# 1798

#### 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 143 THROUGH 165 THAT WERE ACTED UPON BY THE BOARD OF COUNTY LEGISLATORS AT THEIR SESSION HELD ON MAY 8, 2019

# 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 8<sup>th</sup> day of May, 2019 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 8<sup>th</sup> day of May, 2019.



Clerk

RESOLUTION NO. 143

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

- RE: APPROVAL OF AMENDMENT NO. 1 TO AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND MARCH ASSOCIATES, ARCHITECTS AND PLANNERS, P.C.
- WHEREAS, This Board is in receipt of Amendment No. 1 to the Agreement between Oneida County, through its Department of Public Works, and MARCH Associates, Architects and Planners, P.C. in relation to the reconstruction of the Family Court facility at 301 W. Dominick Street in Rome, and
- WHEREAS, MARCH Associates, Architects and Planners, P.C. will provide additional professional consulting services due to the level of effort required to finalize plans and specifications, the project schedule, work phasing, and asbestos abatement monitoring efforts, and
- WHEREAS, The amount of the Agreement needs to be increased as a result of the additional professional consulting services. The amount of the original Agreement was \$202,000.00. The costs associated with Amendment No. 1 total \$183,000.00, resulting in a new proposed Contract amount of \$385,000.00, and
- WHEREAS, In accordance with Oneida County Charter section 2202, said Amendment to the 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 Amendment No. 1 to the Agreement between Oneida County, through its Department of Public Works, and MARCH, Associates and Planners, P.C. commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2019.

APPROVED:

Public Works Committee

(May 1, 2019)

Ways and Means Committee (May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

AYES 20 NAYS 0 ABSENT 3 (Ms. Washburn Messrs. Sacco, Hendricks)

RESOLUTION NO. 144

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

- RE: APPROVAL OF AMENDMENT NO. 1 TO AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND MARCH ASSOCIATES, ARCHITECTS AND PLANNERS, P.C.
- WHEREAS, This Board is in receipt of Amendment No. 1 to the Agreement between Oneida County, through its Department of Public Works, and MARCH Associates, Architects and Planners, P.C. in relation to Capital Project H-305, County Office Building Asbestos Abatement, and
- WHEREAS, Several significant work items beyond the original scope of work were required including significantly increased asbestos abatement, two reconstruction phases with separate bid packages, and dedicated HVAC systems for large conference rooms and the Board of Legislators Chamber, which required expenditure of more time by MARCH Associates, Architects and Planners, P.C. than originally estimated and contracted for, and
- WHEREAS, The amount of the Agreement needs to be increased as a result of the additional time expended. The amount of the original Agreement was \$179,000.00. The costs associated with Amendment No. 1 total \$138,000.00, resulting in a new proposed Contract amount of \$317,000.00, and
- WHEREAS, In accordance with Oneida County Charter section 2202, said Amendment to the 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 Amendment No. 1 to the Agreement between Oneida County through its Department of Public Works and MARCH, Associates and Planners, P.C. commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2019.

APPROVED:

Public Works Committee

(May 1, 2019)

Ways and Means Committee (May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

AYES 20 NAYS 0 ABSENT 3 (Ms. Washburn, Messrs. Sacco, Hendricks)

RESOLUTION NO. 145

INTRODUCED BY: Messrs. Waterman, D'Onofrio

2ND BY: Mr. Idzi

RE: APPROVAL OF AMENDMENT NO. 1 TO AN AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND BONACCI ARCHITECTS, PLLC

- WHEREAS, This Board is in receipt of Amendment No. 1 to the Agreement between Oneida County, through its Department of Public Works, and Bonacci Architects, PLLC in relation to the 2017 Facility Improvement projects at various County facilities, and
- WHEREAS, Bonacci Architects, PLLC will need to provide additional construction administration services due to scheduling complications and additional design considerations for several projects, which have been rescheduled to begin in Spring 2019, and
- WHEREAS, The amount of the Agreement needs to be increased as a result of the additional construction administration services. The amount of the original Agreement was \$110,100.00. The costs associated with Amendment No. 1 total \$5,700.00, resulting in a new proposed Contract amount of \$115,800.00, and
- WHEREAS, In accordance with Oneida County Charter section 2202, said Amendment to the 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 Amendment No. 1 to the Agreement between Oneida County, through its Department of Public Works, and Bonacci Architects, PLLC commencing upon execution and ending at the completion of the project, anticipated to be no later than December 31, 2019.

