

ADOPTED RESOLUTIONS FROM THE JULY 16 2008 BOARD OF LEGISLATORS MEETING

**INTRODUCTORY
NO. 290**

F.N. 2008-311

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 291

INTRODUCED BY: Messrs. Paparella, Porter

2ND BY: Mr. Puma

RE: SUPPLEMENTAL APPROPRIATION OF \$242,000 TO AA#A6015.0, DSS, HEAP ACCOUNTS

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$242,000 to AA#A6015.0, DSS, HEAP accounts, and

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

A4615.01, Federal Aid-HEAP.....\$242,000

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2008 funds, in the amount of \$242,000, as hereinafter set forth, be and the same is hereby made:

TO:

A6015.102, Temporary Help.....	\$160,000
A6015.103, Overtime.....	\$ 5,000
A6015.109, Salaries, Other.....	\$ 10,000
A6015.495, Other Expenses.....	\$ 15,000
A6015.810, Retirement.....	\$ 32,000
A6015.830, Social Security.....	\$ 9,000
A6015.850, Unemployment Insurance.....	<u>\$ 11,000</u>
TOTAL	\$242,000

APPROVED: Human Resources Committee (June 18, 2008)
Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 292

***INTRODUCED BY: Messrs. Welsh, Porter, Miller, Clancy, Stephenson, Hennessy, Mrs. Mandryck,
Mrs. Hudak, Mr. Davis***

2ND BY: Mr. Goodman

RE: APPROVAL OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION FOR THE FUNDING OF A RURAL ECONOMIC DEVELOPMENT POSITION

WHEREAS, This Board is in receipt of correspondence forwarded from Oneida County Executive Anthony J. Picente, Jr., requesting approval of a Memorandum of Agreement between the County and Cornell Cooperative Extension, 121 Second Street, Oriskany, NY, for administration of a Rural Economic Development Program which includes the services of a Rural Development Specialist to serve as a liaison between Cooperative Extension and local government, elected officials, businesses, agencies and citizens, and

WHEREAS, As set forth therein a Rural Development Advisory Board, comprised of two Legislative representatives, the Executive Director of Cornell Cooperative Extension, or designee, and one staff appointment by the County Executive's Office, shall be established to develop and monitor program activities, and

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

RESOLVED, That this Board authorizes and directs County Executive Anthony J. Picente, Jr., to execute a Memorandum of Agreement between Oneida County and Cornell Cooperative Extension for administration of a Rural Economic Development Program which includes the services of a Rural Development Specialist to serve as a liaison between Cooperative Extension and local government, elected officials, businesses, agencies and citizens during a one year term commencing July 17, 2008 and ending July 16, 2009 at a cost of \$50,000 payable in semi-annual installments of \$25,000.

APPROVED: Education, Youth & Agriculture Committee (June 23, 2008)
Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:

AYES 23 NAYS 3 (Flisnik, Scott, Tanoury) ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 293

**INTRODUCED BY: Messrs. Wilcox, Porter
2ND BY: Mr. Paparella**

**RE: SUPPLEMENTAL APPROPRIATION OF \$25,000 TO AA#A4012.447, PUBLIC HEALTH-
DIAGNOSTIC AND TREATMENT CLINIC**

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$25,000 to AA#A4012.447, Public Health-Diagnostic and Treatment Clinic, and

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

A2280, Refugee Testing.....\$25,000

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2008 funds, in the amount of \$25,000, as hereinafter set forth, be and the same is hereby made:

TO:
A4012.447, Other Expenses..... \$25,000

APPROVED: Public Health Committee (June 9, 2008)
 Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:
AYES 26 NAYS 0 ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 294

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

**RE: APPROVAL OF LEASE AGREEMENT BETWEEN THE PUBLIC WORKS DEPARTMENT
AND ADIRONDACK SCENIC RAILROAD FOR SPACE LOCATED IN THE BOEHLERT
CENTER AT UNION STATION**

WHEREAS, The County of Oneida has negotiated a Lease Agreement with the Adirondack Scenic Railroad for certain space located in and adjacent to the Union Station Building, 321 Main Street, Utica, New York for a term commencing July 1, 2008 and ending December 31, 2012, and

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

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr., is authorized and directed to enter into an Agreement with Adirondack Scenic Railroad for office space located in and adjacent to the Union Station Building, 321 Main Street, Utica, NY, commencing July 1, 2008 and ending December 31, 2012, and it is further

RESOLVED, That a payment of \$1,350 shall be made by Adirondack Scenic Railroad to Oneida County for the July 1, 2008 through December 31, 2012 term and consecutive payments of \$2,760, \$2,820, \$2,880 and \$2,940 shall be made payable for year's 2009, 2010, 2011 and 2012 respectively, and it is further

RESOLVED, That in accordance with terms set forth therein an option to renew for an additional five years may be exercised upon mutual consent by both parties with annual rates adjusted accordingly.

