, and the State of New York, through its department of transportation.

MOTIONS AND RESOLUTIONS

WITHDRAWN FN 2024-0774

LOCAL LAW INTRO. “F” OF 2024

LOCAL LAW NO. __ OF 2024

A LOCAL LAW ENACTING THE SMOKING PARAPHERNALIA RETAIL CONTROL ACT

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

SECTION 1. SHORT TITLE.

This Act shall be known and may be cited as the “Smoking Paraphernalia Retail Control Act”.

SECTION 2. AUTHORITY

The Board of County Legislators adopts this Act pursuant to New York State Constitution Article IX, §§ 1(a), 2(c)(10) and New York Municipal Home Rule Law § 10(1)(ii)(a)(12).

SECTION 3. LEGISLATIVE FINDINGS AND PURPOSE.

In 1964, the Surgeon General of the United States issued the first of several reports linking cigarette smoking to lung and throat cancer and a dramatic increase in mortality (*see* Report Surgeon General, The Health Consequences of Smoking—50 Years of Progress, at 3 [2014]). In the decades since, smoking has been causally linked to 13 types of cancer and 25 types of chronic disease, including coronary heart disease and diabetes (*see id.* at 4).

Smoking of cigarettes has fallen since then, but the use of cigarette alternatives (waterpipes and electronic cigarettes) has increased dramatically, threatening to undo decades of progress (*see Cobb et al., Waterpipe Tobacco Smoking: An Emerging Health Crisis in the United States*, 34 Am. J. Health Behavior, at 275-285 [2010]; Report Surgeon General, E-Cigarette Use Among Youth and Young Adults, at vii [2016] [“E-cigarette use has increased considerably in recent years, growing an astounding 900% among high school students from 2011 to 2015”]). A single waterpipe (hookah) session is equivalent to smoking up to 50 cigarettes (*see id.* at 780; *see also* Cobb *et al.*, Waterpipe Tobacco Smoking: An Emerging Health Crisis in the United States, 34 Am. J. Health Behavior, at 275-285 [2010]). And electronic cigarettes, or “vapes,” often contain nicotine, cancer-causing and disease-causing chemicals, heavy metals, particles, and harmful flavorings (*see* Report Surgeon General, E-Cigarette Use Among Youth and Young Adults, at 100–117 [2016]).

Neighborhoods with smoke and vape shops have higher rates of tobacco use (*see* Kong and Henriksen, Retail Endgame Strategies: Reduce Tobacco Availability, Visibility and Promote Health Equity, at 2 [2022]). And where tobacco retailers are located near high schools, students are more likely to begin smoking (*see* McCarthy, *et al.* Density of Tobacco Retailers Near Schools: Effects

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on Tobacco Use Among Students, 99 Am. J. Pub. Health, at 12 [2009]). This is especially dangerous because young people are susceptible to unique childhood diseases and are likely to smoke into adulthood (*see generally* Report Surgeon General, Preventing Tobacco Use Among Youth and Young Adults, at 3, 8–9 [2012]).

Federal and state law regulate tobacco heavily but leave a gap. They focus on the sale of tobacco and nicotine but do not regulate the sale of the equipment, such as pipes and waterpipes, used to inhale them (*see generally* Michael Freiberg, Options for State and Local Governments to Regulate Non-Cigarette Tobacco Products, 21 Health Policy & Law Rev. 409, 414–416, 437 [2021]; *see also* 21 U.S.C. §§ 321 [defining tobacco products to mean products made or derived from tobacco or containing nicotine from any source, 387–387v [regulating the sale, labelling, and marketing of tobacco products]; Public Health Law Article 13-E [regulation of smoking and vaping in public areas]; Public Health Law Art. 13-F [preventing adolescent use of tobacco and nicotine]).

Considering the foregoing, the Board of County Legislators finds and determines that the regulation of smoking paraphernalia retailers will promote the health and well-being of Oneida County residents. Moreover, the establishment of rules and standards for the operation of licensed paraphernalia retailers will promote the public health by reducing youth access to smoking paraphernalia (*see* Freiberg, *supra* at 437), reducing tobacco and nicotine dependency and addiction, and reducing the incidence of tobacco-caused cancers and chronic diseases.

Recognizing that it will take time for retailers to comply with this Act, the Board of County Legislators further determines that this Act should take effect 180 days after its filing with the Secretary of State, as set forth in Section 10.

SECTION 4. EXEMPTIONS.

This Act shall not apply to any federally recognized Indian tribe nor to any person or business licensed to sell cannabis or allow the onsite consumption of cannabis, pursuant to the New York State Cannabis Law.

SECTION 5. DEFINITIONS.

- A. “Beneficial Owner” means any person who directly or indirectly exercises substantial control over a non-natural Person or who owns or controls at least 25 percent of the ownership interests of such non-natural Person.
- B. “Department” means the Oneida County Department of Health.
- C. “License Fee” means the fee paid for a Smoking Paraphernalia Retail License.
- D. “Notice of Violation and Order to Cease” means a notice of violation and order to cease Unlawful Activity, along with any penalties for such conduct, as set forth in Section 8(C)(4).
- E. “Order to Seal” means an order to seal a premises of any business engaged in Unlawful Activity, as set forth in Section 8(C)(5).
- F. “Person” means any person, firm, company, corporation, partnership, sole proprietor, limited partnership, or association.
- G. “Retail” means to solicit or receive an order for, to keep or expose for sale, and to keep with the intent to sell Smoking Paraphernalia.
- H. “Retailer” means a Person who engages in the Retail sale of Smoking Paraphernalia.
- I. “Smoking Paraphernalia” means any pipe, waterpipe, hookah, rolling papers, leaf (such as tendu leaves), electronic pipe, electronic cigarettes, and electronic tank-devices, or any other device, equipment or apparatus designed for the inhalation of tobacco or nicotine.
- J. “Smoking Paraphernalia Retail License” means a license to sell Smoking Paraphernalia at Retail.

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- K. “Unlawful Activity” means activity prohibited by Section 6 of this Act.

SECTION 6. PROHIBITIONS AND RESTRICTIONS

- A. No Person shall sell Smoking Paraphernalia at Retail within the County of Oneida unless such Person or the Retailer for whom such person is employed possesses a Smoking Paraphernalia Retail License.
- B. No Person shall sell Smoking Paraphernalia within the County of Oneida to a person under the age of 21 years.
- C. No Person shall allow to work on any premises within the County of Oneida where the Retail sale of Smoking Paraphernalia occurs a person under the age of eighteen years in any capacity where the duties of such person require or permit such person to sell, dispense or handle Smoking Paraphernalia. Any employee eighteen years of age or older and under twenty-one years of age may not have direct interaction with customers inside a Retail store where the sale of Smoking Paraphernalia occurs.
- D. No Person shall engage, participate in, or aid or abet any violation of any provision of this Act.

SECTION 7. PENALTIES

- A. Any Person who engages in Unlawful Activity may be subject to a civil penalty of up to five hundred dollars per each day during which such violation continues.
- B. Any Person who engages in Unlawful Activity, and any of such Person’s Beneficial Owners, may be subject to the suspension, revocation, or debarment from holding of a Smoking Paraphernalia Retail License.
- C. Without limiting any other recourse, remedy or relief that may be available, the County Attorney may, in addition to filing requests for hearings as provided in Section 8(C)(5)(b) of this Act, bring an action or proceeding against any person who violates, disobeys or disregards any term or provision of this Act or of any lawful notice, order or regulation pursuant hereto for any relief authorized by law, including equitable and/or injunctive relief and the recovery of civil penalties; provided, however, that the Department shall furnish the County Attorney with such material, evidentiary matter or proof as may be requested by the County Attorney for the conduct of such an action or proceeding. The County Attorney shall be entitled to his or her costs, including reasonable attorneys’ fees, of such action or proceeding.