APPROVED:

Public Works Committee

(May 1, 2019)

Ways and Means Committee (May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

AYES 20 NAYS 0 ABSENT 3 (Ms. Washburn Messrs. Sacco, Hendricks)

RESOLUTION NO. 146

INTRODUCED BY: Messrs. Paparella, D'Onofrio

2ND BY: Mr. Goodman

RE: APPROVAL OF A GRANT AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK (DASNY)

WHEREAS, This Board is in receipt of a Grant Agreement between Oneida County, through its Department of Public Works, and the Dormitory Authority of the State of New York (DASNY), in the sum of \$365,500.00, to fund the reconstruction of five structures on Holman City Road and one structure on Church Road in the Town of Paris, 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 execute any and all documents related to a Grant Agreement between Oneida County, through its Department of Public Works, and the Dormitory Authority of the State of New York (DASNY), for a term commencing January 31, 2019 and ending January 31, 2022.

APPROVED:

Public Works Committee

(May 1, 2019)

Ways and Means Committee (May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

AYES 20 NAYS 0 ABSENT 3 (Ms. Washburn Messrs. Sacco, Hendricks)

RESOLUTION NO. 147

INTRODUCED BY: Messrs. Waterman, D'Onofrio

2ND BY: Mr. Joseph

RE:

APPROVAL OF A SUBLEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND WORKFORCE DEVELOPMENT BOARD OF HERKIMER, MADISON AND ONEIDA COUNTIES, INC.

WHEREAS, This Board is in receipt of correspondence from Dennis Davis, Commissioner of Public Works, requesting approval of a Sublease Agreement between Oneida County, through its Department of Public Works, and Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. for approximately 4,676 square feet of office space located in the premises rented by Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. at 209 Elizabeth Street in Utica, and

WHEREAS, In accordance with terms set forth therein, Oneida County will sublease the aforementioned office space in the sum of \$1.00 per year, for a five (5) year term commencing March 1, 2019 and ending February 29, 2024, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Sublease Agreement must be approved by the Oneida County Board of Legislators, 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 Sublease Agreement on behalf of the County of Oneida, through its Department of Public Works, and Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. for approximately 4,676 square feet of office space located in the premises rented by Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. at 209 Elizabeth Street, for a five (5) year term commencing March 1, 2019 and ending February 29, 2024, and it is further

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

APPROVED:

Public Works Committee

(May 1, 2019)

Ways and Means Committee

(May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 147

INTRODUCED BY: Messrs. Waterman, D'Onofrio

2ND BY: Mr. Joseph

RE: APPROVAL OF A SUBLEASE AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF PUBLIC WORKS, AND WORKFORCE

DEVELOPMENT BOARD OF HERKIMER, MADISON AND ONEIDA COUNTIES,

INC.

WHEREAS, This Board is in receipt of correspondence from Dennis Davis, Commissioner of Public Works, requesting approval of a Sublease Agreement between Oneida County, through its Department of Public Works, and Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. for approximately 4,676 square feet of office space located in the premises rented by Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. at 209 Elizabeth Street in Utica, and

WHEREAS, In accordance with terms set forth therein, Oneida County will sublease the aforementioned office space in the sum of \$1.00 per year, for a five (5) year term commencing March 1, 2019 and ending February 29, 2024, and

WHEREAS, In accordance with Oneida County Charter Section 2202, said Sublease Agreement must be approved by the Oneida County Board of Legislators, 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 Sublease Agreement on behalf of the County of Oneida, through its Department of Public Works, and Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. for approximately 4,676 square feet of office space located in the premises rented by Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc. at 209 Elizabeth Street, for a five (5) year term commencing March 1, 2019 and ending February 29, 2024, and it is further

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

APPROVED: Public Works Committee (May 1, 2019)

Ways and Means Committee (May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 148

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

RE:

APPROVAL OF WORK ORDER #29, AMENDMENT #6 - PRIVATE PROPERTY I/I REDUCTION PROGRAM IMPLEMENTATION - PHASE 7 WITH GHD CONSULTING SERVICES, INC.

