

ADOPTED RESOLUTIONS FROM THE JUNE 10TH BOARD OF LEGISLATORS MEETING

*INTRODUCTORY
NO. 217*

F.N. 2009-271

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 207

*INTRODUCED BY: Messrs. Miller, Mandryck
2ND BY: Mr. Porter*

RE: PROCLAIMING JUNE, 2009, "DAIRY MONTH" IN ONEIDA COUNTY

WHEREAS, Oneida County is one of the leaders in the production of dairy products in New York State, currently having an economic impact of over \$250 million dollars in regional sales; and,

WHEREAS, On record, there are over 200 dairy farms in Oneida County, providing employment for thousands of people, proving that dairy farming is indeed "big business" in Oneida County; and,

WHEREAS, The Dairy Industry continues to persevere in the marketing of wholesome dairy products such as butter, cream and cheese; and,

WHEREAS, The Oneida County Board of Legislators wishes to acknowledge, applaud, support and show its appreciation for the Dairy Industry in Oneida County and for the fine family farmers and business people who make major contributions to both our economy and our quality of life; now, therefore, be it

RESOLVED, That the **MONTH OF JUNE, 2009, HAS BEEN DECLARED "DAIRY MONTH"** in Oneida County; and be it further

RESOLVED, That this Board congratulates the newly crowned Oneida County Dairy Princess for 2009, Ms. Layna Hurley of Floyd, wishes her well in her duties as Dairy Princess and thanks her for her tireless efforts traveling around the County in the promotion of dairy products; and be it further

RESOLVED, That the Oneida County Board of Legislators calls on all citizens of Oneida County to support our local dairy industry by buying real dairy products.

Dated: June 10, 2009

Adopted by the following vote:

AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 208

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

RE: MEMORANDUM OF UNDERSTANDING BETWEEN THE HEALTH DEPARTMENT AND CORNELL UNIVERSITY COOPERATIVE EXTENSION FOR THE WIC PROGRAM

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from the Public Health Director requesting approval of a Memorandum of Understanding between the Oneida County Health Department and Cornell University Cooperative Extension to develop a partnership to enhance the provision of services to pregnant, postpartum and lactating women, and children up to the age of five through the Women's, Infants' and Children's Program (WIC) and to provide effective and efficient program management in the position of WIC Program Coordinator, and

WHEREAS, Oneida County through its Health Department is the current vendor for the WIC contract through September 30, 2009 and has submitted an application for the new WIC contract period running October 1, 2009 through September 30, 2014, and

WHEREAS, The WIC program must relocate to a New York State Department of Health approved site in the Year 2009, and the Health Department's current WIC lease for the property on Whitesboro Street expires December 31, 2009, and

WHEREAS, The current WIC Program Coordinator will retire effective April 29, 2009 requiring the search for an effective WIC Program Coordinator, and

WHEREAS, Cooperative Extension purports to have sufficient space in their current County owned location to co-locate the WIC program staff, and is willing to realign their current operation to provide the WIC program with management personnel with the requisite education and experience to serve in the WIC Program Coordinator role and supervise the WIC program through a subcontract with the Health Department effective May 1, 2009, and

WHEREAS, Cooperative Extension through its affiliation with Cornell University, a research university with internationally recognized faculty and expertise in nutrition, has extensive nutritional resources that would be available to enhance WIC management, staff, and client education, and

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

RESOLVED, As the current WIC vendor, the County of Oneida, through its Health Department will:

- Prepare and enter into a contract with Cooperative Extension for Cooperative Extension to provide a member of their management personnel to serve as the new WIC Program Coordinator effective May 1, 2009. The total amount to be paid to Cooperative

Extension is \$92,535 annually for administration of this program or \$3,559 per pay period, to be pro-rated, based on the start date of the Cooperative Extension WIC Program Coordinator, during the current WIC contract period ending September 30, 2009 and based upon the approval of the New York State Department of Health, and through the new WIC contract effective period beginning October 1, 2009, dependent upon approval of the Health Department as the WIC vendor in Oneida County for years 2009-2014.

- Review the current allocated space at Cooperative Extension, prepare a site plan, develop an agreement for WIC to rent the space at \$13.00 per square foot from the County and prepare a plan to transfer staff base operations to that location before the end of the lease on Whitesboro Street on December 31, 2009 with the full review and advance approval of the New York State Department of Health.
- Provide for all other functions including the training of the WIC Coordinator as per the WIC contract during the current and subsequent contract periods as per Federal, State and local laws, regulations or rules unless the contract is modified and agreed to by both parties and with the full consent and advanced approval of the New York State Department of Health, and be it further

RESOLVED, As the partner, Cornell University Cooperative Extension Oneida County, will:

