



ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5404

David J. Wood
Majority Leader

Patricia A. Hudak
Minority Leader

**ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS
NUMBERED 282 THROUGH 294 THAT WERE ACTED UPON
BY THE BOARD OF COUNTY LEGISLATORS AT THEIR REGULAR
SESSION HELD ON NOVEMBER 30, 2011.**

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 282

INTRODUCED BY: *Messrs. Flisnik, Porter, Clancy*

2ND BY: *Mr. Wood*

RE: SUPPLEMENTAL APPROPRIATION OF \$12,504 TO AA#A1162, VARIOUS DISTRICT ATTORNEY 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 \$12,504 to AA#A1162, Various district Attorney accounts, and

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

A1207, Law Enforcement, Approp. F.B. Year Forfeitures \$12,504

Now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2011 funds, as hereinafter set forth, be and the same is hereby approved:

TO:

AA#A1162.211, Law Enforcement, Office Furnishings/Equipment	\$ 729
AA#A1161.212, Law Enforcement, Computer Hardware.	\$ 4,887
AA#A1162.295, Law Enforcement, Other Equipment	\$ 3,900
AA#A1162.492, Law Enforcement, Computer Software	\$ 988
AA#A1162.495, Law Enforcement, Other Expenses.	<u>\$ 2,000</u>
TOTAL	\$12,504

APPROVED: Public Safety Committee (November 15, 2011)
Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:

AYES 17 NAYS 4 (Davis, Leach, Brennan, Flisnik) ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 283

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

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE ONEIDA COUNTY SOCIAL SERVICES DEPARTMENT AND CATHIE LEE'S HOME HEALTH CARE

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Social Services and Cathie Lee's Home Health Care, Sylvan Beach, NY, to provide in-home Private Duty Nursing services for eligible physically or mentally disabled Medicaid recipients, and

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

RESOLVED, That the Oneida County Board of Legislators authorizes and accepts a Purchase of Service Agreement between the Oneida County Department of Social Services and Cathie Lee's Home Health Care of Sylvan Beach, NY, to provide in-home Private Duty Nursing services for eligible physically or mentally disabled Medicaid recipients commencing November 1, 2011 and ending October 31, 2012 at proposed rates established by the New York State Department of Health which requires a County commitment of 10%.

APPROVED: Human Resources Committee (October 26, 2011)
Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:

AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 284

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

RE: PURCHASE OF SERVICE AGREEMENT BETWEEN THE ONEIDA COUNTY HEALTH DEPARTMENT AND HEALTH RESEARCH, INC.

WHEREAS, This Board is in receipt of a Purchase of Service Agreement between the Oneida County Department of Health and Health Research, Inc., for provision of public health emergency preparedness, 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 authorizes and approves a Purchase of Service Agreement between the Oneida County Department of Health and Health Research, Inc. for provision of public health emergency preparedness during a one year term commencing August 10, 2011 and ending August 9, 2012, and it is further

RESOLVED, That said Agreement shall be supported, in full, by a Federal Grant in the amount of \$133,756.

APPROVED: Public Health Committee (October 26, 2011)
 Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:

AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 285

INTRODUCED BY: *Messrs. Mandryck, Porter*

2ND BY: *Mr. Wood*

**RE: SUPPLEMENTAL APPROPRIATION OF \$6,410 TO AA#A4311.495, MENTAL HEALTH
FEDERAL HUD PROGRAM**

WHEREAS, In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$6,410 to AA#A4311.495, Mental Health-Federal HUD Program, and

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

HMIS HUD Revenue Account	\$6,410
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Now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2011 funds, as hereinafter set forth, be and the same is hereby approved:

TO:		
AA#A4311.495, Mental Health-Federal HUD Program.	\$6,410

APPROVED: Public Health Committee (October 26, 2011)
Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:
AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 286

*INTRODUCED BY: Messrs. Waterman and Porter
2ND BY: Mr. Wood*

RE: APPROVAL OF MORTGAGE TAX RECEIPTS FOR PERIOD ENDING SEPTEMBER 2011

WHEREAS, The Oneida County Clerk and the Commissioner of Finance have prepared and submitted to the Board of County Legislators their joint semi-annual report on Mortgage Tax Receipts, and

WHEREAS, This report shows the credit statement to the sum of \$1,142,467.43 to be distributed to the various towns, cities and villages pursuant to Section 261 of the Tax Law, now, therefore, be it hereby

RESOLVED, That the Oneida County Commissioner of Finance is authorized and directed to remit payments in the amounts shown in said semi-annual report on Mortgage Tax Receipts as more specifically set forth in said document on file with the Clerk of this Board.