- WHEREAS, On March 29, 2013, the Master Agreement to provide engineering services in compliance with a Consent Order issued by the NYS Department of Environmental Conservation and to resolve permit issues affecting the Oneida County Water Pollution Control Facility was assigned to GHD Consulting Services, Inc., and
- WHEREAS, County Executive Anthony J. Picente, Jr., is in receipt of correspondence from Steven P. Devan, P.E., Commissioner of Water Quality and Water Pollution Control, requesting approval of Work Order #29, Amendment #6 Private Property I/I Reduction Program Implementation Phase 7 for the implementation of Phase 7 of a district-wide Private Inflow and Infiltration Reduction Program for the Oneida County Sewer District for FY2019, with an estimated cost of \$102,000.00, and
- WHEREAS, Funding for this Work Order is provided by the Department's 2019 operating budget, and
- WHEREAS, Said request must be approved by the Oneida County Board of Legislators, now therefore be it hereby
- **RESOLVED,** That the Oneida County Board of Legislators authorizes and approves acceptance of Work Order #29, Amendment #6 Private Property I/I Reduction Program Implementation Phase 7 with GHD Consulting Services, Inc., for an estimated cost of \$102,000.00.

APPROVED:

Public Works Committee

(May 1, 2019)

Ways and Means Committee

(May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 149

INTRODUCED BY: Messrs. Idzi, D'Onofrio

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

- APPROVAL OF AN AMENDMENT TO A PURCHASE OF SERVICES AGREEMENT RE: BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF INFORMATION TECHNOLOGY, AND INTEGRATED STRATEGIC SYSTEMS, INC.
- WHEREAS, This Board is in receipt of an Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and Integrated Strategic Systems, Inc., and
- WHEREAS, Pursuant to a Purchase of Services Agreement entered into between Oneida County and Integrated Strategic Systems, Inc. on October 12, 2018, Integrated Strategic Systems, Inc. agreed to provide records scanning services to enter documents into Laserfiche for permanent storage, with a term commencing August 1, 2018 and ending July 31, 2019 (the "Agreement"), and
- WHEREAS, Oneida County and Integrated Strategic Systems, Inc. need to amend the Agreement as a result of the commencement of scanning documents in support of the pending Opioid Litigation, which will increase the cost of the Agreement by a minimum of \$150,000.00, and
- WHEREAS. The Agreement needs to be further amended to include the County's standard Department of Social Services Addendum, along with certain terms required by New York State, which will act in concert to help protect the confidentiality and integrity of the records being scanned, and
- WHEREAS. The Agreement will also need to be further amended to provide for separate billing of Integrated Strategic Systems, Inc.'s time relative to the Opioid Litigation in order to accurately track the costs of the litigation and apply the costs to the correct account, and
- WHEREAS, In accordance with Oneida County Charter Section 2202, 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 authorizes and accepts an Amendment to a Purchase of Services Agreement between Oneida County, through its Department of Information Technology, and Integrated Strategic Systems, Inc., with a term commencing August 1, 2018 and ending July 31, 2019.

Government Operations Committee (May 1, 2019) APPROVED:

Ways and Means Committee

(May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 150

INTRODUCED BY: Messrs. Idzi, D'Onofrio

2ND BY: Mr. Davis

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN THE ONEIDA COUNTY BOARD OF ELECTIONS AND SOE SOFTWARE CORPORATION (d/b/a SCYTL)

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between the Oneida County Board of Elections and SOE Software Corporation (d/b/a SCYTL), in the sum of \$34,047.00, for the provision of Election Night Reporting and a Voter Education Portal (website), and

WHEREAS, The Agreement shall be for a term commencing upon execution and ending three (3) years after execution, with an option to extend the agreement for two one year extensions, and with either party having the right to terminate the Agreement upon thirty (30) days prior 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 the Oneida County Board of Elections and SOE Software Corporation (d/b/a SCYTL), for a term commencing upon execution and terminating three (3) years after execution.

