



# 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

George Joseph  
Majority Leader

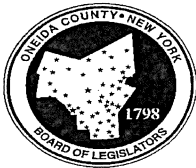
Philip M. Sacco  
Minority Leader

**ATTACHED FOR YOUR INFORMATION ARE RESOLUTIONS  
NUMBERED 93 THROUGH 123 THAT WERE ACTED UPON  
BY THE BOARD OF COUNTY LEGISLATORS AT THEIR ORGANIZATIONAL  
SESSION HELD ON MAY 9, 2018**

**OFFICE, CLERK BOARD OF COUNTY LEGISLATORS)  
COUNTY OF ONEIDA ) SS:**

I, hereby certify that I have compared the foregoing extract from the minutes of meeting of the Board of County Legislators of Oneida County held on the 9<sup>th</sup> day of May, 2018 with the original record thereof on File in this office and that the same is a true and correct transcript therefrom, and of the whole of such original.

**IN TESTIMONY WHEREOF**, I have hereunto affixed the seal of said Board this 9<sup>th</sup> day of May, 2018.



  
\_\_\_\_\_  
**MIKALE BILLARD** Clerk





## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 95**

**INTRODUCED BY:** *Messrs. Waterman, D'Onofrio, Boucher*  
**2ND BY:** *Mr. Idzi*

**RE: APPROVAL OF AN INTERMUNICIPAL AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND THE TOWN OF FORESTPORT**

**WHEREAS,** This Board is in receipt of an Intermunicipal Agreement between Oneida County, through its Department of Public Works, and the Town of Forestport, for a total estimated cost of \$1,056,000.00, to assist in the coordination of design, construction inspection and construction contracts/services relative to Project Identification Number (PIN) 2754.43, Horton Rd. Bridge over Big Woodhull Cr. (BIN 2205730), and

**WHEREAS,** The Town of Forestport has been awarded eighty percent (80%) of the total estimated cost of the project, or \$844,800.00, through the New York State Department of Transportation's New York State FFY 2017-2020 Statewide Transportation Improvement Program (STIP) which provides federal funding to address highway safety, bridge and highway infrastructure, public transportation infrastructure, and bicycle and pedestrian enhancements, and

**WHEREAS,** The Town of Forestport will be responsible for a twenty percent (20%) local match of the total estimated cost of the project, or \$211,200.00, and

**WHEREAS,** The New York State Department of Transportation will designate the Oneida County Department of Public Works as the Project Sponsor for Project Identification Number (PIN) 2754.43, Horton Rd. Bridge over Big Woodhull Cr. (BIN 2205730), with the Oneida County Department of Public Works providing assistance to the Town of Forestport to insure compliance with the Locally Administered Federal Aid Project (LAFAP) requirements associated with the federal funding, 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 authorizes and approves an Intermunicipal Agreement between Oneida County, through its Department of Public Works, and the Town of Forestport commencing upon execution and ending upon completion of the project.

APPROVED:           Public Safety Committee (May 2, 2018)  
                              Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 97**

**INTRODUCED BY:** *Messrs. Flisnik, D'Onofrio*  
**2ND BY:** *Mr. Idzi*

**RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES, AND NEW YORK STATE, THROUGH ITS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES**

**WHEREAS,** This Board is in receipt of correspondence from Kevin W. Revere, Director of Emergency Services, requesting approval of a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services (NYS DHS), through the NYS DHS Public Safety Answering Points Operations Grant (PSAP) program to assist in funding four (4) new personnel for public safety 911 answering operations, 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 Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to electronically execute any and all documents related to a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, in the amount of \$200,167.00 for a term commencing January 1, 2018 and ending on December 31, 2018.

**APPROVED:**           Public Safety Committee (May 2, 2018)  
                              Ways & Means Committee (May 9, 2018)

**DATED:**            May 9, 2018

Adopted by the following vote:  
AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### **RESOLUTION NO. 98**

**INTRODUCED BY:** *Messrs. Flisnik, D'Onofrio*  
**2ND BY:** *Mr. Goodman*

**RE: APPROVAL OF GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES, AND NEW YORK STATE, THROUGH ITS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES**

**WHEREAS,** This Board is in receipt of correspondence from Kevin W. Revere, Director of Emergency Services, requesting approval of a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services (NYS DHS), through the New York State 2017 Statewide Interoperable Communications Grant Program (2017 SICG-Formula), to allow State support to aid County, local, and municipal public safety organizations in enhancing emergency response, improving capability, making improvements in governance structures, operating procedures, infrastructure development and addressing SAFECOM Guidance from the U.S. Department of Homeland Security Office of Emergency Communications (OEC), 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 Oneida County Executive, Anthony J. Picente, Jr., is hereby authorized to electronically execute any and all documents related to a Grant Agreement between Oneida County, through its Department of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, in the amount of \$773,684.00 for a term commencing January 1, 2018 and ending on December 31, 2019.

