



ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5901

David J. Wood
Majority Leader

Patricia A. Hudak
Minority Leader

ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS
NUMBERED 313 THROUGH 324 THAT WERE ACTED UPON BY THE
BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR SESSION
HELD ON OCTOBER 27, 2010.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 313

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN THE ONEIDA COUNTY HEALTH
DEPARTMENT AND THE NEW YORK STATE DEPARTMENT OF HEALTH**

WHEREAS, This Board is in receipt of an Agreement between the Oneida County Health Department and New York State Department of Health for performance of compliance checks and reporting required under the Adolescent Tobacco Use Prevention Act, 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 an Agreement between the Oneida County Health Department and New York State Department Of Health for performance of compliance checks and reporting required under the Adolescent Tobacco Use Prevention Act for a term of one year October 1, 2010 through September 30, 2011 at a cost of \$68,520 covered in full by the New York State Department of Health.

APPROVED: Public Health Committee (October 5, 2010)
 Ways & Means Committee (October 13, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 314

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

**RE: TRANSFER \$28,000 TO AA#A4012.195, PUBLIC HEALTH, CLINIC-OTHER FEES
AND SERVICES**

WHEREAS, There is a need for additional funds in AA#A4012.195, Public Health, Clinic-Other Fees and Services, 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 a transfer of the total sum of \$28,000 from 2010 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A4012.101, Salaries.....	\$9,000
AA#A4012.102, Temporary Help.....	\$19,000

TO:

AA#A4012.195, Other Fees and Services.....	\$28,000
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APPROVED: Public Health Committee (October 5, 2010)
 Ways & Means Committee (October 13, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:
AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 315

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

**RE: APPROVAL OF AN AGREEMENT BETWEEN THE ONEIDA COUNTY SHERIFF'S
DEPARTMENT AND THE HOLLAND PATENT SCHOOL DISTRICT**

WHEREAS, This Board is in receipt of an Agreement between the Oneida County Sheriff's Department and the Holland Patent Central School District for School Resource Officer, 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 an Agreement between the Oneida County Sheriff's Department and the Holland Patent Central School District for School Resource Officer to commence September 1, 2010 through June 30, 2011 at a cost of \$60,000 to be paid to the County by the School District.

APPROVED: Public Safety Committee (October 5, 2010)
Ways & Means Committee (October 13, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:
AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 316

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Wood

RE: TRANSFER \$11,875 TO AA#A1165.4951, DISTRICT ATTORNEY-OTHER EXPENSES

WHEREAS, There is a need for additional funds in AA#A1165.4951, District Attorney-Other Expenses, 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 a transfer of the total sum of \$11,875 from 2010 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A1420.4951, Other Expenses..... \$11,875

TO:

AA#A1165.4951, Other Expenses..... \$11,875

APPROVED: Public Safety Committee (October 5, 2010)
 Ways & Means Committee (October 13, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 317

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

**RE: SUPPLEMENTAL APPROPRIATION OF \$9,948 TO AA#A1165.495122, DISTRICT
ATTORNEY-DRUG REFORM GRANT EXPENDITURES**

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$9,948 to AA#A1165.495122, District Attorney-Drug Reform Grant Expenditures, and

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

RA#A3036, State Aid Drug Reform \$9,948

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2010 funds, as hereinafter set forth, be and the same is hereby approved:

TO:
AA#A1165.495122, Drug Reform Grant Expenditures. \$9,948

APPROVED: Public Safety Committee (October 5, 2010)
 Ways & Means Committee (October 13, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:
AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.318

INTRODUCED BY: Messrs. Joseph, Porter

2ND BY: Mr. Goodman

**RE: APPROVAL OF A LEASE AGREEMENT BETWEEN ONEIDA COUNTY AND THE
CIVIL AIR PATROL**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from the Commissioner of Aviation requesting approval of a lease agreement between Oneida County and the Civil Air Patrol, and

WHEREAS, As proposed, said lease agreement is for the purpose of formalizing the presence of the CAP's 134th Central New York Group at Griffiss International Airport during a ten year term commencing upon approval of this resolution, and

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

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves a lease agreement between Oneida County and the Civil Air Patrol for a term of ten years at a proposed rate of \$1.00 per year.