SECTION 8. DEPARTMENT AUTHORITY. The Department shall have the authority to:

- A. Adopt policies and procedures to implement this Act.
- B. Accept applications for, and award or deny Smoking Paraphernalia Retail Licenses, as follows:
 - 1. Any Person above the age of twenty-one years wishing to sell Smoking Paraphernalia at Retail shall apply to the Department for a Smoking Paraphernalia Retail License. Such application shall be in a form prescribed by the Department, and shall include:
 - (a). The name, street address, email address, and direct phone number of the applicant;
 - (b). If the applicant is not a natural person, the type of its corporate form or association, the state of its incorporation or formation, and the address of its principal place of business;
 - (c). The name of the business under which Smoking Paraphernalia will be sold at Retail.
 - (d). The address of the proposed Retail location;
 - (e). The proposed hours of operation of the proposed Retail Location;

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- (f). A description of all Smoking Paraphernalia to be sold at Retail;
 - (g). The identity and addresses of all schools, parks, licensed daycares, and playgrounds within 1,000 feet of the proposed Retail location;
 - (h). The identity and address of any other Smoking Paraphernalia Retailer within a one quarter mile radius of the proposed Retail Location.
 - (i). The names of the Beneficial Owners of the applicant, or Retailer (if different from the applicant); and if such Beneficial Owners are not natural persons, all Beneficial Owners of such Beneficial Owners continuing until all natural person Beneficial Owners, direct and indirect, have been identified;
 - (j). If the applicant is not a natural person, proof that the application is duly authorized by the applicant;
 - (k). A description of the applicant's prior application for, suspension of, revocation of, or debarment from the holding of a Smoking Paraphernalia Retail License;
 - (l). The License Fee in an accompanying cashier's check, bank draft, or money order; and
 - (m). The applicant's signed verification, affirmed under penalties of perjury, that the application is complete, true, and contains no material omissions, including no failure to disclose any Beneficial Owner, direct or indirect.
2. The fee for a Smoking Paraphernalia Retail License shall be two thousand five hundred dollars and zero cents (\$2,500.00) and shall increase by three percent (3%) on January 1st of each year following the effective date of this Act, as calculated by the Department and published on its public website. The License Fee shall be returned to the applicant in the event the Department denies the application for a Smoking Paraphernalia Retail License.
3. The Department shall grant or deny a Smoking Paraphernalia Retail License based upon, but not limited to, the following criteria.
- (a). Whether the application is complete, accurate, and accompanied by the License Fee.
 - (b). Whether the Retail location is sufficiently distant from any school, park, licensed daycare, or playground, and specifically, no Smoking Paraphernalia Retail License shall be granted within one thousand feet from any school, park, licensed daycare, or playground.
 - (c). Whether the number of other Smoking Paraphernalia Retail Licenses in proximity to the location creates so significant a density of such Retailers that the purposes of this Act are diminished or frustrated, and specifically, no Smoking Paraphernalia Retail License shall be granted within a one quarter-mile radius of any other Smoking Paraphernalia Retailer.
 - (d). Whether the hours of operation of the Retail business are at such times and dates when children and teenagers are typically in school, thereby minimizing youth access to Smoking Paraphernalia.
 - (e). Whether the granting of a Smoking Paraphernalia Retail License would negatively effect pedestrian or vehicular traffic, and parking, in proximity to the location.
 - (f). Whether the granting of a Smoking Paraphernalia Retail License would generate noise or disturbances at the location sufficient to disrupt the quiet use and enjoyment of adjacent properties.
 - (g). Whether, upon considering the effect of previously issued Smoking Paraphernalia Retail Licenses, the Department determines that there has been an increase, or maintenance, in

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smoking throughout the County and that the denial of a Smoking Paraphernalia Retail License will militate or reduce such trend within the County.

- (h). Whether the applicant currently holds a Smoking Paraphernalia Retail License and has complied with this Act.
 - (i). The applicant's and its Beneficial Owners' (if any) history of compliance or non-compliance with this Act.
4. The Department may in granting a Smoking Paraphernalia Retail License impose conditions to mitigate any of the factors described in Section 8(B)(3), and make such Smoking Paraphernalia Retail License contingent upon the licensee's continued compliance with such conditions.
5. If the Department denies the applicant a Smoking Paraphernalia Retail License, the Department shall notify the applicant in writing of the specific reason or reasons for such denial.
6. Any Smoking Paraphernalia Retail License issued pursuant to this Act shall expire after two years from the date of its issuance and shall not be transferrable to any other Person. A separate application and separate Smoking Paraphernalia Retail License shall be required per Retail location. Any Person who holds a Smoking Paraphernalia Retail License who wishes to renew such license shall apply for such renewal according to same procedures as for an initial Smoking Paraphernalia Retail License.
7. The Department may suspend, revoke, or debar a Person or Beneficial Owner from holding, a Smoking Paraphernalia Retail License according to the following procedures:
- (a). Upon a writing issued to such Person or Beneficial Owner and served upon such Person or Beneficial Owner served in accordance with Section 8(C)(4) of this Act, notifying such Person or Beneficial Owner of its violation of any provision of this Act, or conditions of its Smoking Paraphernalia Retail License, and imposing a warning, suspension, revocation, or debarment of a Person or Beneficial Owner from holding, a Smoking Paraphernalia Retail License.
 - (b). In determining the severity of the penalty, whether a warning, suspension, revocation, or debarment from holding a Smoking Paraphernalia Retail License is appropriate, the Department shall consider the following and such other factors as it deems appropriate:
 - i. The nature and severity of the Person or Beneficial Owner's violation of this Act or the terms of its Smoking Paraphernalia Retail License.
 - ii. Whether the violation was intentional or not intentional.
 - iii. The Person or Beneficial Owner's history of compliance with this Act or the conditions of its Smoking Paraphernalia Retail License.
 - iv. Whether the violation poses an imminent threat to the public health, safety, and welfare as set forth in Section 8(C)(5)(a) of this Act.
 - v. Whether warning, suspension, revocation, or debarment of a Person or Beneficial Owner from holding a Smoking Paraphernalia Retail License would deter violations by other Persons and/or promote the public health and safety.
 - (c). Such Person or Beneficial Owner shall have the opportunity to respond to the foregoing notice in writing within ten calendar days, such response setting forth any denial, matter, or evidence in mitigation of Department's notice.
 - (d). Within thirty (30) days, the Department shall issue a final determination, in writing, to the Person or Beneficial Owner setting forth its bases for the determination and penalty and

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imposing a warning, suspension, revocation, or debarment of the Person or Beneficial Owner from holding a Smoking Paraphernalia Retail License.

- C. Enforce the provisions of this Act, including the Authority to:
1. Receive and track complaints of any Unlawful Activity, such complaints in such form and manner as prescribed by the Department.
 2. Conduct inspections, including undercover inspections, of any place of business located within Oneida County, including a vehicle used for such business, for Unlawful Activity, provided however, that such business is not exempt as set forth in Section 4 of this Act.
 3. Seize any Smoking Paraphernalia found in the possession of a person engaged in Unlawful Activity and in their place of business, including a vehicle used for such business, provided that the Department maintain documentation of the chain of custody of such seized products and ensure that such products are properly stored, catalogued, and safeguarded until such time as they may be returned or properly destroyed by the County.
 4. Issue a notice of violation and order to cease Unlawful Activity along with any penalties for such conduct. Any notice of violation and order to cease Unlawful Activity shall be served by delivery thereof to the owner of the business or other person of suitable age or discretion in actual or apparent control of the premises at the time of the inspection and shall be posted at the building or premises. A copy of the notice of violation and order shall also be mailed to any address for the owner of the business at any address provided by the person to whom such order was delivered pursuant to this subparagraph.
 5. Issue an order to seal the building or premises of any business engaged in Unlawful Activity, when such activity is conducted, maintained, or permitted in such building or premises, and occupied as a place of business, subject to the procedures and requirements set forth in this paragraph:
 - (a). The Department may issue an order to seal with an immediate effective date if such order is based upon a finding by the Department of an imminent threat to the public health, safety, and welfare. For the purposes of determining whether there is an imminent threat to the public health, safety, and welfare, the Department shall consider:
 - i. Whether upon a second or subsequent inspection of the business, Unlawful Activity is confirmed to be continuing more than ten calendar days after a notice of violation and order to cease Unlawful Activity was previously issued by the Department;
 - ii. Documented sales to minors;
 - iii. Orders issued following an inspection wherein the person engaged in the Unlawful Activity engaged in violent, tumultuous, or other behaviors indicating expressed intent to not comply with the Department's order to cease the Unlawful Activity;
 - iv. Documented presence of unlawful firearms at the building or premises;
 - v. Proximity of the building or premises to schools, houses of worship, or public youth facilities; or
 - vi. Presence of products deemed unsafe based on reports of illness or hospitalization.
 - (b). The order to seal shall be served by delivery thereof to the owner of the business or other person of suitable age or discretion in actual or apparent control of the premises at the time of the inspection and shall be posted at the building or premises that have been sealed,