APPROVED:           Public Safety Committee     (May 2, 2018)  
                              Ways and Means Committee (May 9, 2018)

DATED: May 9, 2018

Adopted by the following vote:  
AYES 22 NAYS 0 ABSENT 1 Mr. Clancy





## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 100***

***INTRODUCED BY: Messrs. Flisnik, D'Onofrio  
2ND BY: Mr. Idzi***

**RE:               TRANSFER OF \$13,000.00 TO A1162.295 – OTHER EQUIPMENT – DISTRICT  
ATTORNEY LAW ENFORCEMENT**

**WHEREAS,** There is a need for additional funds in A1162.295 – Other Equipment – District Attorney Law Enforcement, 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 from 2018 funds, as hereinafter set forth, be and the same is hereby approved:

FROM:

A1162.4951   Other Expenses – District Attorney Law Enforcement       \$13,000.00

TO:

A1162.295    Other Equipment – District Attorney Law Enforcement       \$13,000.00

APPROVED:           Public Safety Committee (May 2, 2018)  
                              Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 22   NAYS 0   ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### *RESOLUTION NO. 101*

*INTRODUCED BY: Messrs. Welsh, D'Onofrio  
2ND BY: Mr. Schiebel*

**RE: APPROVAL OF A REVISED THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY OF ONEIDA, THE BOARD OF TRUSTEES OF MOHAWK VALLEY COMMUNITY COLLEGE, MOHAWK VALLEY COMMUNITY COLLEGE AND ASSOCIATION OF MOHAWK VALLEY ADMINISTRATORS**

**WHEREAS,** The Board of Trustees of Mohawk Valley Community College and representatives of Oneida County have negotiated a revised three-year Collective Bargaining Agreement with Mohawk Valley Community College and Association of Mohawk Valley Administrators for a period commencing September 1, 2018 and ending August 31, 2021, and

**WHEREAS,** A copy of the Collective Bargaining Agreement between the parties has been filed with the Clerk of the Oneida County Board of Legislators, now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators hereby authorizes and approves a Collective Bargaining Agreement between the County of Oneida, The Board of Trustees of Mohawk Valley Community College, Mohawk Valley Community College and Association of Mohawk Valley Administrators, commencing September 1, 2018 and ending August 31, 2021, in accordance with terms and conditions more fully set forth in the Collective Bargaining Agreement on file with the Clerk of this Board.

**APPROVED:** Economic Development and Tourism Committee (May 3, 2018)  
Ways and Means Committee (May 9, 2018)

**DATED:** May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 102**

**INTRODUCED BY: Messrs. Welsh, D'Onofrio**

**2<sup>ND</sup> BY: Mr. Joseph**

**RE: APPROVAL OF THE WORKFORCE DEVELOPMENT BOARD OF HERKIMER,  
MADISON AND ONEIDA COUNTIES, INC. LOCAL PLAN**

**WHEREAS,** This Board is in receipt of correspondence from Maryangela Scalzo, Assistant County Attorney, requesting approval of the Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. Local Plan, which outlines the strategic plan for workforce development and career pathways for the residents of Oneida, Herkimer and Madison Counties. The five (5) year plan will expand access to employment opportunities, training, education, and supportive services for eligible individuals, particularly those with barriers to employment, and

**WHEREAS,** The Local Plan 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 the Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. Local Plan in accordance with the terms and conditions set forth in said document on file with the Clerk of this Board.

**APPROVED:** Economic Development & Tourism Committee (May 3, 2018)  
Ways and Means Committee (May 9, 2018)

**DATED:** May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 103***

***INTRODUCED BY: Messrs. Paparella, D'Onofrio  
2ND BY: Mr. Idzi***

**RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY,  
THROUGH ITS DEPARTMENT OF MENTAL HEALTH, AND KIDS ONEIDA, INC.**

**WHEREAS,** This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Mental Health, and Kids Oneida, Inc., for a maximum amount of \$202,707.00, to provide Children & Family Intervention services to Oneida County children and youth with a serious emotional disturbance and/or severe behavioral disorder, and their parents and families, and

**WHEREAS,** The Agreement shall be for a term commencing January 1, 2018 and terminating December 31, 2020, with either party having the right to terminate the Agreement by providing fifteen (15) days prior written notice of such termination to the other party, 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 this Board authorizes and approves a Purchase of Services Agreement between Oneida County, through its Department of Mental Health, and Kids Oneida, Inc. for a term commencing January 1, 2018 and terminating December 31, 2020.