APPROVED: Public Works Committee (June 4, 2008)
Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:
AYES 26 NAYS 0 ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 295

*INTRODUCED BY: Messrs. Porter, Clancy, Davis, Stephenson, Leach, Hennessy
2ND BY: Mr. Davis*

RE: AMENDMENT OF RESOLUTION NO. 185 ADOPTED APRIL 16, 2008 THAT APPROPRIATED \$50,000 TO PROVIDE ASSISTANCE RELATING TO THE ONEIDA INDIAN LAND INTO TRUST PROCESS

WHEREAS, Resolution No.185 adopted by the Oneida County Board of Legislators on April 16, 2008 authorized an appropriation of \$50,000 to engage the services of a consultant or legal counsel to assist the County in its response to the Oneida Indian Land into Trust process, and

WHEREAS, The State of New York has decided not to include the Towns of Vernon and Verona in the legal challenge on the Land into Trust decision, and

WHEREAS, The Towns of Vernon and Verona have hired their own legal counsel to represent them in their challenge to the Land into Trust decision, and

WHEREAS, It is the opinion of the Oneida County Board of Legislators that the efforts of these two towns in fighting this decision will only benefit our own efforts and that we should help support their efforts to protect the interests of their towns, and

WHEREAS, It is the desire of this Board to allocate funding in the amount of \$3,000 each for the Town of Vernon and the Town of Verona to be expended from the original \$50,000 appropriated pursuant to Resolution No. 185 dated April 16, 2008, to assist these two towns in hiring counsel to advise them in their efforts to fight the Land into Trust decision, now, therefore, be it hereby

RESOLVED, That Resolution No. 185 adopted by the Oneida County Board of Legislators on April 16, 2008, be amended to authorize the allocation of \$3,000 to the Town of Vernon and \$3,000 to the Town of Verona to be expended from the previously appropriated amount of \$50,000 in AA#A1240.195, Law Department – Land Claim Task Force, to assist these two towns in hiring legal counsel to advise them in their efforts to fight the Land into Trust decision.

APPROVED: Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:

AYES 24 NAYS 2 (Porter, Mandryck) ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 296

**INTRODUCED BY: Messrs. Paparella, Porter, Tanoury
2ND BY: Mr. Furgol**

**RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES
DEPARTMENT AND THE HOUSE OF THE GOOD SHEPHERD FOR OPERATION
OF NON-SECURE DETENTION SERVICES**

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and the House of the Good Shepherd for the operation of non-secure detention services, and

WHEREAS, In accordance with Local Law #3 of 2001, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and accepts a Purchase of Service Agreement between the Oneida County Department of Social Services and the House of the Good Shepherd for the operation of non-secure detention services commencing July 5, 2008 and ending July 4, 2009 at a proposed cost of \$816,086 which requires a County commitment of 51%.

APPROVED: Human Resources Committee (June 18, 2008)
Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:
AYES 26 NAYS 0 ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 297

***INTRODUCED BY: Messrs. Paparella, Porter
2ND BY: Mr. Roefaro***

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES DEPARTMENT AND WORKFORCE DEVELOPMENT FOR THE JOB READINESS/PLACEMENT PROGRAM

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and the Department of Workforce Development for the JOB Readiness/Placement program to provide public assistance recipients with job training skills, and

WHEREAS, In accordance with Local Law #3 of 2001, said Agreement must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

RESOLVED, That this Board hereby authorizes and accepts a Purchase of Service Agreement between the Oneida County Department of Social Services and the Department of Workforce Development for the JOB Readiness/Placement program to provide public assistance recipients with job training skills commencing July 1, 2008 and ending June 30, 2009 at a proposed cost of \$311,000 which requires a County share of (\$77,750) (25%).