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secured and closed. A copy of the order shall also be mailed to any address for the owner of the business provided by the person to whom such order was delivered pursuant to this subparagraph. The order shall remain in effect pending a hearing and final determination of a court, or until such order is vacated by the officer or agency pursuant to the local law adopted pursuant to this subdivision. An order to seal shall explicitly state that a request for a hearing may be submitted in writing to the County Attorney as applicable within seven days. Upon receiving such a request for a hearing, the County Attorney shall file a copy of the request with the clerk of the city court or county court in the city or county where the building or premises is located.

- (c). The court that receives notice of a request for a hearing from the County Attorney shall fix the date of such hearing no later than three business days from the date such notice is received by the court and provide notice to the parties of the date, time, and location of the hearing. Upon such date, or upon such other date to which the proceeding may be adjourned by agreement of the parties, the court shall hear testimony and receive evidence presented by the parties. The County and the person that requested the hearing shall be parties to the proceeding. Within four business days of the conclusion of the hearing, the court shall make a determination as to:
- i. Whether the person upon which the order to seal was issued was engaged in Unlawful Activity; and
 - ii. If the order to seal was imposed with immediate effect, whether such Unlawful Activity presents an imminent threat to public health, safety and welfare, as set forth in Section 8(C)(5)(a) of this Act; and
 - iii. If the court is satisfied that an order to seal was properly issued, the court may render a judgment affirming the issuance of an order to seal, and direct the closing of the building or premises by any police officer or peace officer with jurisdiction to the extent necessary to abate the Unlawful Activity and shall direct any police officer or peace officer with jurisdiction to post a copy of the judgment and a printed notice of such closing conforming to the requirements of this Act. In the event that the court determines that the Unlawful Activity occurred but did not present an imminent threat to public health, safety, and welfare, the court may modify the order to seal to take effect within a reasonable time, not to exceed thirty (30) days, unless the Unlawful Activity is first abated to the satisfaction of the Court. The closing directed by the judgment shall be for such period as the court may direct but in no event shall the closing be for a period of more than one year from the posting of the judgment provided for in this subparagraph. Failure of a party that requested a hearing to appear at the hearing will result in a default and order of sealing to remain in effect for such period as the court may direct but in no event shall the order be in effect for a period of more than one year from the posting of the judgment unless otherwise vacated.
- (d). The Department, or upon the Department's request any police officer or peace officer with jurisdiction, may execute and enforce an order to seal issued by the Department, in accordance with the following procedures.
- i. The person serving and executing the order to seal shall forthwith make and return to the Department an inventory of personal property situated in and used in conducting, maintaining, or permitting the Unlawful Activity and shall enter upon the building or premises for such purpose. Such inventory shall be taken in any manner which is deemed likely to evidence a true and accurate representation of the personal property subject to such inventory including, but not limited to photographing such personal property.
 - ii. The person serving and executing the order to seal shall enter the building or premises and, upon service of the order, command all persons present in the building or premises to vacate the premises forthwith. Upon the building or

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premises being vacated, the premises shall be securely locked and all keys delivered to the officer serving the order who thereafter shall deliver the keys to the fee owner, lessor, or lessee of the building or premises involved. If the fee owner, lessor, or lessee is not at the building or premises when the order is being executed, the officer shall securely padlock the premises and retain the keys until the fee owner, lessor, or lessee of the building is ascertained, in which event, the officer shall deliver the keys to such fee owner, lessor, or lessee.

- iii. Upon service and execution of the order to seal, the person serving or executing the same shall post a copy thereof in a conspicuous place or upon one or more of the principal doors at entrances of such premises where the unlicensed activity is being conducted, maintained, or permitted. In addition, the officer shall affix, in a conspicuous place or upon one or more of the principal doors at entrances of such premises, a printed notice that the premises have been closed by order of the Department.
- iv. Mutilation or removal of such a posted order or such a posted notice while it remains in force, in addition to any other punishment prescribed by law, shall be punishable, on conviction, by a fine of not more than five thousand dollars or by a class B misdemeanor, or both, provided such order or notice contains therein a notice of such penalty, and shall be referred to the District Attorney for enforcement.
- (e). The Department shall mail a copy, by certified mail, of any order to seal issued by the Department within five days following issuance of such order to the person in whose name the real estate affected by the order is recorded in the office of the city register or the county clerk, as the case may be, who shall be presumed to be the owner thereof. Such mailing shall constitute notice to the owner and shall be deemed to be complete upon such mailing by the office as provided above.
- (f). If at any time a respondent permanently vacates the building or premises subject to an order to seal issued by the Department, or if the building owner provides sufficient proof thereof, any action or proceeding filed in accordance with these procedures relating to such building or premises shall be withdrawn by the Department without prejudice, and any order to seal shall be vacated.
- (g). Upon a demand by the County Attorney, a respondent or defendant shall provide to the County prior to a hearing pursuant to Section 8(C)(5)(a) of this Act, within five days after a demand or sooner if a hearing is scheduled less than five days from the date of demand, a verified statement setting forth:
 - i. If the responding party is a natural person, such party's full legal name; date of birth; current home or business street address; and unique identifying number from an unexpired passport, an unexpired state driver's license, or an unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that individual;
 - ii. If the responding party is a partnership, limited liability partnership, limited liability company, or other unincorporated association, including a for profit or not-for-profit membership organization or club, the information required pursuant to Section 8(C)(5)(g)(i) or all of its partners or members, as well as the state or other jurisdiction of its formation;
 - iii. If the responding party is a corporation, its state or other jurisdiction of incorporation, principal place of business, and any state or other jurisdiction of which that party is a citizen; and
 - iv. If the responding party is not a natural person, for each Beneficial Owner of the responding party, its: full legal name; date of birth; current home or business

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street address; and a unique identifying number from an unexpired passport, an unexpired state driver's license, or unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that individual.

- D. Maintain a registry of all Retailers within the County possessing a Smoking Paraphernalia Retail License.

SECTION 9. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Act or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Act, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 10. EFFECTIVE DATE.

This Act shall take effect on the date that is 180 days following its filing with the Secretary of State in accordance with Sections 20, 21 and 27 of the Municipal Home Rule Law.

APPROVED: Ways and Means

DATED: October 9, 2024

Adopted by the following vote:

AYES NAYS ABSENT

No. 341 – FN 2024-0773 – Messrs. Gentile, Flisnik, Buck offered the following resolution and moved its adoption.

A LOCAL LAW AUTHORIZING ONEIDA COUNTY TO CONDUCT REGULATORY INSPECTIONS AND TAKE ACTIONS TO ENFORCE NEW YORK STATE CANNABIS LAW PURSUANT TO NEW YORK STATE CANNABIS LAW SECTION 131.