APPROVED:           Health and Human Services Committee (May 2, 2018)  
                              Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## ONEIDA COUNTY BOARD OF LEGISLATORS

### RESOLUTION NO. 104

INTRODUCED BY: Messrs. Paparella, D'Onofrio

2ND BY: Mr. Schiebel

**RE: APPROVAL OF AGREEMENTS BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF MENTAL HEALTH, AND VARIOUS PROVIDER AGENCIES**

**WHEREAS,** This Board is in receipt correspondence from Robin E. O'Brien, Commissioner of Mental Health, requesting approval of an Agreement between Oneida County, through its Department of Mental Health, and Insight House Chemical Dependency Services, Inc., in the sum of \$62,748.00, in relation to a Purchase of Services Agreement entered into between the parties for a term commencing January 1, 2014 and ending December 31, 2016, and

**WHEREAS,** Oneida County has received additional funding from New York State for services provided pursuant to a prior Purchase of Services Agreement that expired in 2016, after the expiration of that prior Purchase of Services Agreement, which funding must be passed to Insight House Chemical Dependency Services, Inc., and

**WHEREAS,** the Commissioner of Mental Health has also requested that this Agreement with Insight House Chemical Dependency Services, Inc. be approved as a template for similar Agreements with other provider agencies, all of which forward funding to the agency after a prior agreement has expired, with the exception of agency name, locality and dollar amount, and

**WHEREAS,** This Agreement will be utilized as a template to enter into Agreements between Oneida County, through its Department of Mental Health, and the following provider agencies: Insight House Chemical Dependency Services, Inc.; Upstate Cerebral Palsy, Inc.; Rescue Missioner of Utica, Inc.; Catholic Charities of the Roman Catholic Diocese of Syracuse, N.Y.; and Center for Family Life and Recovery, Inc., and

**WHEREAS,** In accordance with Oneida County Charter Section 2202, said Agreements must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators approves Agreements between Oneida County, through its Department of Mental Health, and the following provider agencies in the following amounts:

Insight House Chemical Dependency Service, Inc.	
Supplemental Furniture and Flooring Fund	\$ 55,241.00
2016 Cost of Living Allowance (COLA) Increase	<u>\$ 7,507.00</u>
	<b>\$ 62,748.00</b>
Upstate Cerebral Palsy, Inc.	
Advocacy Services Funding as a result of a program transfer	\$ 44,270.00
2016 Cost of Living Allowance (COLA) Increase	<u>\$ 414.00</u>

**\$ 44,684.00**

Rescue Missioner of Utica, Inc.	
Peer Advocate Program Funding	\$150,000.00
Medically Monitored Van Driver Program Funding	\$ 25,000.00
2016 Cost of Living Allowance (COLA) Increase	<u>\$ 2,174.00</u>
	<b>\$177,174.00</b>

Catholic Charities of the Roman Catholic Diocese of Syracuse, N.Y.	
2016 OMH Cost of Living Allowance (COLA) Increase	\$ 48,994.00
2016 OASAS COLA Increase	<u>\$ 783.00</u>
	<b>\$ 49,777.00</b>

Center for Family Life and Recovery, Inc.	
Chemical Dependence Prevention Program one-time Start-up Funding	<b>\$ 24,000.00</b>

APPROVED:           Health and Human Services Committee (May 2, 2018)  
                          Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 22   NAYS   0   ABSENT 1 Mr. Clancy



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 106***

***INTRODUCED BY: Messrs. Paparella, D'Onofrio  
2ND BY: Mr. Joseph***

**RE: APPROVAL OF A HOUSING/SERVICES AGREEMENT AND RELATED MEMORANDUM OF UNDERSTANDING BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE FOR THE AGING AND CONTINUING CARE, AND COLONIAL I ASSOCIATES LIMITED PARTNERSHIP BY AND THROUGH ITS MANAGING GENERAL PARTNER BEACON COLONIAL I LLC**

**WHEREAS,** This Board is in receipt of correspondence from Michael J. Romano, Director of the Office for the Aging and Continuing Care, requesting approval of a Housing/Services Agreement and related Memorandum of Understanding between Oneida County, through its Office for the Aging and Continuing Care, and Colonial I Associates Limited Partnership by and through its managing general partner Beacon Colonial I LLC, and it is further

**WHEREAS,** The Housing/Services Agreement documents the collaboration/partnership between the parties to ensure that support services for special needs elderly and disabled residents continue as Colonial I Associates Limited Partnership transitions and updates the Colonial I Apartments in Rome, and to satisfy New York State Homes and Community Renewal Program requirements for low income housing tax credit funding, and

**WHEREAS,** The Memorandum of Understanding also documents the collaboration/partnership between the parties and will secure fifteen percent (15%) of the refurbished apartments for special needs elderly and disabled residents receiving community based services from the Oneida County Office for the Aging and Continuing Care, and