APPROVED: Internal Affairs Committee (October 26, 2011)
Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:

AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 287

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Wood

**RE: SUPPLEMENTAL APPROPRIATION OF \$15,000 TO AA#A3430.495, VARIOUS
DISTRICT ATTORNEY-DRUG TASKFORCE 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 \$15,000 to AA#A3430.495, Various District Attorney-Drug Taskforce accounts, and

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

RA#A3678, Federal Seizure-Task Force \$15,000

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2011 funds, as hereinafter set forth, be and the same is hereby approved:

TO:		
AA#A3430.495, Drug Enforcement Task Force, Other Expenses	\$	8,500
AA#A3430.456, Drug Enforcement Task Force, Gasoline and Oil	\$	<u>6,500</u>
	TOTAL	\$15,000

APPROVED: Public Safety Committee (November 15, 2011)
Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:
AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 288

INTRODUCED BY: Messrs. Flisnik, Porter, Caruso, Furgol, Clancy

2ND BY: Mr. Caruso

**RE: SUPPLEMENTAL APPROPRIATION OF \$12,188 TO AA#A1162.0, VARIOUS
DISTRICT ATTORNEY-LAW ENFORCEMENT 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 \$12,188 to AA#A1162.0, Various District Attorney-Law Enforcement accounts, and

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

RA#A1207, Law Enforcement, Approp. F.B. Year Forfeitures.	.	.	.	\$12,188
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now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2011 funds, as hereinafter set forth, be and the same is hereby approved:

TO:				
AA#A1162.212, Law Enforcement, Computer Hardware.	.	.	.	\$ 7,954
AA#A1162.492, Law Enforcement, Computer Software.	.	.	.	\$ 2,234
AA#A1162.495, Law Enforcement, Other Expenses.	.	.	.	<u>\$ 2,000</u>
TOTAL	.	.	.	\$12,188

APPROVED: Public Safety Committee (November 15, 2011)
 Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:

AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 289

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

RE: TRANSFER \$89,000 TO AA#A3150.447, PHARMACEUTICALS

WHEREAS, There is a need for additional funds in AA#A3150.447, Sheriff's Department, Pharmaceuticals, 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 \$89,000 from 2011 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

AA#A3150.101, Salaries..... \$89,000

TO:

AA#A3150.447, Pharmaceuticals..... \$89,000

APPROVED: Public Safety Committee (November 15, 2011)
 Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:

AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 290

***INTRODUCED BY: Messrs. Flisnik, Porter, Waterman, Clancy, Caruso, Miller
2ND BY: Mr. Goodman***

RE: APPROVAL OF THE ONEIDA COUNTY ARSON CONTROL PLAN

WHEREAS, The Oneida County Fire Coordinator has submitted the recently updated Oneida County Arson Control Plan. This plan provides a framework in the fight against arson in our community. It also includes the standards for the newly formed Origin and Cause team, and

WHEREAS, The New York State Office of Fire Prevention and Control has found that the plan fulfills the requirements under General Municipal Law 204-C as it provides for the coordination of responsible agencies and investigation of suspicious and incendiary fires within Oneida County. The updated plan will replace the original plan completed in the early 1980's, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators authorizes and approves adoption of the updated Oneida County Arson Control Plan in accordance with terms and conditions set forth in said document on file with the Clerk of this Board.

APPROVED: Public Safety Committee (November 15, 2011)
 Ways & Means Committee (November 16, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:

AYES 21 NAYS 0 ABSENT Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 291

INTRODUCED BY: *Messrs. Miller, Porter*

2ND BY: *Mr. Wood*

RE: AMENDMENT TO CAPITAL PROJECT H-363, COMPREHENSIVE BUILDING PHASE III

WHEREAS, Oneida County Executive Anthony J. Picente is requesting an amendment of Capital Project H-363, Comprehensive Building Phase III, to complete immediate roof repair to the building used by the District Attorneys' Drug Task Force. The District Attorney was given permission to use some of seizure money to help pay for the total cost of the project, and

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

RESOLVED, That Capital Project H-363, Comprehensive Building Phase III, is hereby amended and approved, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Direct Appropriation	\$ 4,000	\$ +00	\$ 4,000
Bonding	\$ 4,682,000	\$ +00	\$4,682,000
Other(Seizure).	\$ <u>0</u>	\$ <u>+55,000</u>	\$ <u>55,000</u>
TOTAL	\$ 4,686,000	\$ +55,000	\$4,741,000

APPROVED: Public Works Committee (November 30, 2011)
Ways & Means Committee (November 30, 2011)

DATED: November 30, 2011

Adopted by the following roll call vote:

AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ROLL CALL

DIST MEMBERS AYES NAYS

DATE November 30, 2011

SESSION Regular

MEMBERS PRESENT: 21

MEMBERS ABSENT 8

AYES: 21 NAYS: 0

INTRODUCTORY NO. 287

RESOLUTION NO. 291

DIST	MEMBERS	AYES	NAYS
D-1	PUMA <u>ABSENT</u>		
D-2	HENNESSY <u>ABSENT</u>		
R-3	BRENNAN	X	
R-4	LEACH	X	
R-5	WATERMAN	X	
R-6	PORTER	X	
D-7	TALLARINO	X	
R-8	FLISNIK	X	
R-9	WILCOX	X	
R-10	JOSEPH	X	
D-11	KERNAN <u>ABSENT</u>		
D-12	CLANCY <u>ABSENT</u>		
D-13	GOODMAN	X	
R-14	SADALLAH	X	
R-15	D'ONOFRIO	X	
R-16	MILLER	X	
R-17	MANDRYCK <u>ABSENT</u>		
D-18	DAVIS	X	
R-19	ROEFARO <u>ABSENT</u>		
R-20	FIORINI	X	
R-21	WELSH	X	
R-22	WELCH	X	
D-23	CONVERTINO	X	
R-24	PAPARELLA	X	
R-25	HENDRICKS <u>ABSENT</u>		
D-26	CARUSO	X	
D-27	FURGOL	X	
R-28	WOOD	X	
D-29	HUDAK <u>ABSENT</u>		

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 292

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

**RE: APPROVAL OF THE PROPOSED RATE SCHEDULE FOR THE ONEIDA
COUNTY SEWER DISTRICT FOR 2012**

WHEREAS, Upon recommendation from the Commissioner of Water Quality and Water Pollution Control and pursuant to Article 5-A, Section 266 of the County Law, County Executive Anthony J. Picente, Jr., has submitted to the Board for their approval, a proposed rate schedule establishing fees to be paid by the customers of the Oneida County Sewer District for services provided by the District, and

WHEREAS, The proposed rate schedule was filed with the Clerk of the Board and posted in the Oneida County Court House and published in the Utica Observer Dispatch and Rome Daily Sentinel, and

RESOLVED, A public hearing on said rate schedule was held November 18, 2011 and a public comment period on said rate schedule was open through November 28, 2011 pursuant to Article 5-A, Section 266 of the County Law, now, therefore, be it hereby

RESOLVED, That said rate schedule is approved and adopted as a basis for establishing fees to be paid by the customers of the Oneida County Sewer District for services provided by the District, and be it further

RESOLVED, That the proposed rate schedule will take effect on January 1, 2012 and remain in effect until modified by this Board.

APPROVED: Public Works Committee (November 30, 2011)
 Ways & Means Committee (November 30, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:

AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 293

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

RE: APPROVAL OF THE REVISED CONSENT ORDER RELATIVE TO THE ONEIDA COUNTY SEWER DISTRICT

WHEREAS, This Board is in receipt of correspondence from County Executive Anthony J. Picente, Jr., requesting review and approval of a revised Consent Order between Oneida County and the New York State Department of Environmental Conservation setting forth the assignment of certain responsibilities and costs associated with the remediation and operation of the Sauquoit Creek Pump Station in the Town of Whitestown, and

WHEREAS, Said Consent order had a strict deadline for the elimination of the overflows (December 2014) and, as part of the revised Consent order, the County negotiated a provision allowing for a revised completion deadline to complete the repairs as required, and

WHEREAS, The DEC has reviewed and accepted the County's request to extend the time to complete the proposed repairs to December 2021, now, therefore, be it hereby

RESOLVED, That the Oneida County Board of Legislators hereby authorizes and approves acceptance of a revised Consent Order between Oneida County and the New York State Department of Environmental Conservation which Order sets forth an extension of time allowed to complete certain responsibilities and costs associated with the remediation and operation of the Sauquoit Creek Pump Station in the Town of Whitestown until December, 2021, and it is further

RESOLVED, That upon final approval of the afore-referenced Consent Order by this Board, County Executive Anthony J. Picente, Jr., shall be authorized and directed to execute same on behalf of the County of Oneida.

APPROVED: Public Works Committee (November 30, 2011)
Ways & Means Committee (November 30, 2011)

DATED: November 30, 2011

Adopted by the following roll call vote:

AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 294

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Sadallah

**RE: SUPPLEMENTAL APPROPRIATION OF \$33,230 TO AA#A3110.2512, SHERIFF
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 \$33,230 to AA#A3110.2512 Sheriff Automotive Equipment, and

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

RA#A2716, Miscellaneous Revenue	\$19,164
RA#A2681, Insurance Recoveries	<u>\$14,066</u>
TOTAL	\$33,230

now, therefore, be it hereby

RESOLVED, That a supplemental appropriation, from 2011 funds, as hereinafter set forth, be and the same is hereby approved:

TO:
AA#A3110.2512, Automotive Equipment. \$33,230

APPROVED: Public Safety Committee (November 30, 2011)
 Ways & Means Committee (November 30, 2011)

DATED: November 30, 2011

Adopted by the following v.v. vote:
AYES 21 NAYS 0 ABSENT 8 (Puma, Hennessy, Kernan, Clancy, Mandryck, Roefaro, Hendricks, Hudak)