APPROVED: Airport Committee (October 5, 2010)
Ways & Means Committee (October 13, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Porter)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 319

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

**RE: TRANSFER \$22,000 TO AA#A6011.455, CHILDREN AND ADULT SERVICES-TRAVEL
AND SUBSISTENCE**

WHEREAS, There is a need for additional funds in AA#A6011.455, Children and Adult Services-Travel and Subsistence, 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 a transfer of the total sum of \$22,000 from 2010 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A6011.49537, Other Expenses-CAC..... \$22,000

TO:

AA#A6011.455, Children and Adult Services, Travel and Subsistence.....\$22,000

APPROVED: Human Resources Committee (September 29, 2010)
 Ways & Means Committee (October 13, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 320

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

RE: APPROVAL FOR REIMBURSEMENT FROM NEW YORK STATE FOR EXPENSES INCURRED BY THE PUBLIC DEFENDER'S OFFICE

WHEREAS, Certain inmates in the custody of the New York State Department of Correctional Services were charged with crimes while residing in a New York State Correctional Facility located in the County of Oneida and, while incarcerated therein, required the services of the Oneida County Public Defender, Criminal Division, to represent them before the various courts in Oneida County, and

WHEREAS, The Oneida County Public Defender, Criminal Division, duly represented said inmates, and

WHEREAS, Section 606 of the Correction Law and Title 7, Part 410 of the New York Code of Rules and Regulations (NYCRR) provides for reimbursement to counties when legal defense is provided by public funds, and

WHEREAS, The Oneida County Public Defender, Criminal Division, has certified to the Oneida County Board of Legislators that the expense incurred by him while undertaking said legal representation amounted to \$20,206.78 for the defense of Juan Arias, Christain R. Barnes, Jermane Blunt, Melvin Gardner, Elyx Gonzalez, Jolene Hill, Cory A. Hines, Vincent Miller, Kevin Pozo, Jonathan Rivera, Abdul Roberson, Jonathan Vasquez and Louis Wilner being inmates of the State of New York, now, therefore, be it hereby

RESOLVED, That the Clerk of the Oneida County Board of Legislators is directed to submit a certified copy of this Resolution with attached vouchers, documents, and affidavit of the Oneida County Public Defender to the Budget and Finance Office of the NYS Department of Correctional Services as required by Section 606 of the Correction Law and Title 7, Part 410 of the New York Code of Rules and Regulations (NYCRR) for payment.

APPROVED: Public Safety Committee (October 5, 2010)
 Ways & Means Committee (October 13, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 321

INTRODUCED BY: Messrs. Miller, Porter and Ms. Convertino

2ND BY: Mr. Hendricks

RE: APPROVAL OF A LEASE AGREEMENT WITH ONEIDA COUNTY AND NICKBERN ENTERPRISES, LLC FOR SPACE AT 617 SOUTH STREET FOR THE WIC PROGRAM

WHEREAS, This Board is in receipt of correspondence from County Executive Anthony J. Picente, Jr., and the Commissioner of Public Works requesting approval of a Lease Agreement between Oneida County and Nickbern Enterprises, LLC for space located at 617 South Street to be used by the Oneida County Department of Health-WIC Program, and

WHEREAS, In accordance with terms set forth therein, the County proposes to lease approximately 3,000 square feet of designated office space located at 617 South Street in the City of Utica at the following rates:

\$13.00/s.f. (\$3,250/month) January 1, 2011-September 30, 2014

\$13.65/s.f. (\$3,412.50/month) October 1, 2014-September 30, 2019

1st Renewal: \$14.70/s.f. October 1, 2019-September 30, 2024

2nd renewal: \$15.80/s.f. October 1, 2024-September 30, 2029

and

WHEREAS, Said Lease 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 execute such documents as may be necessary to allow the County to enter into a Lease Agreement with Nickbern Enterprises, LLC for space located at 617 South Street to be used by the Oneida County Department of Health-WIC Program commencing January 1, 2011 and ending September 30, 2019, with two five year renewal options.