**WHEREAS,** Said Housing/Services Agreement and Memorandum of Understanding shall be for a term commencing upon completion of the construction of the Colonial I Apartment project and shall remain in effect until all parties, as well as the New York State Homes and Community Renewal, agree to change, terminate or modify the same, with written mutual consent, and

**WHEREAS,** In accordance with Oneida County Charter Section 2202, said Housing/Services Agreement and Memorandum of Understanding must be approved by this Board, now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators approves and authorizes County Executive, Anthony J. Picente, Jr., to execute a Housing/Services Agreement and related Memorandum of Understanding on behalf of the County of Oneida, through its Office for the Aging and Continuing Care, and Colonial I Associates Limited Partnership by and through its managing general partner Beacon Colonial I LLC, and it is further

**RESOLVED,** That the terms and conditions of said Housing/Services Agreement and Memorandum of Understanding shall be as more fully set forth in the document on file with the Clerk of this Board.



APPROVED: Health and Human Services Committee (May 2, 2018)  
Ways and Means Committee (May 9, 2018)

DATED: May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### *RESOLUTION NO. 107*

**INTRODUCED BY:** *Messrs. Paparella, D'Onofrio*

**2ND BY:** *Mr. Davis*

**RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND ELMCREST CHILDREN'S CENTER, INC.**

**WHEREAS,** This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Elmcrest Children's Center, Inc., for a minimum amount of \$130,334.20, for Non-Secure Detention Services providing one (1) reserved bed for Oneida County youth and the ability to utilize un-reserved beds on an as needed basis, and

**WHEREAS,** The Agreement shall be for a term commencing January 1, 2018 and terminating on December 31, 2018, with either party having the right to terminate the Agreement upon thirty (30) days written notice from one party to the other, 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 this Board authorizes and approves a Purchase of Services Agreement between Oneida County through its Department of Social Services and Elmcrest Children's Center, Inc. for a term commencing January 1, 2018 and terminating December 31, 2018.

APPROVED:           Health and Human Services Committee (May 2, 2018)  
                              Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

**ONEIDA COUNTY BOARD OF LEGISLATORS**

***RESOLUTION NO. 108***

***INTRODUCED BY: Messrs. Paparella, D'Onofrio  
2ND BY: Mr. Joseph***

**RE: APPROVAL TO SET THE SALARY FOR THE POSITION TITLE OF CASEWORKER ASSISTANT, GRADE 19W, STEP 2, \$28,603.00**

**WHEREAS,** This Board is in receipt of correspondence from Commissioner of Personnel, John P. Talerico, requesting approval to establish the salary for the position title of Caseworker Assistant, and

**WHEREAS,** The Commissioner of Personnel recommends that the salary for the position be set at Grade 19W, Step 2, \$28,603.00, and

**WHEREAS,** Said salary must be established by the Oneida County Board of Legislators, now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators establishes the salary for the position title of Caseworker Assistant at Grade 19W, Step 2, \$28,603.00, effective immediately.

APPROVED:           Health and Human Services Committee (May 2, 2018)  
                              Ways and Means Committee   (May 9, 2018)

DATED: May 9, 2018

Adopted by the following vote:  
AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 109***

***INTRODUCED BY: Messrs. Paparella, D'Onofrio  
2ND BY: Mr. Idzi***

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND C & S ENGINEERS, INC.**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County, through its Department of Public Works, and C & S Engineers, Inc. to provide plans, specifications and asbestos abatement monitoring services for the renovation of the Oneida County Health Clinic located at 406 Elizabeth Street in Utica, and

**WHEREAS,** C & S Engineers, Inc. will provide professional consulting services to Oneida County for a total amount of \$160,000.00, plus asbestos abatement project monitoring and on-site representation expenses, 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 authorizes and approves an Agreement between Oneida County, through its Department of Public Works, and C & S Engineers, Inc. for professional consulting services associated with the renovation of the Oneida County Health Clinic, commencing upon execution and ending upon completion of the project.

**APPROVED:** Public Works Committee (May 2, 2018)  
Ways and Means Committee (May 9, 2018)

**DATED:** May 9, 2018

Adopted by the following vote:

**AYES 22 NAYS 0 ABSENT 1 Mr. Clancy**

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### *RESOLUTION NO. 110*

**INTRODUCED BY:** *Messrs. Paparella, D'Onofrio*

**2ND BY:** *Mr. Joseph*

**RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE FOR THE AGING AND CONTINUING CARE, AND U.S. CARE SYSTEMS INC.**

**WHEREAS,** This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Office for the Aging and Continuing Care, and U.S. Care Systems, Inc., for an amount not to exceed \$261,810.00, to provide in-home care services to the frail and elderly, and assist older consumers to delay or divert nursing home placement, and

**WHEREAS,** The Agreement shall be for a term commencing April 1, 2018 and ending March 31, 2019, with either party having the right to terminate the Agreement upon thirty (30) days written notice to the other party, 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 this Board authorizes and approves a Purchase of Services Agreement between Oneida County, through its Office for the Aging and Continuing Care, and U.S. Care Systems Inc., for a term commencing April 1, 2018 and ending March 31, 2019.