APPROVED:

Government Operations Committee (May 1, 2019)

Ways and Means Committee

(May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 151

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

RE: CONVEYANCE OF FEE TITLE TO BUILDING 101 AT GRIFFISS INTERNATIONAL AIRPORT FROM 394 HANGARD ROAD CORPORATION

- WHEREAS, On September 4, 2003, Oneida County entered into a Primary Runway Access Agreement with Griffiss Local Development Corporation and 394 Hangar Road Corporation, and
- WHEREAS, Pursuant to paragraph 9 of said Agreement, Oneida County has requested that 394 Hangar Road Corporation convey fee title to Building 101 to Oneida County for the sum of \$1.00, and
- WHEREAS, In accordance with Oneida County Charter Section 2202, said conveyance of real property must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby
- **RESOLVED,** That the Oneida County Board of Legislators authorizes and approves the acceptance of the conveyance of Building 101 at Griffiss International Airport from 394 Hangar Road Corporation, and directs the County Attorney to take such actions as are necessary to acquire title to the premises, and it is further
- **RESOLVED,** That the Chairman of the Oneida County Board of Legislators is hereby authorized to execute any and all documents necessary to effectuate the conveyance of said real property.

APPROVED:

Airport Committee

(May 7, 2019)

Ways and Means Committee

(May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 152

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

- RE: APPROVAL OF A MULTI-JURISDICTIONAL CHIEF ELECTED OFFICIALS AGREEMENT BETWEEN ONEIDA COUNTY AND THE WORKFORCE DEVELOPMENT BOARD OF HERKIMER, MADISON AND ONEIDA COUNTIES, INC.
- WHEREAS, This Board is in receipt of correspondence from Maryangela Scalzo, Assistant County Attorney, requesting approval of a Multi-Jurisdictional Chief Elected Officials Agreement between Oneida County and the Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc., and it is further
- WHEREAS, The Multi-Jurisdictional Chief Elected Officials Agreement provides for the organization and implementation of activities pursuant to the Workforce Innovation and Opportunity Act (WIOA), and further designates the Chief Elected Representatives from Oneida, Herkimer and Madison Counties and delineates their duties under the WIOA, and
- WHEREAS, Said Multi-Jurisdictional Chief Elected Officials Agreement shall commence upon execution and shall continue until modified or terminated by a duly executed agreement, and
- WHEREAS, In accordance with Oneida County Charter Section 2202, said Multi-Jurisdictional Chief Elected Officials Agreement 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 Multi-Jurisdictional Chief Elected Officials Agreement on behalf of the County of Oneida and with the Workforce Development Board of Herkimer, Madison and Oneida Counties, Inc., and it is further
- **RESOLVED**, That the terms and conditions of said Multi-Jurisdictional Chief Elected Officials Agreement 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 1, 2019)

Ways and Means Committee (May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 153

INTRODUCED BY: Messrs. Paparella, D'Onofrio

2ND BY: Mr. Joseph

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND THE HERKIMER-ONEIDA COUNTIES COMPREHENSIVE PLANNING PROGRAM

- WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and the Herkimer-Oneida Counties Comprehensive Planning Program, for an amount not to exceed \$45,675.00, to provide preparation and monitoring of the Consolidated Services Plan, data collection and analysis, needs assessment, grant applications, plan preparation and monitoring and other planning services as needed, and
- WHEREAS. The Agreement shall be for a term commencing January 1, 2019 and ending December 31, 2019, with either party having the right to terminate the Agreement upon thirty (30) days prior 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 Department of Social Services, and the Herkimer-Oneida Counties Comprehensive Planning Program for a term commencing January 1, 2019 and ending December 31, 2019.

APPROVED:

Health and Human Services Committee

Ways and Means Committee

(May 1, 2019) (May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 154

INTRODUCED BY: Messrs. Paparella, D'Onofrio

2ND BY: Mr. Schiebel

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND THE NEIGHBORHOOD CENTER, INC.

WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and The Neighborhood Center, Inc., for an amount not to exceed \$230,297.00, to provide day care registration, certification and training, inspection and recruitment services for individuals in Oneida County interested in or currently providing child care in a residence, and

WHEREAS, The Agreement shall be for a term commencing January 1, 2019 and ending December 31, 2019, with Oneida County having the right to terminate the Agreement upon thirty (30) days prior written notice to The Neighborhood Center, Inc., 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 The Neighborhood Center, Inc. for a term commencing January 1, 2019 and ending December 31, 2019.

APPROVED:

Health and Human Services Committee

(May 1, 2019)

Ways and Means Committee

(May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 155

INTRODUCED BY: Messrs. Paparella, D'Onofrio

2ND BY: Mr. Goodman

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 \$200,750.00, to reserve and provide one (1) bed for youth in need of Non-Secure Detention Services to be utilized by Oneida County youth placed by Family Court Remand, Person in Need of Supervision (PINS) warrant, Juvenile Delinquent (JD) warrant or placed by a Peace Officer, and \$767.25 per day per bed for utilization of un-reserved beds on an as needed basis, and

WHEREAS, The Agreement shall be for a term commencing January 1, 2019 and ending December 31, 2019, with Oneida County having the right to terminate the Agreement upon thirty (30) days prior written notice to Elmcrest Children's Center, Inc., 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, 2019 and ending December 31, 2019.

APPROVED:

Health and Human Services Committee

(May 1, 2019)

Ways and Means Committee

(May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 156

INTRODUCED BY: Messrs. Paparella, D'Onofrio

2ND BY: Mr. Schiebel

RE: PURCHASE OF SERVICES AGREEMENT BETWEEN ONEIDA COUNTY, THROUGH ITS DEPARTMENT OF SOCIAL SERVICES, AND CAPITAL DISTRICT YOUTH CENTER, INC.

- WHEREAS, This Board is in receipt of a Purchase of Services Agreement between Oneida County, through its Department of Social Services, and Capital District Youth Center, Inc., for an amount not to exceed \$375,000.00, to reserve and provide one (1) bed for youth in need of Secure and Specialized Secure Detention Services to be utilized by Oneida County youth placed by Family Court Remand, Person in Need of Supervision (PINS) warrant, Juvenile Delinquent (JD) warrant or placed by a Peace Officer, and
- WHEREAS, The Agreement shall be for a term commencing January 1, 2019 and ending December 31, 2019, with either party having the right to terminate the Agreement upon thirty (30) days prior 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 Department of Social Services, and Capital District Youth Center, Inc. for a term commencing January 1, 2019 and ending December 31, 2019.

APPROVED:

Health and Human Services Committee

(May 1, 2019)

Ways and Means Committee

(May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 157

INTRODUCED BY: Mr. D'Onofrio

2ND BY: Mr. Furgol

#### RE: APPOINTMENTS TO THE ONEIDA COUNTY FIRE ADVISORY BOARD

WHEREAS, Pursuant to County Law Section 225-a and Article XX, Section 2002, of the Oneida County Charter Oneida County Executive, Anthony J. Picente, Jr., has recommended appointments of the following persons to the Oneida County Fire Advisory Board for two (2) year terms that will expire December 31, 2019, and

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

**RESOLVED,** That the following appointments to the Oneida County Fire Advisory Board are hereby confirmed pursuant to County Law Section 225-a and Article XX, Section 2002 of the Oneida County Charter, effective immediately, and for a term of two (2) years to expire on December 31, 2019:

Steven Boucher
Keith Schiebel
Richard Flisnik
Brian Mandryck
Robert Koenig
Michael Clancy
Joseph M. Furgol

9812 Twin Rock Road, Remsen, New York 13438
4830 Day Road, Vernon, New York 13476
6669 Fox Road, Marcy, New York 13403
9245 Sly Hill Road, Ava, New York 13303
7982 Postal Road, Oriskany, New York 13424
4932 Old Oneida Road, Verona, New York 13478
1122 Jefferson Avenue, Utica, New York 13501

APPROVED: Ways and Means Committee (May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 158

INTRODUCED BY: Mr. D'Onofrio

2ND BY: Mr. Goodman

RE: APPOINTMENTS TO THE ONEIDA COUNTY FIRE ADVISORY BOARD – VOLUNTEER FIREMEN'S ASSOCIATION

WHEREAS, Pursuant to County Law Section 225-a and Article XX, Section 2002, of the Oneida County Charter Oneida County Executive, Anthony J. Picente, Jr., has recommended appointments of the following persons from the Oneida County Volunteer Firemen's Association to serve on the Oneida County Fire Advisory Board, and