BE IT ENACTED, by the Board of County Legislators of the County of Oneida, State of New York, as follows:

Section 1. Authorization, Title and Purpose.

This Local Law is hereby enacted pursuant to New York Cannabis Law Section 131 as provided herein.

Section 2. Legislative Finding.

The State of New York, through amendments to the New York Cannabis Law, has granted local governments increased powers to inspect properties and to regulate and pursue enforcement remedies against unlicensed cannabis activity. The Board of County Legislators of the County of Oneida finds that the County of Oneida has experienced unlicensed cannabis activity that is difficult to police under existing regulations and finds that adopting this Local Law to empower Oneida County authorities to conduct regulatory inspections of properties suspected of unlicensed cannabis activities, and to pursue enforcement remedies against such activities is necessary to protect the public health, safety and welfare and to promote the public good.

Section 3. Legislative intent.

The purpose of this Local Law is to prohibit unlicensed cannabis activities, to adopt procedures for conducting regulatory inspections of premises suspected of such activities, and to authorize the commencement of enforcement mechanisms and to seek remedies to halt such activities in order to protect the public health, safety and welfare and to promote the public good.

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Section 4. Definitions.

For the purposes of this Local Law, the definitions of "person," "unlicensed activity," "indirect retail sale," and "place of business" shall be as those terms are defined in the New York Cannabis Law § 131.

Section 5. Inspections Permitted.

- A. The Oneida County Public Health Department is hereby authorized to conduct regulatory inspections of any place of business located within the County of Oneida, including a vehicle used for such business, that is suspected of engaging in unlicensed activity or otherwise not being licensed or registered with the New York State Office of Cannabis Management (OCM) to engage in retail sales of cannabis.
- B. Scope of inspections. Regulatory inspections shall be limited to determining whether the premises is conducting activity for which a license from OCM is required. Any such regulatory inspection shall only occur during the operating hours of a place of business, with or without notice, and shall be conducted for the purpose of civil administrative enforcement with respect to whether the premises has a lawful OCM license. Nothing herein shall limit any enforcement action under law when illegal activity is observed or occurs during such inspection.
- C. The Oneida County Public Health Director, or his/her designee, is designated as Oneida County's liaison to OCM and shall:
 - i. ensure that updates to the OCM directory of licensees are immediately incorporated into the local inspection process, coordinate with OCM on efforts to inspect unlicensed businesses and related local enforcement efforts;
 - ii. send biweekly reports to OCM in a manner and format prescribed by it detailing recent enforcement efforts, including information regarding the number and location of inspections conducted, notices of violation issued, and orders to seal issued and executed, and the amount and nature of the cannabis, cannabis products, or products marketed as such seized; and
 - iii. serve as the primary contact for OCM in connection with its training program and the sharing of materials made available to counties and cities with regard to the inspection and enforcement of unlicensed cannabis businesses.

Section 6. Complaints.

The Oneida County Public Health Director, his/her designee, or any person, may file a written complaint with the Oneida County Public Health Department which alleges or asserts the existence of an unlicensed activity. The Oneida County Public Health Department shall review and investigate written complaints. The process for responding to a complaint shall include such of the following steps as the Oneida County Public Health Department may deem to be appropriate:

- A. conduct a regulatory inspection pursuant to § 5 herein and documenting the results of such inspection;
- B. issue a notice of violation and order to cease the unlicensed activity, setting forth the nature of the unlawful conduct along with any fines or penalties for such conduct in amounts not to exceed the fines set forth in § 15 herein, and order any person who is unlawfully selling cannabis, cannabis product, or any product marketed or labeled as such without obtaining the appropriate registration, license, or permit therefor, or engaging in indirect retail sale, to cease such prohibited conduct, provided that any such notice of violation and order to cease unlicensed activity may only be issued against the business that is conducting the unlicensed activity or an individual owner of the business. Any notice of violation and order to cease unlicensed activity shall be served by delivery of the order to the owner of the business or other person of suitable age or discretion in actual or apparent control of the premises at the time of the inspection and shall be posted at the building or premises that have been sealed, secured and closed. A copy of the order shall also be mailed to any address for the owner of the business at any address provided by the person to whom such order was delivered pursuant to this paragraph;
- C. seize any cannabis, cannabis product, or any product marketed or labeled as such, found in the possession of a person engaged in unlicensed activity and in their place of business, including a vehicle used for such business, maintain documentation of the chain of custody of such seized products, and ensure that such products are properly stored, catalogued, and safeguarded until such time as they may properly be destroyed by the County;

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- D. issue an order to seal the building or premises of any business engaged in unlicensed activity, when such activity is conducted, maintained, or permitted in such building or premises, occupied as a place of business subject to the following procedures:
- i. Oneida County Public Health Director, or his/her designee, may issue an order to seal with an immediate effective date if such order is based upon a finding by the Oneida County Public Health Director, or his/her designee, of an imminent threat to the public health, safety, and welfare, as defined in § 7 herein.
 - ii. Any order to seal shall be served by delivery of the order to the owner of the business or other person of suitable age or discretion in actual or apparent control of the premises at the time of the inspection and shall be posted at the building or premises that have been sealed, secured and closed. A copy of the order shall also be mailed via first class mail to any address for the owner of the business provided by the person to whom such order was delivered pursuant to this paragraph. The order shall remain in effect pending a hearing and final determination of a court, or until such order is vacated by the Oneida County Public Health Director, or his/her designee. An order to seal shall explicitly state that a request for a hearing may be submitted in writing to Oneida County Attorney within seven (7) days. Upon receiving such a request for a hearing, the Oneida County Attorney shall file a copy of the request with the County Court Clerk in Oneida County.
 - iii. The County Court shall then fix the date of such hearing no later than three (3) business days from the date such notice is received by the Court and provide notice to the parties of the date, time, and location of the hearing. Upon such date, the Court shall hear testimony and receive evidence presented by the parties. Within four (4) business days of the conclusion of the hearing, the Court shall make a determination as to: (i) whether the person upon which the order to seal was issued was engaged in unlicensed activity, (ii) if the person is found to have engaged in unlicensed activity, then whether such unlicensed activity presents an imminent threat to public health, safety and welfare as provided herein, and (iii) whether the unlicensed activity as described in this section is more than a de minimis part of the business activity on the premises or in the building to be sealed pursuant to the order. However, when an order to seal has been issued upon a second or subsequent inspection in which unlicensed activity is confirmed to be continuing more than ten (10) calendar days after a notice of violation and order to cease unlicensed activity was previously issued, the Court need only determine: (i) whether the person upon which the order to seal was issued was engaged in unlicensed activity; (ii) whether a notice of violation and order to cease unlicensed activity had been issued eleven (11) or more days prior to the issuance of the order to seal; and (iii) whether the order to seal was issued in compliance with § 6(D) herein. If the Court determines that an order to seal was not properly issued, the Court shall vacate such order. If the Court is satisfied that an order to seal was properly issued, the Court may render a judgment affirming the issuance of an order to seal, and direct the closing of the building or premises by any police officer or peace officer as defined in New York State Criminal Procedure Law to abate the unlicensed activity and shall direct any police officer or peace officer as defined in New York State Criminal Procedure Law to post a copy of the judgment and a printed notice of such closing conforming to the requirements of this Local Law. The closing directed by the judgment shall be for such period as the Court may direct but in no event shall the closing be for a period of more than one (1) year from the posting of the judgment provided for in this section. Failure of a party that requested a hearing to appear at the hearing will result in a default and order of sealing to remain in effect for such period as the Court may direct but in no event shall the order be in effect for a period of more than one (1) year from the posting of the judgment unless otherwise vacated as provided for herein.
 - iv. Upon a determination by the County Court that a person or place of business has engaged in unlicensed activity, the Oneida County Public Health Director, or his/her designee, pursuant to New York Real Property Actions and Proceedings Law § 715-a, personally serve upon the owner or landlord of the premises, or upon their agent, a written notice requiring the owner or landlord to make an application for the removal of a commercial tenant so using or occupying the same for a violation of Article 6 of the New York State Cannabis Law involving the unlicensed sale of cannabis or products marketed or labeled as such. The County of Oneida may thereafter authorize the commencement of further legal proceedings pursuant to New York Real Property Actions and Proceedings Law § 715-a and seek an award of remedies provided thereunder.