APPROVED:           Health and Human Services Committee (May 2, 2018)  
                              Ways and Means Committee     (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 22   NAYS 0   ABSENT 1 Mr. Clancy





# **ONEIDA COUNTY BOARD OF LEGISLATORS**

## **RESOLUTION NO. 113**

**INTRODUCED BY: Messrs. Flisnik, D’Onofrio**

**2ND BY: Mr. Schiebel**

**RE: SUPPLEMENTAL APPROPRIATION OF \$179,088.00 TO AA#A3020.0 – VARIOUS EMERGENCY SERVICES 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 \$179,088.00 to AA#A3020.0 – Various Emergency Services Accounts, and

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

A4304	Fed Aid Emerg Mgmt Assistance	\$179,088.00
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now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2018 funds, as hereinafter set forth, be and the same is hereby approved:

TO:

AA#A3020.101	Salaries (Emergency Services)	\$118,210.00
AA#A3020.810	Retirement (Emergency Services)	\$ 18,086.00
AA#A3020.830	Social Security (Emergency Services)	\$ 9,043.00
AA#A3020.840	Workers Compensation (Emergency Services)	\$ 3,310.00
AA#A3020.850	Unemployment Insurance (Emergency Services)	\$ 295.00
AA#A3020.860	Health Insurance (Emergency Services)	<u>\$ 30,144.00</u>
	<b>TOTAL:</b>	<b>\$179,088.00</b>

**APPROVED:** Public Safety Committee (May 2, 2018)  
Ways and Means Committee (May 9, 2018)

**DATED:** May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 114***

***INTRODUCED BY: Messrs. Flisnik, D'Onofrio  
2ND BY: Mr. Davis***

**RE: APPROVAL TO CREATE THREE (3) DEPUTY SHERIFF PATROL POSITION  
(GRADE 1S, STEP 5, \$47,089)**

**WHEREAS,** This Board is in receipt of correspondence from Commissioner of Personnel, John P. Talerico and Oneida County Sheriff, Robert M. Maciol, requesting authorization to create three (3) Deputy Sheriff Patrol Positions (Grade 1S, Step 5, \$47,089) to be assigned to the Oneida County Department of Social Services to be present with any Caseworkers going out on home visits in order to increase a sense of safety and order during said visits, 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 authorizes and approves creating three (3) Deputy Sheriff Patrol Position (Grade 1S, Step 5, \$47,089) in the Oneida County Sheriff's Office - effective immediately.

APPROVED:           Public Safety Committee (May 2, 2018)  
                              Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 22   NAYS 0   ABSENT 1 Mr. Clancy

**BOARD OF COUNTY LEGISLATORS  
ONEIDA COUNTY**

***RESOLUTION NO. 115***

***INTRODUCED BY: Messrs. Leach, D'Onofrio  
2ND BY: Mr. Idzi***

**LOCAL LAW INTRO. "C" OF 2018  
LOCAL LAW NO. \_\_\_\_ OF 2018**

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 1956, AS PREVIOUSLY AMENDED, REGARDING THE PROCEDURE FOR PLAN PARTICIPANTS TO WITHDRAW FROM THE PLAN, REGARDING THE CAP OF A MEMBER'S LIABILITY TO THE PLAN FOR CLAIMS AND SETTLEMENTS, AND REGARDING THE RESERVE FOR THE PLAN.**

**BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF ONEIDA AS FOLLOWS:**

**SECTION 3 (3) SHALL BE AMENDED TO READ:**

**3. Withdrawal**

(a) A participant shall be entitled to withdraw from this plan only as of the beginning of the next ensuing calendar year by filing with the committee on or before the 30th day of January of any year a certified copy of a Resolution of its governing body electing to withdraw from the plan, upon condition that the participant shall pay its full liability to the plan as determined by an actuarial firm hired by the committee.

(b) The participant's liability to the plan shall be set by calculating its net cost to the plan for the years starting in 1996 and ending at the time of withdrawal, if any, and adding to that its expected future costs to the plan. In the event that records are not reasonably available back to 1996, computation will be made based on continuous years' records as far back as are available.

i. Net cost for past years shall be computed by adding the participant's losses, its share of the plan's Workers Compensation Board Assessments, and its share of the plan's administrative expenses for the years included in the computation, and subtracting from that total the total of premiums paid into the plan for those years. In the event no net loss exists for the full period in question, past experience shall not be considered in setting the exit fee; no credit shall be given if the participant's premiums exceeded its cost to the plan for the period of years being calculated.

ii. The Participant's expected future costs to the plan shall consist of its outstanding reserves on all open claims as of its date of withdrawal, and its outstanding "Incurred but not reported" costs as of that date as computed by the plan's actuary.