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

**RESOLVED,** That the following appointments to the Oneida County Fire Advisory Board are hereby confirmed pursuant to County Law Section 225-a and Article XX, Section 2002 of the Oneida County Charter, effective immediately:

Tom Dwyer – New York Mills Fire Department
Hobart "Phil" Dana – Floyd Fire Department
David Glenn – Whitesboro Fire Department
Term Expiring December 31, 2019

Kevin Lansing – Whitesboro Fire Department Term Expiring December 31, 2020

APPROVED: Ways and Means Committee (May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 159

INTRODUCED BY: Mr. D'Onofrio 2ND BY: Mr. Jospeh

RE: APPROVAL OF TWENTY (20) WORKING DAYS OF EXTENDED SICK LEAVE FOR LAURA CICIGLINE – DEPARTMENT OF AUDIT & CONTROL

WHEREAS, This Board is in receipt of correspondence from the Commissioner of Personnel, John P. Talerico, and Oneida County Comptroller, Joseph J. Timpano, recommending an extended sick leave of twenty (20) working days, with pay, for Laura Cicigline, Director of Administrative Services, Department of Audit & Control, and

WHEREAS, In accordance with Section E, Paragraph 8, of the Oneida County Personnel Rules, the Administrative Unit Head, the Commissioner of Personnel and the County Executive have approved this request, now, therefore, be it hereby

**RESOLVED,** That this Board hereby approves an extended sick leave of twenty (20) working days, with pay, to Laura Cicigline, Department of Audit & Control, in accordance with Section E, Paragraph 8, of the Oneida County Personnel Rules.

APPROVED:

Ways and Means Committee (May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 160

INTRODUCED BY: Mr. D'Onofrio

2ND BY: Mr. Joseph

RE: APPROVAL OF APPOINTMENTS TO THE UPPER MOHAWK VALLEY MEMORIAL AUDITORIUM AUTHORITY

WHEREAS, Pursuant to Section 1942 of the New York State Public Authorities Law, the Oneida County Board of Legislators shall appoint four members to the Board of the Upper Mohawk Valley Memorial Auditorium Authority, and

WHEREAS, The terms of three of the Oneida County Board of Legislators' appointments are expired, and

WHEREAS, Chairman, Gerald J. Fiorini, has recommended the appointment of Gregory M. Gaeta and the reappointment of Vincent Karl and Paul Romano to serve on the Upper Mohawk Valley Memorial Auditorium Authority Board pursuant to Section 1942 of the New York State Public Authorities Law, and

WHEREAS, Said appointment and reappointments 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 appointment and reappointments to the Upper Mohawk Valley Memorial Auditorium Authority Board as follows:

Gregory M. Gaeta

Term Expires: December 31, 2022

Vincent Karl

Term Expires: December 31, 2021

Paul Romano

Term Expires: December 31, 2021

APPROVED:

Ways and Means Committee

(May 8, 2019)

DATED:

May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 161

INTRODUCED BY: Messrs. Koenig, D'Onofrio

2ND BY: Mr. Davis

RE: AWARDING AN ENERGY PERFORMANCE CONTRACT TO C & S ARCHITECTS, ENGINEERS & LANDSCAPE ARCHITECT, PLLC – GRIFFISS INTERNATIONAL AIRPORT