Section 7. Imminent Threat to Public Health, Safety, and Welfare.

Factors that determine an imminent threat to public health, safety, and welfare shall be limited to:

- A. documented sales to minors;
- B. unlicensed processing of cannabis products at the building or premises;

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- C. orders issued following an inspection wherein the person engaged in the unlicensed activity engaged in violent, tumultuous, or other behaviors indicating expressed intent to not comply with the office's order to cease the unlicensed activity;
- D. documented presence of unlawful firearms at the building or premises;
- E. proximity of the building or premises to schools, houses of worship, or public youth facilities;
- F. presence of products deemed unsafe based on reports of illness or hospitalization; or
- G. sales of, or offers to sell, cannabis products not tested or labeled lawfully in accordance with this New York State Cannabis Law.

Section 8.

Notwithstanding the factors listed in § 7 herein and the restrictions set forth in § 9(B) herein, the County of Oneida may issue an order to seal with an immediate effective date upon a second or subsequent inspection in which unlicensed activity is confirmed to be continuing more than ten (10) calendar days after a notice of violation and order to cease unlicensed activity was previously issued by the County of Oneida, provided that the County of Oneida has also provided notice that the premises may be subject to an order to seal if upon a subsequent inspection the Oneida County Public Health Director, or his/her designee, finds that the violation has not been abated.

Section 9.

An order to seal may be issued by the County of Oneida only if:

- A. no part of the premises to be sealed is used in part as a residence and pursuant to local law or ordinance is zoned and lawfully occupied as a residence; and
- B. the unlicensed activity as described in this section is more than a de minimis part of the business activity on the premises or in the building to be sealed pursuant to the order. In the event that an order to seal may not be issued pursuant to this subdivision, the Oneida County Public Health Director, or his/her designee, shall issue a notice of violation and order to cease the unlicensed conduct, which shall constitute notice that such unlicensed activity must cease immediately.

Section 10.

In assessing whether unlicensed activity within a building or premises is more than de minimis, the County of Oneida shall consider factors such as any one or more of the following:

- A. the presence of signs or symbols, indoors or out, advertising the sale of cannabis or otherwise indicating that cannabis is sold on the premises;
- B. information shared in any advertisements or other marketing content in connection with the unlicensed business activity and any direct or indirect sales of cannabis or other conduct in violation of this Local Law or New York State Cannabis Law;
- C. the volume of illicit cannabis products on site; and
- D. the variety of illicit cannabis products on site.

Section 11.

Any police officer or peace officer as defined in New York State Criminal Procedure Law with jurisdiction may assist in the enforcement of an order to seal issued by the Oneida County Public Health Director, or his/her designee, in accordance with the following procedures:

- A. The officer serving and executing the order to seal shall forthwith make and return to the Oneida County Public Health Director, or his/her designee, an inventory of personal property situated in and used in conducting,

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maintaining, or permitting the unlicensed activity within the scope of this Local Law and shall enter upon the building or premises for such purpose. Such inventory shall be taken in any manner which is deemed likely to evidence a true and accurate representation of the personal property subject to such inventory including, but not limited to photographing such personal property.

- B. The officer serving and executing the order to seal shall enter the building or premises and, upon service of the order, command all persons present in the building or premises to vacate the premises forthwith. Upon the building or premises being vacated, the premises shall be securely locked and all keys delivered to the officer serving the order who thereafter shall deliver the keys to the fee owner, lessor, or lessee of the building or premises involved. If the fee owner, lessor, or lessee is not at the building or premises when the order is being executed, the officer shall securely padlock the premises and retain the keys until the fee owner, lessor, or lessee of the building is ascertained, in which event, the officer shall deliver the keys to such fee owner, lessor, or lessee.
- C. Upon service and execution of the order to seal, the officer shall post a copy thereof in a conspicuous place or upon one or more of the principal doors at entrances of such premises where the unlicensed activity is being conducted, maintained, or permitted. In addition, the officer shall affix, in a conspicuous place or upon one or more of the principal doors at entrances of such premises, a printed notice that the premises have been closed by order of the County of Oneida, and the name of the officer posting the notice.
- D. Mutilation or removal of such a posted order or such a posted notice while it remains in force, in addition to any other punishment prescribed by law, shall be punishable, on conviction, by a fine of five thousand dollars (\$5,000.00) or by a class B misdemeanor, or both, provided such order or notice contains therein a notice of such penalty, and shall be referred to the district attorney for enforcement. The County of Oneida shall also adhere to the procedures in this subdivision when executing an order to seal issued in accordance with this section.

Section 12.

Any order to seal issued pursuant to this Local Law shall be effective for one (1) year from the later of the posting of the order or the date of the judgment provided for in this Local Law. An order to seal shall be vacated by the Oneida County Public Health Director, or his/her designee, if the respondent submits sufficient evidence to the Oneida County Public Health Director, or his/her designee, by an affidavit and such other proof as may be submitted by the respondent that the unlicensed activity has been abated. An order vacating an order to seal shall include a provision authorizing the Oneida County Public Health Director, or his/her designee, or any officer assisted with the execution of the order to seal, to inspect the building or premises without notice for the purpose of ascertaining whether or not the unlicensed activity has been abated. Any police officer or peace officer as defined in New York State Criminal Procedure Law with jurisdiction may, upon the request of the Oneida County Public Health Director, or his/her designee, assist in the enforcement of an inspection provision of an order vacating an order to seal.

Section 13.

The Oneida County Public Health Director, or his/her designee, shall mail a copy, by certified mail, of any order to seal within five (5) days following issuance of such order to the person in whose name the real estate affected by the order is recorded in the office of the County Clerk, who shall be presumed to be the owner thereof. Such mailing shall constitute notice to the owner and shall be deemed to be complete upon such mailing by the office as provided above.

Section 14.

If at any time a respondent vacates the building or premises subject to an order to seal issued by the Oneida County Public Health Director, or his/her designee, or if the building owner provides sufficient proof thereof, any action or proceeding filed in accordance with these procedures relating to such building or premises shall be withdrawn by the Oneida County Public Health Director, or his/her designee, and any order to seal shall be vacated.

Section 15. Penalties.

Any person who engages in the unlawful sale of cannabis, cannabis product, or any product marketed or labeled as such, or in indirect retail sales, shall be subject to a civil penalty of two thousand five hundred dollars (\$2,500.00) if it be a first unique instance of violation; five thousand dollars (\$5,000.00) if it be a second unique instance of violation; and ten thousand dollars (\$10,000.00) if it be a third or subsequent unique instance of violation and each and every subsequent violation, for each day during which such violation continues, with a maximum penalty of twenty-five thousand dollars (\$25,000.00) per each unique instance of violation. The penalty provided for herein may be recovered by an action or proceeding in a court of competent jurisdiction brought by the County of Oneida to enforce the notice of violation provided for herein.

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Section 16. Other Civil Remedies.

In addition to, and not in limitation of any other remedies provided herein, the Board of County Legislators of Oneida County and/or the Oneida County Executive may direct the County Attorney to maintain an action or proceeding against any person in the name of the County of Oneida in a court of competent jurisdiction to compel compliance with, or to permanently or preliminarily restrain by injunction the violation of, this Local Law or any other law or ordinance authorizing the use of the procedures of this Local Law, or any rule or regulation adopted pursuant thereto, including but not limited to the relief provided in New York Cannabis Law §16-a and New York Real Property and Proceedings Law § 715-a.

Section 17. Validity and Severability.