(c) In the event there is a dispute concerning the amount of the withdrawing participant's liability to the plan, the dispute shall be subject to arbitration. A single arbitrator will be chosen by mutual consent, in arbitration proceedings which may be brought by either party in Utica, New York in accordance with the Commercial Arbitration Rules of the American Arbitration Association. In the event of any arbitration in any way arising out of or relating to this Local Law, each party shall pay their own costs and expenses.

(d) Any participant who has withdrawn or hereafter withdraws from the plan shall also be responsible for administrative costs incurred for payment of claims, until the ongoing claims shall be closed. Billing for administrative costs shall be provided by the Director of Workers Compensation to the withdrawn participants annually, on July 1 of each year. The method for billing the future administrative charge for the departing member will be determined based on local law section 6, subsection 2(a). However, the departing participant's last annual payroll submitted to the plan will be used to determine the administrative fee in each succeeding year, until all the participant's ongoing claims shall be closed, unless the withdrawn participant submits a current payroll, in which case the current payroll may be used, at the option of the withdrawn participant.

(e) A participant who withdraws will not receive any credit for any fund balance the plan may have at the date of withdrawal. Additionally, under no circumstance will a participant who withdraws receive a net payment from the plan arising out of such withdrawal.

(f) The amount of the exit fee shall be determined not later than June 1 of the ensuing year and the withdrawing participant shall remit the exit fee to the county not later than July 31 of that year. In the event that the exit fee shall not be paid in full by July 31, the County shall levy the unpaid amount in the next scheduled tax levy against property taxable by the withdrawing participant.

(g) However, in the event that the participant's withdrawal is due to its legal dissolution, or it legally dissolves on or before the date of its withdrawal, the Board of Legislators may enter into an agreement with the municipality which assumes that liability extending the time to pay such liability for a period of time not to exceed twenty years, upon such terms and conditions as the Board of Legislators shall deem to be advisable.

(h) Generally, the plan shall retain liability for all claims existing on the date of withdrawal, and the actuarially computed cost of those claims shall be included in the exit fee. Withdrawing participants shall not be allowed to retain liability for such claims, or to take any such claims to a new administrator, carrier, captive or any other self-insured program unless the withdrawing participant has its own workers compensation, board "W" number, and subject to the approval of the committee.

(i) On or before October 30 of any year prior to the year in which notice of withdrawal must be given pursuant to paragraph (a) of this subsection, a participant may request an estimate of its expected exit fee, based on the most recent completed calendar year. The Director of Workers Compensation shall provide such an estimate prior to the end of the year when such request is made. Such estimate shall not be binding on the plan; the exit fee will be computed by an actuary and be based on the participant's experience in the plan up until the time of withdrawal.

**SECTION 6(2)(B)(ii) SHALL BE AMENDED TO READ:**





**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 117**

**INTRODUCED BY: Messrs. Flisnik, D’Onofrio  
2ND BY: Mr. Schiebel**

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES, AND AVIAT U.S., INC.**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County, through its Department of Emergency Services, and Aviat U.S., Inc., in the sum of \$205,615.00, to provide additional equipment and installation services needed to tie into the Motorola P25 core in Onondaga County for Oneida County’s Emergency Communications System Upgrade Project, and

**WHEREAS,** The Agreement shall be for a term commencing upon execution and terminating one (1) year after execution, unless mutually extended in writing at least sixty (60) days prior to the expiration of the Agreement, 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 this Board authorizes and approves an Agreement between Oneida County, through its Department of Emergency Services, and Aviat U.S., Inc., for a term commencing upon execution and terminating one (1) year after execution.

APPROVED:           Public Safety Committee (May 2, 2018)  
                              Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:  
AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 118***

***INTRODUCED BY: Messrs. Paparella, D'Onofrio  
2ND BY: Mr. Joseph***

**RE: APPROVAL OF A MEMORANDUM OF UNDERSTANDING AND REVOCABLE LICENSE FOR NON-FEDERAL USE OF REAL PROPERTY BETWEEN ONEIDA COUNTY, THROUGH ITS VETERANS' SERVICE AGENCY, THE DEPARTMENT OF VETERANS AFFAIRS, THROUGH ITS ROME COMMUNITY BASED OUTPATIENT CLINIC, AND SYRACUSE UNIVERSITY, THROUGH ITS COLLEGE OF LAW'S WOHL FAMILY VETERANS LEGAL CLINIC**