APPROVED: Human Resources Committee (June 18, 2008)
Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 298

INTRODUCED BY: Messrs. Wood, Porter

2ND BY: Mr. Clancy

**RE: APPROVAL OF WORK ORDER #7 AMENDED FOR PROGRAM ADMINISTRATION COSTS
AND WORK ORDER #9 FOR PHASE 1 PHYSICAL SURVEY WITH SHUMAKER
CONSULTING ENGINEERING**

WHEREAS, On July 25, 2007, under Resolution #215, the Oneida County Board of Legislators authorized the hiring of Schumaker Consulting Engineering and Land Surveying, P.C., of Utica, NY, to provide engineering services in compliance with a Consent Order issued by the NYS Department of Environmental Conservation and to resolve permit issues affecting the Oneida County Water Pollution Control Facility, and

WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Water Quality & Water Pollution Control requesting approval of Work Order #7 extending the scope of Program Administration costs in the amount of \$209,000 through December 31, 2008 and Work Order #9 for Phase 1 of the Physical Survey of the interceptor sewers and major trunk lines in the Sauquoit Creek Pumping Station service area in the amount of \$547,000 as submitted by Schumaker Consulting Engineering and Land Surveying, P.C., of Utica, NY, 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 authorizes and approves the acceptance of Work Order #7 extending the scope of Program Administration costs in the amount of \$209,000 through December 31, 2008 and Work Order #9 in the amount of \$547,000 for Phase 1 of the Physical Survey of the interceptor sewers and major trunk lines in the Sauquoit Creek Pumping Station service area as submitted by Schumaker Consulting Engineering and Land Surveying, P.C., of Utica, NY.

APPROVED: Public Works Committee (June 25, 2008)
 Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v. v. vote:
AYES 26 NAYS 0 ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 299

***INTRODUCED BY: Messrs. Damsky, Porter
2ND BY: Mr. Goodman***

**RE: RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH
THE FEDERAL TRANSIT ADMINISTRATION FOR FEDERAL TRANSPORTATION
FUNDS FOR FEDERAL FISCAL YEAR 2008**

Resolution authorizing the filing of applications with the Federal Transit Administration (FTA), an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code, and other Federal statutes administered by the Federal Transit Administration.

WHEREAS, Oneida County Executive Anthony J. Picente Jr., has forwarded a request of the Planning Department for grants under the transit portion of the Safe, Accountable, Flexible, Efficient Transportation Equity Act; Legacy for Users (SAFETEA-LU) to aid in the financing of capital expenses and/or operating deficits for the Birnie Bus Tours, Inc., and

WHEREAS, The Federal Transportation Administrator has been delegated authority to award Federal financing assistance for a transportation project; and

WHEREAS, The grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost; and

WHEREAS, The public transit operator will provide the required local share in accord with an agreement with the County of Oneida, who is applying for the Federal funds, and

WHEREAS, The Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE, BE IT RESOLVED by the Oneida County Board of Legislators:

1. That the Oneida County Executive, is hereby authorized to execute and file an application for Federal assistance on behalf of Oneida County with the Federal Transit Administration to aid in the financing of capital and/or operating assistance projects pursuant to 49 U.S.C. Chapter 53 Title 07 United States Codes, or other Federal statutes authorizing a project administered by the Federal Transit Administration, and
2. That the County Executive is authorized to execute and file with such application, the annual certification and assurances or any other document required by the Federal Transit Administration before awarding a Federal assistance grant or cooperative agreement, and
3. That the Oneida County Executive is authorized to execute the grant agreements with the Federal Transit Administration and New York State Department of Transportation, and the

- cooperative agreements insuring that transportation service provider will provide services and the required local matching funds, and
4. That the Oneida County Commissioner of Planning is authorized to furnish such additional information as the Federal Transit Administration may require in connection with the application, and
 5. That the Oneida County Executive be, and hereby is, authorized and directed to file and execute grant agreements on behalf of Oneida County with the U.S. Department of Transportation, New York State and other relevant parties or delegate authority to the Oneida County Planning Department for execution of Federal Transit Administration agreement through Transportation Electronic award and Management System (TEAM) for aid in the financing of the capital and/or operating assistance, program of projects and budget.