Should any word, section, clause, paragraph, sentence, part or provision of this Local Law be declared invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section 5. Effective Date.

This Local Law shall take effect the later of ten (10) days after its filing with the OCM, or upon its filing in the office of the Secretary of State.

APPROVED: Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Buck and adopted by the following vote:
AYES 21 NAYS 1 (Newton) ABSENT 1 (Rogers-Witt)

No. 342 – FN 2024-0853 – All Legislators offered the following resolution and moved its adoption.

RE: RE-APPOINTMENT OF SARAH F. BORMANN AS COMMISSIONER OF ELECTIONS FOR THE DEMOCRATIC PARTY FOR A TERM TO EXPIRE DECEMBER 31, 2026

WHEREAS, Mitch Ford, Chairman of the Oneida County Democratic Committee, has certified that on September 26, 2024, at a meeting of the Oneida County Democratic Committee, Sarah F. Bormann was endorsed and recommended for re-appointment as Commissioner of Elections of Oneida County for the Democratic Party for a two (2) year term commencing January 1, 2025 and ending December 31, 2026, and

WHEREAS, Pursuant to Section 3-204 of the Election Law said appointment must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That Sarah F. Bormann be, and hereby is, re-appointed as the Democratic Commissioner of Elections of Oneida County, for a two (2) year term commencing January 1, 2025 and ending December 31, 2026.

APPROVED: Government Operations Committee (October 3,2024)
Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Julian and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

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NOTE: AT THIS JUNCTURE A MOTION WAS MADE BY LEGISLATOR SCHIEBEL THAT PURSUANT TO RULE 22 MADE A MOTION TO SUSPEND RULES 12 & 55 FOR THE PURPOSE OF CONSIDERING THIS RESOLUTION ONLY. LEGISLATOR BUCK SECONDED THE MOTION. THE MOTION WAS DULY PASSED FOR THE FOLLOWING RESOLUTION

No. 343 – FN 2024-0865 – All Legislators offered the following resolution and moved its adoption.

RE: RE-APPOINTMENT OF NICHOLE SHORTELL AS COMMISSIONER OF ELECTIONS FOR THE REPUBLICAN PARTY FOR A TERM TO EXPIRE DECEMBER 31, 2026

WHEREAS, Kenneth Roser, Chairman of the Oneida County Republican Committee, has certified that on October 1, 2024, at a meeting of the Oneida County Republican Committee, Nichole Shortell was endorsed and recommended for re-appointment as Commissioner of Elections of Oneida County for the Republican Party for a two (2) year term commencing January 1, 2025 and ending December 31, 2026, and

WHEREAS, Pursuant to Section 3-204 of the Election Law said appointment must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That Nichole Shortell be, and hereby is, re-appointed as the Republican Commissioner of Elections of Oneida County, for a two (2) year term commencing January 1, 2025 and ending December 31, 2026.

APPROVED: Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Buck and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 Rogers-Witt

No. 344 – FN 2024-0829 - Messrs. Leach, Flisnik offered the following resolution and moved its adoption.

RE: APPROVAL OF THE PROPOSED WORKERS' COMPENSATION BUDGET FOR 2025

WHEREAS, The Oneida County Workers' Compensation Committee has filed a budget estimate for the operation of the Oneida County Self-Insured Insurance Plan as hereinafter set forth for the year 2025, and

WHEREAS, It is desirable to authorize the County Comptroller and the Commissioner of Finance to establish in their accounts a budget estimate for the operation of the Oneida County Self-Insurance Plan, now, therefore, be it hereby

RESOLVED, That the following budget estimate for 2025 is hereby ordered to be placed upon the books of the County Comptroller and Commissioner of Finance, and that the County Comptroller be, and hereby is, authorized to make payments from the respective accounts as hereinafter set forth upon inspection and examination by the Workers' Compensation Committee:

BUDGET APPROPRIATIONS

PROGRAM ADMINISTRATION AND SUPPORT

S1710.109	Salaries & Fringes	\$ 123,009
S1710.195	Other Fees & Services (See attachment)	\$ 558,352
S1710.416	Telephone	\$ 550
S1710.418	Meter Postage	\$ 630
S1710.455	Travel	\$ 5,000
S1710.491	Other Materials & Supplies	\$ 100
S1710.492	Zixmail	\$ 59
S1710.495	Other Expenses	\$ 250
S1990.9	Contingent Account	\$ 30,000
	Total Administrative Expense	\$ 717,950

S1720.410	Indemnity & Medical	\$4,023,842
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S1720.412	Insurance & Bonding	\$ 400
S1720.495	WCB Assessments	<u>\$ 304,954</u>
	Total Claims Expense	\$4,329,196
TOTAL ADMINISTRATIVE & CLAIMS EXPENSES		<u>\$5,047,146</u>
ESTIMATED REVENUES		
S2222	Participant Assessments	\$4,237,966
S2401	Interest Earnings	\$ 100,000
S2701	Refund of Prior Years – Expenditures	\$ 16,000
S2705	Revenues	<u>\$ 693,180</u>
TOTAL ESTIMATED REVENUES		<u>\$5,047,146</u>

2025 Budget – “Other Fees and Services” Breakdown

“Other Fees & Services” – Account S1710.195

Estimated cost to place in reserves for Excess	\$300,000
Cost for 3rd Party Administration 2025	\$196,560
Department of Finance annual service charge for 2025	\$ 9,792
Estimated cost for an actuarial analysis fee for 2025	\$ 8,000
Department of Audit & Control accounting fee for 2025	\$ 14,000
Miscellaneous expert attorney fees and other contract fees	<u>\$ 30,000</u>
Total proposed “Other Fees and Services”	<u>\$558,352</u>

RESOLVED, That the Oneida County Board of Legislators hereby approves and accepts the aforementioned Workers’ Compensation Budget for 2025.

APPROVED: Workers’ Compensation Committee (October 3, 2024)
Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 345 – FN 2024-0611 – Messrs. Boucher, Flisnik offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND HEALTH RESEARCH, INC.

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Department of Health, and Health Research, Inc. to provide funding for the Public Health Emergency Preparedness Program, which will protect the health of the community from disease outbreaks, natural and man-made disasters, and

WHEREAS, The Agreement shall be a for a total of \$1,127,716.00, which consists of a maximum reimbursable amount of \$77,716.00, for a term commencing July 1, 2023 and ending June 30, 2024, and

WHEREAS, In accordance with Section 202(j) of the Oneida County Charter, Section 202(j) of the Oneida County Administrative Code, Section 227 of New York County Law, and Oneida County Charter Section 2202, the County Executive has requested ratification and approval by this Board of said Agreement, now, therefore, be it hereby

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RESOLVED, That the Oneida County Board of Legislators approves and authorizes the County Executive to sign an Agreement between Oneida County, through its Department of Health, and Health Research, Inc., for a term commencing July 1, 2023 and ending June 30, 2024, including any extensions of time or non-material amendments.

APPROVED: Health & Human Services Committee (October 3, 2024)
Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 346 – FN 2024-0737 – Messrs. Boucher, Flisnik offered the following resolution and moved its adoption

RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF HEALTH, AND NEW YORK STATE, THROUGH ITS DEPARTMENT OF HEALTH

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Health, and New York State, through its Department of Health, in the sum of \$70,046.00, which will be used for the enforcement of the Adolescent Tobacco Use Prevention Act (ATUPA) and the Clean Indoor Air Act (CIAA), which includes conducting unannounced compliance checks of retail tobacco dealers and vendors using under age youth, educating facility operators, responding to public inquires, responding to complaints about non-compliance and initiating enforcement against violators, fulfilling all program reporting requirements, and

WHEREAS, The Grant Agreement shall be for a term commencing April 1, 2023 and ending March 31, 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 Health, and New York State, through its Department of Health, in the sum of \$70,046.00, for a term commencing April 1, 2023 and ending March 31, 2024, including any renewals or non-material amendments.