**WHEREAS,** This Board is in receipt of correspondence from Joe Perrone, Director of the Oneida County Veterans' Service Agency, requesting approval of a Memorandum of Understanding and Revocable License for Non-Federal Use of Real Property between Oneida County, through its Veterans' Service Agency, the Department of Veterans Affairs, through its Rome Community Based Outpatient Clinic, and Syracuse University, through its College of Law's Wohl Family Veterans Legal Clinic, to provide space in the Department of Veterans Affairs' Rome Community Based Outpatient Clinic for the Syracuse University School of Law's Wohl Family Veterans Legal Clinic to deliver free legal services to Oneida County veterans, and

**WHEREAS,** Said Memorandum of Understanding and Revocable License for Non-Federal Use of Real Property shall be for a term commencing upon execution and ending December 31, 2020, with no funding associated with the same, and

**WHEREAS,** In accordance with Oneida County Charter section 2202, said Memorandum of Understanding and Revocable License for Non-Federal Use of Real Property must be approved by this Board, now, therefore, be it hereby

**RESOLVED,** That the Oneida County Board of Legislators approves and authorizes County Executive, Anthony J. Picente, Jr., to execute a Memorandum of Understanding and Revocable License for Non-Federal Use of Real Property on behalf of the County of Oneida, through its Veterans' Service Agency, the Department of Veterans Affairs, through its Rome Community Based Outpatient Clinic, and Syracuse University, through its College of Law's Wohl Family Veterans Legal Clinic with a term commencing upon execution and ending December 31, 2020, and it is further

**RESOLVED,** That the terms and conditions of said Memorandum of Understanding and Revocable License for Non-federal Use of Real Property shall be as more fully set forth in the document on file with the Clerk of this Board.

APPROVED: Health and Human Services (May 2, 2018)  
Ways and Means Committee (May 9, 2018)

DATED: May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 119***

***INTRODUCED BY: Mr. D'Onofrio***

***2ND BY: Mr. Idzi***

**RE: SUPPLEMENTAL APPROPRIATION OF \$150,000.00 TO AA#A7240.4953 – BUDGET –  
UTICA ZOO – SPECIAL FUNDING**

**WHEREAS,** In accordance with Section 609 of the Administrative Code, the County Executive has requested a supplemental appropriation be made in the amount of \$150,000.00 to AA#A7240.4953 – Budget – Utica Zoo – Special Funding, and

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

RA#A599	Appropriated Fund Balance	\$150,000.00
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now, therefore, be it hereby

**RESOLVED,** That a supplemental appropriation, from 2018 funds, as hereinafter set forth, be and the same is hereby approved:

TO:

AA#A7240.4953	Budget – Utica Zoo – Special Funding	\$150,000.00
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APPROVED:           Ways and Means Committee   (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 19 NAYS 3 Messrs. Flisnik, Mandryck, Waterman ABSENT 1 Mr. Clancy



## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### *RESOLUTION NO. 120*

*INTRODUCED BY: Mr. Fiorini*

*2ND BY: Mr. Schiebel*

### **RE: RESOLUTION CHANGING THE VENUE FOR BOARD OF LEGISLATORS MEETINGS FOR 2018-2019 DUE TO THE 10<sup>TH</sup> FLOOR RENOVATION**

**WHEREAS**, Due to the renovation of the 10<sup>th</sup> Floor of the Oneida County Office Building, it is the recommendation of Chairman Gerald J. Fiorini, that the Board of Legislators change the venue of their regularly scheduled meetings for 2018 and 2019 term, now, therefore, be it hereby

**RESOLVED**, That the regularly scheduled meetings of the Oneida County Board of Legislators shall be held in the Ceremonial Courtroom, 5<sup>th</sup> Floor of the Oneida County Courthouse, located at 200 Elizabeth St., and be it further

**RESOLVED**, That the Clerk of this Board is hereby authorized and directed to make publication of such change of venue, and be it further

**RESOLVED**, That the change of venue begin with the June 13, 2018 meeting, and continue until this said Board deems the renovation complete.

APPROVED: Ways & Means Committee (May 9, 2018)

DATED: May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 121***

***INTRODUCED BY: Mr. D'Onofrio***

***2ND BY: Mr. Mandryck***

**RE: APPROVAL OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM FOR UNLISTED ACTIONS PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR CONSTRUCTION OF A 911 COMMUNICATIONS TOWER AT GRIFFISS INTERNATIONAL AIRPORT**

**WHEREAS,** Oneida County has completed the impact assessment pursuant to the State Environmental Quality Review (SEQR) process for the construction of a 911 Communications Tower at Griffiss International Airport, and

**WHEREAS,** The review process has determined that the proposed action will not result in any significant environmental impacts should this project be undertaken, now, therefore be it

**RESOLVED,** That the Oneida County Board of Legislators, hereby confirms the findings set forth in the Short Environmental Assessment Form that the construction of a proposed 911 Communications Tower at Griffiss International Airport will not result in any significant environmental impacts. Accordingly, the County of Oneida hereby issues a Negative Declaration with regard to the construction of a proposed 911 Communications Tower at Griffiss International Airport.