- Provide a qualified individual with the requisite education and experience to receive approval by the New York State Department of Health and serve through a subcontract with the Health Department, as the WIC Program Coordinator, effective May 1, 2009 or as rapidly as can be effectively implemented thereafter.
- Make the WIC Program Coordinator identified in the preceding paragraph available to attend meetings, trainings, conferences as required by the WIC program, and/or the New York State Department of Health.
- Work with County and Health Department personnel by June 1, 2009 to review and insure the currently proposed space at Cooperative Extension will meet with New York State Department of Health approval and is sufficient to support WIC operations.
- Work with appropriate County and Health Department personnel to plan for the expedient relocation of staff, equipment and supplies and for the placement of telephone and data lines at the Cooperative Extension site prior to the end of the current rental agreement at Whitesboro Street on December 31, 2009 to insure continuity of services, and be it further

RESOLVED, The terms of this memorandum of understanding will be for the period covering the current WIC contract ending September 30, 2009 and the new WIC contract, if Oneida County through its Health Department is approved as the vendor by the New York State Department of Health, commencing October 1, 2009 through September 30, 2014, and be it further

RESOLVED, Either party may agree to terminate this agreement upon the written notice of its intent to discontinue the agreement to the other party with ninety days advance notice. And fully executed contracts subsequently developed between the County of Oneida through its Health Department and Cooperative Extension related to these WIC contracts supersede any sections outlined in this Memorandum of Understanding, and be it further

RESOLVED, All parties agree to this Memorandum of Understanding for the implementation of the County of Oneida's WIC program services through its Health Department and through a partnership with Cooperative Extension to provide effective and efficient program management and other services as outlined in this agreement.

APPROVED: Public Health Committee (May 19, 2009)
Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:

AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 209

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

**RE: AMENDMENT TO AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND
THE NYSDOH FOR THE WIC PROGRAM**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from the Public Health Director requesting approval of an amendment to an agreement between Oneida County and the NYS Department of Health, to provide for a cost of living adjustment in the amount of \$88,494, and

WHEREAS, In accordance with Local Law #3 of 2001, said amendment 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 and accepts an amendment to an agreement between Oneida County and the NYS Department of Health, to provide for a cost of living adjustment in the amount of \$88,494 during the April 1, 2008 through March 31, 2009 term.

APPROVED: Public Health Committee (May 19, 2009)
 Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:

AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 210

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

RE: AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND COMMUNICARE THERAPY SERVICES

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from the Public Health Director requesting approval of an Agreement between Oneida County and Communicare Therapy Services., LLC to provide education/transportation to preschool aged handicapped children, 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 approves and accepts an Agreement between Oneida County and Communicare Therapy Services., LLC to provide education/transportation to preschool aged handicapped children during a three year term commencing July 1, 2009 and ending June 1, 2012 with reimbursement to exceed \$50,000.

APPROVED: Public Health Committee (May 19, 2009)
 Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:
AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 211

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

RE: AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND VALUE MANAGEMENT CONSULTANTS

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from the Public Health Director requesting approval of an Agreement between Oneida County and Value Management Consultants to provide transportation consultation services for preschool/early intervention children from each child's childcare location to such child's special services or program, 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 approves and accepts an Agreement between Oneida County and Value Management Consultants to provide transportation consultation services for preschool/early intervention children from each child's childcare location to such child's special services or program during a one year term commencing August 1, 2009 and ending July 31, 2010 at a net cost of \$14,175 to the County.

APPROVED: Public Health Committee (May 19, 2009)
 Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:
AYES: 28 NAYS: 0 ABSENT 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 212

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

**RE: SUPPLEMENTAL AGREEMENT #1 BETWEEN THE PUBLIC WORKS DEPARTMENT AND
NYS DOT FOR FEDERAL AND STATE AID RELATED TO RECONSTRUCTION OF
JUDD ROAD, PHASE 1**

WHEREAS, A Project for the Judd Road (County Route 40), Halsey Road to Interstate 90, Town of
Whitestown, Oneida County, P.I.N. 2754.21 (the "Project") is eligible for funding under Title 23
U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne
at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, The County of Oneida desires to advance the Project by making a commitment of 100% of the
non-federal share of the total project cost, and

WHEREAS, County Executive Anthony J. Picente Jr., is in receipt of correspondence from John J. Williams,
Commissioner of Public Works requesting Board authorization for acceptance of a Master
Federal Aid/Marchiselli Aid Project Supplemental Agreement #1 that includes an additional
\$94,759.98 (\$79,797.88 Federal and \$14,962.10 State (Marchiselli) funds which, when fully
executed, will increase the total Project cost to \$1,876,572 (\$1,501,257.60 Federal, \$281,485.80
State (Marchiselli) funds, and \$93,828.60 County, now, therefore, be it hereby

RESOLVED, That this Board hereby authorizes and approves acceptance of a Master Federal Aid/Marchiselli
Aid Project Supplemental Agreement #1 which includes \$94,759.98 (\$79,797.89 Federal and
\$14,962.10 State (Marchiselli) funds which increases said Project to \$1,876,572 (\$1,501,257.60
Federal, \$281,485.80 State (Marchiselli) and \$93,828.60 County), and it is further

RESOLVED, That Oneida County Executive Anthony J. Picente Jr., is hereby authorized to execute all
necessary agreements, certifications or reimbursement requests for Federal Aid and/or
Marchiselli Aid, on behalf of the County of Oneida, with the New York State Department of
Transportation in connection with the advancement or approval of the Project and providing for
the administration of the Project and the municipality's first instance funding of project costs and
permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all
Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, That a certified copy of this resolution shall be filed with the New York State Commissioner of
Transportation by attaching it to any necessary Agreement in connection with the Project.