APPROVED: Health & Human Services Committee (October 3, 2024)
Ways & Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 347 – FN 2024-0768 – Messrs. Boucher, Flisnik offered the following resolution and moved its adoption.

RE: APPROVAL OF AN AMENDMENT TO A MASTER CONTRACT FOR GRANTS BETWEEN ONEIDA COUNTY, THROUGH ITS HEALTH DEPARTMENT, AND NEW YORK STATE, THROUGH ITS HEALTH DEPARTMENT

WHEREAS, This Board is in receipt of an amendment to a Master Contract for Grants between Oneida County, through its Health Department, and New York State, through its Department of Health, in the sum of \$234,266.00, for funding support of the Tuberculosis Control Program, for a term commencing April 1, 2019 and ending December 31, 2024, and

WHEREAS, This Board approved by Resolution No. 354 on November 13, 2019, the original Master Contract for Grants between Oneida County, through its Health Department, and New York State, through its Department of

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Health, for the Tuberculosis Control Program with funding in the amount of \$195,830.00 and a term commencing April 1, 2019 and ending March 31, 2024, 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 Executive, Anthony J. Picente, Jr., is hereby authorized to execute any and all documents related to the amended Master Contract for Grants between Oneida County, through its Health Department and New York State, through its Department of Health, for a term commencing April 1, 2019 and ending December 31, 2024, and the County Executive is hereby authorized to execute any extensions of time or non-material amendments to this amended Master Contract for Grants.

APPROVED: Health & Human Services Committee (October 3, 2024)
Ways & Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 348 – FN 2024-0719 – Messrs. Boucher, Flisnik offered the following resolution and moved its adoption

RE: SUPPLEMENTAL APPROPRIATION OF \$500,000.00 TO A 6010 6141.495-651 – OTHER EXPENSE DISASTER HOMES PROGRAM (DFCS-SOCIAL SERVICES)

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$500,000.00 to A 6010 6141.495-651 – Other Expense Disaster Homes Program (DFCS – Social Services), and

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

A 6010 6011.101-000	Salaries, Full Time (DFCS – Social Services)	\$250,000.00
A 6010 6012.101-000	Salaries, Full Time (DFCS – Social Services)	<u>\$250,000.00</u>
\$500,000.00		

now, therefore, be it hereby

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

TO:

A 6010 6141.495-651	Other Expense Disaster Homes Program (DFCS – Social Services)	\$500,000.00
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APPROVED: Health & Human Services Committee (October 3, 2024)
Ways & Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

October 9, 2024

Meeting held on Wednesday, October 9, 2024, at 2:00 P.M.
OCTOBER MEETING

No. 349 – FN 2024-0783 - Messrs. Boucher, Flisnik offered the following resolutions and moved its adoption.

- RE:** SUPPLEMENTAL APPROPRIATION OF \$100,000.00 TO A 4310 4310.495-175 – OTHER EXPENSES GRANT FUNDED – IIR (MENTAL HEALTH)
- WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$100,000.00 to A 4310 4310.495-175 – Other Expenses Grant Funded – IIR (Mental Health), and
- WHEREAS,** Said supplemental appropriation will be supported by unanticipated revenue in the following account in the following amount:
- | | | |
|----------------------|---|--------------|
| A 4310 4310.1625-000 | Mental Health Contributions fr Private Agencies (Mental Health) | \$100,000.00 |
|----------------------|---|--------------|
- now, therefore, be it hereby
- RESOLVED,** That a supplemental appropriation, from 2024 funds, as hereinafter set forth, is hereby approved:
- TO:
- | | | |
|---------------------|---|--------------|
| A 4310 4310.495-175 | Other Expenses Grant Funded – IIR (Mental Health) | \$100,000.00 |
|---------------------|---|--------------|
- APPROVED:** Health & Human Services Committee (October 3, 2024)
Ways & Means Committee (October 9, 2024)
- DATED:** October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 350 – FN 2024-0681 – Mme. Pratt, Mr. Flisnik offered the following resolution and moved its adoption.

- RE:** APPROVAL OF AN EARLY VOTING POLL SITE AGREEMENT BETWEEN ONEIDA COUNTY AND MOHAWK VALLEY COMMUNITY COLLEGE
- WHEREAS,** This Board is in receipt of correspondence from Sarah F. Bormann, Democratic Commissioner, and Nichole D. Shortell, Republican Commissioner, requesting approval of an Early Voting Poll Site Agreement between Oneida County and Mohawk Valley Community College for use of premises by the Oneida County Board of Elections for early voting in connection with the primary and general elections in 2025 and 2026; and
- WHEREAS,** The Agreement shall be for a term commencing January 1, 2025 and ending December 1, 2026, with the County having the option to renew this Agreement for two additional one-year terms, and with no costs associated with same; and
- WHEREAS,** The Commissioners have requested that this Agreement be approved as a template for similar arrangements with other agencies, entities and municipalities, which will be of the same content, with the exception of facility name, locality and dollar amount; and
- WHEREAS,** In accordance with Oneida County Charter Section 2202, the Agreements 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 an Early Voting Poll Site Agreement between Oneida County and Mohawk Valley Community College for a term commencing January 1, 2025 and ending December 1, 2026, including any renewals or non-material amendments; and be it further
- RESOLVED,** That the Oneida County Board of Legislators hereby approves the Agreement to be used as a template between the Oneida County and various agencies, entities and municipalities for the primary and general elections in 2025 and 2026, and any renewals thereof.

October 9, 2024

Meeting held on Wednesday, October 9, 2024, at 2:00 P.M.
OCTOBER MEETING

APPROVED: Government Operations Committee (October 3, 2024)
Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 351 – FN 2024-0730 – Mme Pratt, Mr. Flisnik offered the following resolution and moved its adoption.

RE: TRANSFER OF \$131,000.00 TO VARIOUS 1420 – COUNTY ATTORNEY ACCOUNTS

WHEREAS, There is a need for additional funds in various 1420 – County Attorney accounts, and

WHEREAS, In accordance with Section 610 of the Administrative Code, the County Executive has requested approval by this Board to transfer funds sufficient to cover the present shortage, now, therefore, be it hereby

RESOLVED, That transfers from 2024 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

A 1340 1911.910-000	Contingent Budget (Budget)	\$131,000.00
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TO:

A 1420 1420.195-000	Personal Services (County Attorney)	\$ 91,000.00
A 1420 1420.495-000	Other Expense (County Attorney)	<u>\$ 40,000.00</u>

\$131,000.00

APPROVED: Government Operations Committee (October 3, 2024)
Ways & Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 352 – FN 2024-0780 – Mme. Pratt, Mr. Flisnik offered the following resolution and moved its adoption.

RE: APPROVAL TO SET THE SALARY FOR THE POSITION TITLE OF EMPLOYEE BENEFITS ADMINISTRATOR, GRADE 33M, STEP 1, \$61,729

WHEREAS, This Board is in receipt of correspondence from Commissioner of Personnel, Charles P. Klein, requesting approval to establish the salary for the position title of Employee Benefits Administrator; and

WHEREAS, The Commissioner of Personnel recommends that the starting salary for the position be set at Grade 33M, Step 1, \$61,729; and

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

RESOLVED, That the Oneida County Board of Legislators hereby establishes the salary for the position title of Employee Benefits Administrator at Grade 33M, Step 1, \$61,729, effective immediately.

APPROVED: Government Operations Committee (October 3, 2024)
Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

October 9, 2024

Meeting held on Wednesday, October 9, 2024, at 2:00 P.M.
OCTOBER MEETING

No. 353 – FN 2024-0729A – Messrs. Idzi, Flisnik offered the following resolution and moved its adoption.