**APPROVED:** Ways and Means Committee (May 9, 2018)

**DATED:** May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

*RESOLUTION NO. 122*

*INTRODUCED BY: Mr. D'Onofrio  
2ND BY: Mr. Hendricks*

**RE: APPROVAL OF AN AGREEMENT BETWEEN ONEIDA COUNTY AND THE UTICA ZOOLOGICAL SOCIETY, INC.**

**WHEREAS,** This Board is in receipt of an Agreement between Oneida County and the Utica Zoological Society, Inc., in the sum of \$150,000.00, to contribute to the finance of activities that publicize the advantages of Oneida County and the region, and to promote the cultural development of the residents of Oneida County, and

**WHEREAS,** The Agreement shall be for a term commencing May 1, 2018 and ending December 31, 2018, 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 this Board authorizes and approves an Agreement between Oneida County and the Utica Zoological Society, Inc., in the sum of \$150,000.00, for a term commencing May 1, 2018 and ending December 31, 2018.

APPROVED:           Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 19   NAYS 3   Messrs. Waterman, Mandryck, Flisnik   ABSENT 1   Mr. Clancy

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 123**

**INTRODUCED BY: Mr. D’Onofrio  
2ND BY: Mr. Joseph**

**RE: RESOLUTION SCHEDULING A PUBLIC HEARING AT 2:00 P.M. ON WEDNESDAY, JUNE 13, 2018, REGARDING THE PROPOSED REVISED ONEIDA COUNTY SANITARY CODE**

**WHEREAS,** The current Oneida County Sanitary Code was approved by this Board on December 27, 2000 and the New York State Department of Health on April 3, 2001. Since that time, significant portions of the New York State Sanitary Code and the New York State Public Health Law referenced in the Oneida County Sanitary Code have changed, and

**WHEREAS,** Due to changes in the New York State Sanitary Code and the New York State Public Health Law it is necessary to revise the Oneida County Sanitary Code, and

**WHEREAS,** In accordance with Oneida County Administrative Code, Article XI, Section 1104, a Public Hearing must be held before the adoption of such Sanitary Code, now, therefore, be it hereby

**RESOLVED,** That the Clerk of the Oneida County Board of Legislators be, and hereby is, authorized and directed to cause a notice to be published in the Utica Observer Dispatch and the Rome Sentinel, and such notice shall state the time, place and date of such public hearing, and it is further

**RESOLVED,** That said Public Hearing shall be held on Wednesday, June 13, 2018, at 2:00 p.m. in the Ceremonial Courtroom, Oneida County Courthouse, 200 Elizabeth Street, 5<sup>th</sup> Floor, Utica, New York.

APPROVED: Ways and Means Committee (May 9, 2018)

DATED: May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy

**OFFICE, CLERK BOARD OF COUNTY LEGISLATORS)  
COUNTY OF ONEIDA ) SS:**

I, hereby certify that I have compared the foregoing extract from the minutes of meeting of the Board of County Legislators of Oneida County held on the 9<sup>th</sup> day of May, 2018 with the original record thereof on File in this office and that the same is a true and correct transcript therefrom, and of the whole of such original.

**IN TESTIMONY WHEREOF,** I have hereunto affixed the seal of said Board this 9<sup>th</sup> day of May, 2018



  
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**MIKALE BILLARD** Clerk

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

### ***RESOLUTION NO. 124***

***INTRODUCED BY: Mr. D'Onofrio***

***2ND BY: Mr. Joseph***

**RE: APPROVAL OF A CONSENT ORDER SETTING FORTH CERTAIN RESPONSIBILITIES AND COSTS ASSOCIATED WITH AIR EMISSION VIOLATIONS AT THE ONEIDA COUNTY WASTE WATER TREATMENT PLANT**

**WHEREAS,** This Board is in receipt of correspondence from Oneida County Executive, Anthony J. Picente, Jr., requesting review and approval of a proposed 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 air emission violations at the Oneida County Waste Water Treatment Plant, 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 authorizes and approves acceptance of a proposed Consent Order between Oneida County and the New York State Department of Environmental Conservation, and it is further

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

APPROVED:           Ways and Means Committee (May 9, 2018)

DATED:            May 9, 2018

Adopted by the following vote:

AYES 22 NAYS 0 ABSENT 1 Mr. Clancy