APPROVED: Public Works Committee (October 18, 2010)
Ways & Means Committee (October 27, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:

AYES: 26 NAYS: 0 ABSENT: 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 322

**INTRODUCED BY: Messrs. Miller, Porter, Roefaro, Hennessy, Caruso, Welsh, Furgol
2ND BY: Mr. Wood**

**RE: APPROVAL OF AMENDMENT #3 TO AN AGREEMENT WITH JMZ ARCHITECTS
FOR THE CONSTRUCTION OF THE NEW ATHLETICS/EVENTS CENTER AT MVCC**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Public Works requesting the amendment of an agreement with JMZ Architects to allow for additional services required to rebid Phase 1 work items and to prepare plans and specifications for Phase 2 work items, and

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

RESOLVED, That Capital Project H-336 be and hereby is amended and approved, as follows:

Original Fee:	\$262,250.00	Part A (Approved by BOL- Schematic Design
Amendment 01 Fee:	\$944,326.00	Part B (Approved by BOL) – Design Development, Construction Documents, Construction Administration, Reimbursable Expenses
Amendment 02 Fee:	\$ 5,208.00	Additional Asbestos Testing Services for Phase 2 Construction Activities
Proposed Amendment 03 Fee:	<u>\$250,950.00</u>	Rebid Phase 1 Work & Prepare Plans/Specifications for Phase 2 Work
Proposed Revised Fee:	\$1,462,734.00	

APPROVED: Public Works Committee (October 18, 2010)
Ways & Means Committee (October 27, 2010)

DATED: October 27, 2010

Adopted by the following roll call vote:
AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 323

INTRODUCED BY: *Messrs. Joseph, Porter*

2ND BY: *Mr. Wood*

RE: APPROVAL OF AN AGREEMENT WITH C&S ENGINEERS, INC. FOR PROFESSIONAL CONSTRUCTION, OBSERVATION AND ADMINISTRATION SERVICES FOR THE UPGRADE AND IMPROVEMENTS TO BUILDING 783

WHEREAS, Oneida County Executive Anthony J. Picente, Jr., is in receipt of correspondence from the Commissioner of Aviation requesting approval of an agreement between Oneida County and C&S Engineers, Inc., of Syracuse, NY, to provide construction, observation and administration services for the upgrade and improvements to Building 783 at Griffiss International Airport, 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 authorizes and approves acceptance of an agreement between Oneida County and C&S Engineers, Inc., of Syracuse, NY, to provide construction, observation and administration services for the upgrade and improvements to Building 783 at Griffiss International Airport at a cost of \$199,728.20, which includes a County share of \$4,993.21 supported by Capital Account #H-339, and, be it further

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr., is hereby authorized and directed to execute same on behalf of the County of Oneida.

APPROVED: Airport Committee (October 21, 2010)
 Ways & Means Committee (October 27, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 324

INTRODUCED BY: Messrs. Welsh and Porter

2ND BY: Mr. Wood

RE: DESIGNATION OF THE ONEIDA COUNTY CONVENTION & VISITORS BUREAU AS THE OFFICIAL TOURISM PROMOTIONAL AGENCY FOR ONEIDA COUNTY

WHEREAS, This Board is in receipt of correspondence from Kelly Blazosky, President of the Oneida County Convention & Visitors Bureau, requesting designation of said Bureau as the official tourism promotional agency for Oneida County, and

WHEREAS, Official designation is required to allow Oneida County to obtain State matching funds for the promotion of convention and tourism activities in Oneida County, now, be it hereby

RESOLVED, That the Oneida County Board of Legislators designates the Oneida County Convention & Visitors Bureau as the official tourism promotional agency for the County of Oneida.

APPROVED: Economic Development & Tourism Committee (Bypassed Committee)
Ways & Means Committee (October 27, 2010)

DATED: October 27, 2010

Adopted by the following v.v. vote:

AYES 26 NAYS 0 ABSENT 3 (Puma, Wilcox, Welch)