RE: TRANSFER OF \$500,00.00 TO A 3110 3110.251-000 – AUTOMOTIVE EQUIPMENT (SHERIFF) AND \$600,000 TO A3110 3110.413-100 – RENT LEASE EQUIPMENT (SHERIFF)

WHEREAS, There is a need for additional funds in A 3110 3110.251-000 – Automotive Equipment (Sheriff), and A3110 3110.413-100 – Rent Lease Equipment (Sheriff), and

WHEREAS, In accordance with Section 610 of the Administrative Code, the County Executive has requested approval by this Board to transfer funds sufficient to cover the present shortage, now, therefore, be it hereby

RESOLVED, That transfers from 2024 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

A 3110 3150.101-000 Salaries, Full Time (Sheriff) \$500,000
A1340 8740-495-998 Other Expenses- ARPA (Budget).....\$600,000

TO:

A 3110 3110.251-000 Automotive Equipment (Sheriff) \$500,000
A 3110 3110 413-100 Rent/Lease Equipment (Sheriff)\$600,000

APPROVED: Public Safety Committee (October 3, 2024)
Ways & Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 20 NAYS 2 (Newton, Flisnik) ABSENT 1 (Rogers-Witt)

No. 354 – FN 2024-0339 – Messrs. Boucher, Flisnik offered the following resolution and moved its adoption.

RE: APPROVAL OF A SHARED SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND NEW YORK STATE, THROUGH ITS DEPARTMENT OF TRANSPORTATION

WHEREAS, This Board is in receipt of a Shared Services Agreement between Oneida County, through its Department of Public Works, and New York State, through its Department of Transportation, for an amount not to exceed \$25,000.00, for the exchange or lending of materials or equipment to promote and assist the maintenance of State and County roads and highways, and to provide a cost savings by maximizing the effective utilization of both parties’ resources, and

WHEREAS, The Agreement shall be for a term of four years commencing May 23, 2024 and ending May 23, 2028, 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 Shared Services Agreement between Oneida County, through its Department of Public Works, and New York State, through its Department of Transportation, for an amount not to exceed \$25,000.00 and for a term commencing May 23, 2024 and ending May 23, 2028, including any non-material amendments.

APPROVED: Public Works Committee (October 3, 2024)
Ways & Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

October 9, 2024

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No. 355 – FN 2024-0705 – Messrs. Waterman, Flisnik offered the following resolution and moved its adoption

RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS BUREAU OF WEIGHTS AND MEASURES, AND NEW YORK STATE, THROUGH ITS DEPARTMENT OF AGRICULTURE AND MARKETS

WHEREAS, This Board is in receipt of an Agreement between Oneida County, through its Bureau of Weights and Measures, and New York State, through its Department of Agriculture and Markets, in the sum of \$66,275.00, for the reimbursement of the costs to Oneida County for participating in the New York State Petroleum Quality Program, which conducts inspections, screening tests and testing of sample fuel stored at retail fuel outlets throughout Oneida County, and

WHEREAS, The Agreement shall be for a five year term commencing April 1, 2024 and ending March 31, 2029, 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 an Agreement between Oneida County, through its Bureau of Weights and Measures, and New York State, through its Department of Agriculture and Markets, in the sum of \$66,275.00, for a term commencing April 1, 2024 and ending March 31, 2029, including any extensions of time or non-material amendments.

APPROVED: Public Works Committee (October 3, 2024)
Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 356 – FN 2024-0720 – Messrs. Waterman, Flisnik offered the following resolution and moved its adoption.

RE: APPROVAL OF AN INTERMUNICIPAL AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF WATER QUALITY AND WATER POLLUTION CONTROL, AND THE ONEIDA COUNTY SEWER DISTRICT CONSTITUENT MUNICIPALITIES IN RELATION TO NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FUNDS FOR THE PLANNING, DESIGN AND CONSTRUCTION OF SEWER REHABILITATION PROJECTS IN VARIOUS LOCATIONS ACROSS THE ONEIDA COUNTY SEWER DISTRICT SERVICE AREA

WHEREAS, This Board is in receipt of an Intermunicipal Agreement between Oneida County, through its Department of Water Quality and Water Pollution Control, and the municipalities within the Oneida County Sewer District providing for the preservation of access rights, and continuance of public ownership, of each such municipality's sewer collection and conveyance systems during such times as improvements to such systems are financed through the Environmental Facilities Corporation, and

WHEREAS, The municipal counterparties to the Intermunicipal Agreement are the City of Utica, the Village of New York Mills, the Village of Yorkville, the Village of Whitesboro, the Village of Oriskany, the Village of New Hartford, the Village of Clayville, the Village of Holland Patent, the Town of Whitestown, the Town of New Hartford, the Town of Paris, the Town of Marcy, the Town of Deerfield, the Town of Frankfort, and the Town of Schuyler (collectively, the "Municipalities"), and

WHEREAS, Said Agreement is for a term commencing upon its execution and terminating at such time as any bonds or outstanding debt related to the improvement projects are fully paid, satisfied and discharged, and

WHEREAS, 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 an Intermunicipal Agreement between Oneida County, through its Department of Water Quality and Water Pollution Control, and the Municipalities, for a term commencing

October 9, 2024

Meeting held on Wednesday, October 9, 2024, at 2:00 P.M.
OCTOBER MEETING

upon its execution and terminating at such time as any bonds or outstanding debt related to the improvement projects are fully paid, satisfied and discharged.

APPROVED: Public Works Committee (October 3, 2024)
Ways & Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

No. 357 – FN 2024-0772 – Messrs. Koenig, Flisnik Mme, Washburn offered the following resolution and moved its adoption.

RE: ADVANCED APPROVAL OF GRANT AGREEMENTS BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND THE UNITED STATES OF AMERICA, THROUGH THE FEDERAL AVIATION ADMINISTRATION AND ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF AVIATION, AND THE STATE OF NEW YORK, THROUGH ITS DEPARTMENT OF TRANSPORTATION

WHEREAS, This Board is in receipt of correspondence from Edward Arcuri, Commissioner of Aviation, requesting authorization to enter into Grant Agreements between Oneida County, through its Department of Aviation, and the United States of America, through the Federal Aviation Administration, if awarded, as well as the associated Grant Agreements between Oneida County, through its Department of Aviation, and the State of New York, through its Department of Transportation, due to the limited notice and short deadlines associated with the execution of such Grant Agreements; and

WHEREAS, If awarded, the Grant Agreements will provide Oneida County with funding from the Federal Aviation Administration totaling ninety percent (90%) of the total project amount and funding from the State of New York, through its Department of Transportation totaling five percent (5%) of the total project amount; and

WHEREAS, If awarded, the associated Oneida County share of each project will be five percent (5%) of the total project amount; and

WHEREAS, The project to be funded by this Grant Agreement is the construction phase of the Rehabilitation of the Air Traffic Control Tower Project, with a total project cost of up to \$2,950,000.00; 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 grants advanced approval of a Grant Agreement between Oneida County, through its Department of Aviation, and the United States of America, through the Federal Aviation Administration, as well as the associated Grant Agreements between Oneida County, through its Department of Aviation, and the State of New York, through its Department of Transportation, and authorizes Oneida County Executive, Anthony J. Picente, Jr., to execute said Grant Agreement upon Oneida County's receipt of the same, including future amendments and extensions for the construction phase of the Rehabilitation of the Air Traffic Control Tower Project at Griffiss International Airport.

APPROVED: Airport Committee (October 3, 2024)
Ways and Means Committee (October 9, 2024)

DATED: October 9, 2024

Seconded by Mr. Joseph and adopted by the following vote:
AYES 22 NAYS 0 ABSENT 1 (Rogers-Witt)

October 9, 2024

**Meeting held on Wednesday, October 9, 2024, at 2:00 P.M.
OCTOBER MEETING**

CERTIFICATION OF THE CLERK

STATE OF NEW YORK, County of Oneida, ss:

I hereby certify that the foregoing is a true report of the proceedings of the Board of Legislators of the County of Oneida on Wednesday, October 9, 2024, at 2:00 P.M., typographical errors excepted.

MIKALE BILLARD