APPROVED: Economic Development and Tourism Committee (June 25, 2008)
Ways & Means Committee (June 25, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 300

INTRODUCED BY: Messrs. Joseph, Porter

2ND BY: Ms. Convertino

**RE: APPROVAL OF STATE SUPPLEMENTAL GRANT #4 WITH NYSDOT REGARDING
GRIFFISS AIRFIELD REDEVELOPMENT AND AMENDING RESOLUTION NO. 283
ADOPTED JUNE 25, 2008**

WHEREAS, This Board is in receipt of correspondence from County Executive Anthony J. Picente, Jr., and Roger B. Sorrell, Commissioner of Aviation, requesting approval of a Supplemental Grant Agreement from the NYS Department of Transportation to support redevelopment of the Griffiss Airfield, 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 authorizes acceptance of a Supplemental Grant Agreement from the NYS Department of Transportation to support redevelopment of the Griffiss Airfield (P.I.N. 2905.15; P.I.N. 2905.16, and P.I.N. 2905.17), and it is further

RESOLVED, That funding for Supplemental Grant Agreement #4, Griffiss Airpark (P.I.N. 2905.15), Perform Runway 15 Obstruction Study; (P.I.N. 2905.16), FBO Terminal Bldg – Phase II, RW 33 ILS.MALSR (Design & Reimbursable Agreement) - Phase I; Airport Access Road (Design Only); TW Edge Lighting, Marking & Signage (Design Only) and (P.I.N. 2905.17), Apron Rehabilitation – Phase I (construction); Roof, Siding & Insulation- Bldg 200 (SRE Bldg); Replace Air Traffic Control Tower (Bldg 504) Elevator – Phase I, (Capital Project H-339, Griffiss Airfield Redevelopment) shall be in accordance with the following:

<u>PIN</u>	<u>Federal Share</u>	<u>Local Share</u>	<u>State Share</u>
2905.15	\$ 85,500	\$ 2,250	\$ 2,250
2905.16	\$1,130,500	\$29,750	\$29,750
2905.17	\$1,938,000	\$51,000	\$51,000

and it is further

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr., is authorized and directed to execute any and all documents related thereto for acceptance of same, and it is further

RESOLVED, That Resolution #283 of June 25, 2008 is hereby amended accordingly.

DATED: July 16, 2008

Adopted by the following v.v. vote:

AYES: 26 NAYS: 0 ABSENT: 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 301

INTRODUCED BY: Mr. Porter

2ND BY: Mr. Damsky

**RE: APPROVAL OF FORTY DAYS OF EXTENDED SICK LEAVE FOR DORA DIRDA,
DEPARTMENT OF MOTOR VEHICLES**

WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Oneida County Clerk and Commissioner of Personnel requesting approval of an extended sick leave, with pay, for Dora Dirda, an employee in the County Clerk's Office since 1993, and

WHEREAS, In accordance with Section E, paragraph 8, of the Oneida County Personnel Rules, said request must be approved by this Board, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves an extended sick leave of forty days, with pay, for Dora Dirda, an employee in the County Clerk's Office since 1993.

APPROVED: Ways & Means Committee (July 16, 2008)

DATED: July 16, 2008

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Kernan, Wood, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.302

INTRODUCED BY: Mr. Porter

2ND BY: All Members

**RE: THAT THIS BOARD EXTENDS ITS SYMPATHY TO THE FAMILY OF
THE LATE JOSEPH S. MARCINKOWSKI, SR.**

WHEREAS, In the death of Joseph S. Marcinkowski, Sr. the Town of Boonville and the County of Oneida have suffered the loss of a valued citizen who held the respect and esteem of the citizens of the entire County of Oneida, and

WHEREAS, Joseph S. Marcinkowski, Sr. served Oneida County as an Oneida County Legislator from 1978 through 1981 working vigorously to improve the quality of life for all residents of Oneida County, and

WHEREAS, In addition to his service to Oneida County Joseph S. Marcinkowski, Sr. also served the Town of Boonville as Councilman and as the Town Zoning Officer, now, therefore, be it hereby

RESOLVED, That the members of this Board, speaking for the citizens of their respective communities, extend to the family of the late Joseph S. Marcinkowski, Sr. their sincere sympathy, their appreciation of the value of his services to Oneida County, and their respect for his worth as a man.

Seconded and adopted viva voce by all members present, standing for a moment of silence in respect to the memory of Joseph S. Marcinkowski, Sr.

DATED: July 16, 2008