APPROVED: Public Works Committee (May 26, 2009)
Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:
AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 213

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Clancy

**RE: APPROVAL TO CREATE FOUR CORRECTION OFFICER POSITIONS, GRADE 1J, STEP 2
AND ONE CORRECTION OFFICER-LIEUTENANT POSITION, GRADE 3J, STEP 2, IN
AA#A3150, SHERIFF-JAIL INMATES**

WHEREAS, In correspondence dated January 6, 2009, the NYS Department of Corrections advised Sheriff Daniel Middaugh that the Oneida County Correctional Facility is currently operating under severe staffing shortages in violation of 9NYCRR, Part 7041, Staffing Requirements, and

WHEREAS, To remain in compliance with State law, County Executive Anthony J. Picente, Jr., and the Commissioner of Personnel, John P. Talerico, are requesting the creation of four (4) new Correction Officer Positions and one (1) Correction Officer-Lieutenant position in Department #A3150, Sheriff-Jail, and

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

RESOLVED, That four (4) Correction Officer positions, Grade 1J, Step 2 (\$32,356) and one (1) position of Correction Officer-Lieutenant, Grade 3J, Step 2 (\$40,590), are created and established in Department #A3150, Sheriff-Jail, and it is further

RESOLVED, That salaries for the Correction Officer positions shall be paid at 85% of the step to rate \$27,503 until completion of the academy.

APPROVED: Public Safety Committee (May 26, 2009)
Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:

AYES: 27 NAYS 1 (Mr. Tallarino) ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 214

**INTRODUCED BY: Messrs. Paparella, Porter and Ms. Convertino
2ND BY: Mr. Wood**

**RE: SUPPLEMENTAL APPROPRIATION OF \$47,756 TO AA#A6010.4591, SOCIAL
SERVICES ADMINISTRATION**

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$47,756 to AA#A6010.4591, Social Services Administration, and

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

RA#A3610, State Aid-Social Services	\$47,756
now, therefore, be it hereby	

RESOLVED, That a supplemental appropriation, from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

TO:	
AA#A6010.4591, Other Expenses.	\$47,756

APPROVED: Human Resources Committee (May 13, 2009)
 Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:
AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 215

***INTRODUCED BY: Messrs. Paparella, Porter, Roefaro, Hennessy, Ms. Convertino
2ND BY: Mr. Puma***

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE SOCIAL SERVICES DEPARTMENT AND WORKFORCE DEVELOPMENT FOR THE JOB READINESS 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 to provide public assistance recipients with job training skills through the JOB Readiness/JOB Placement & Pride in Work Programs at the Access Center in Utica and Adult Learning Center in Rome, 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 to provide public assistance recipients with job training skills through the JOB Readiness/JOB Placement & Pride in Work Programs at the Access Center in Utica and Adult Learning Center in Rome commencing July 1, 2009 and ending June 30, 2010 at a proposed cost of \$311,000 which is funded 100% by federal funds.

APPROVED: Human Resources Committee (May 13, 2009)
Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:

AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 216

INTRODUCED BY: Messrs. Miller, Porter

2ND BY: Mr. Wood

**RE: SUPPLEMENTAL APPROPRIATION OF \$53,500 TO AA#A5130.251, ROAD
MACHINERY FUND, AUTOMOTIVE EQUIPMENT**

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$53,500 to AA#A5130.251, Road Machinery Fund, Automotive Equipment, and

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

M909, Road Machinery Fund Balance	\$53,500
now, therefore, be it hereby		

RESOLVED, That a supplemental appropriation, from 2009 funds, as hereinafter set forth, be and the same is hereby approved:

TO:		
M5130.251, Automotive Equipment.	\$53,500

APPROVED: Public Works Committee (May 26, 2009)
 Ways & Means Committee (May 27, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:
AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 217

INTRODUCED BY: All Members

2ND BY: Mr. Hennessy

RE: APPOINTMENT OF JACK NESTER AND DOUGLAS DEAN AS DEPUTY FIRE COORDINATORS

WHEREAS, Pursuant to Article XX, Section 2005, of the Oneida County Charter, Oneida County Executive Anthony J. Picente, Jr., has recommended the appointments of the following individuals to serve as Deputy Fire Coordinators, and

WHEREAS, Said appointments must be approved by this Board, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves appointments of the following persons to serve as Deputy Fire Coordinators for the terms specified:

TWO YEAR TERMS EXPIRING DECEMBER 31, 2010:

Jack Nester
7872 Kellogg Street
Clinton, NY 13323

Douglas Dean, Jr.
9435 Taberg-Florence Road
Taberg, NY 13471

APPROVED: Ways & Means Committee (June 10, 2009)

DATED: June 10, 2009

Adopted by the following v.v. vote:

AYES: 28 NAYS: 0 ABSENT: 1 (Mrs. Hudak)