- WHEREAS, This Board is in receipt of correspondence from Amanda Lynn Cortese, Special Assistant County Attorney, requesting that C & S Architects, Engineers & Landscape Architect, PLLC be awarded a contract for an energy performance contract provider, and
- WHEREAS, Oneida County published a Request for Proposal (RFP) for an energy performance contract provider in an effort to reduce the County's energy consumption at Griffiss International Airport pursuant to Energy Law § 9-103, and
- WHEREAS, C & S Architects, Engineers & Landscape Architect, PLLC submitted the only response to said RFP and Oneida County wishes to move forward with C & S Architects, Engineers & Landscape Architect, PLLC, and
- WHEREAS, The award of energy performance contracts is a two-step process wherein following the RFP, the County must first engage C & S Architects, Engineers & Landscape Architect, PLLC to complete an energy audit phase, which will be completed at no cost to the County. After completion of the energy audit phase, a contract will be negotiated that will include all financial terms and completion dates, as well as a guarantee of cost savings to the County, and
- WHEREAS, In accordance with Oneida County Charter Section 2202, awarding of the contract must be approved by the Oneida County Board of Legislators, now, therefore, be it hereby
- **RESOLVED,** That the Oneida County Board of Legislators hereby awards a contract for an energy performance contract provider to C & S Architects, Engineers & Landscape Architect, PLLC for the completion of an energy audit phase, at no cost to the County, in an effort to reduce the County's energy consumption at Griffiss International Airport pursuant to Energy Law § 9-103.

APPROVED:

Airport Committee

(May 7, 2019)

Ways and Means Committee

(May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

RESOLUTION NO. 162

INTRODUCED BY: Messrs. Waterman, D'Onofrio

2<sup>ND</sup> BY: Mr. Schiebel

RE: APPROVAL OF AN AMENDMENT TO CAPITAL PROJECT HG-570 – WPC – HEADWORKS CONSTRUCTION AND REHABILITATION

**WHEREAS**, This Board is in receipt of a request for the amendment to Capital Project HG-570 – WPC – Headworks Construction and Rehabilitation, and

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

**RESOLVED,** That Capital Project HG-570 – WPC – Headworks Construction and Rehabilitation is amended and approved, as follows:

	CURRENT	<u>CHANGE</u>	PROPOSED
HG-570 Bonds	\$68,300,000.00	\$2,700,000.00	\$71,000,000.00
	\$68,300,000.00	\$2,700,000.00	\$71,000,000.00

Public Works Committee (May 1, 2019) Ways and Means Committee (May 8, 2019)

DATED: May 8, 2019

Adopted by the following roll call vote:

APPROVED:

#### ROLL CALL SHEET

DATE: May 8, 2019

SESSION: Regular

**MEMBERS PRESENT**: 20

MEMBERS ABSENT: 3

AYES: 20 NAYS: 0 ABSENT: 3

INTRODUCTORY NO. 162

RESOLUTION NO. 162

DIST	MEMBERS A	YES NAYS
R-1	SCHIEBEL	x
R-2	IDZI	x
R-3	LEACH	х
D-4	CLANCY	х
R-5	WATERMAN	х
R-6	BOUCHER	х
R-7	FIORINI	х
R-8	FLISNIK	х
D-9	SACC0	absent
R-10	JOSEPH	х
R-11	KOENIG	х
D-12	BROWN	х
D-13	GOODMAN	х
D-14	DAVIS	x
R-15	D'ONOFRIO	х
R-16	PRATT	x
R-17	MANDRYCK	x
R-18	FURGOL	х
R-19	WELSH	х
D-20	HENDRICKS	absent
D-21	WASHBURN	absent
D-22	CONVERTINO	х
R-23	PAPARELLA	х

RESOLUTION NO. 163

INTRODUCED BY: Messrs. Mandryck, D'Onofrio 2ND BY: Mr. Davis LOCAL LAW INTRO. "B" OF 2019 LOCAL LAW NO. OF 2019

RE: LOCAL LAW INTRODUCTORY "B" OF 2019 REPEALING LOCAL LAW NO. 6 OF 2018 AND ESTABLISHING A SUSTAINABLE ENERGY LOAN PROGRAM (OPEN C-PACE) IN THE COUNTY OF ONEIDA

Be it enacted by the County of Oneida (the "Municipality") as follows:

**Section 1.** This local law shall be known as the "Energize NY Open C-PACE Financing Program" and shall read as follows:

#### **ARTICLE I**

- §1. Legislative findings, intent and purpose, authority.
- It is the policy of both the Municipality and the State of New York (the "State") to A. achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, "EIC"), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the "Municipal Agreement") to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the "Enabling Act").
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing

Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.

C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the "Energize NY Open C-PACE Local Law".

#### §2. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

**Benefited Property** – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

**Benefited Property Owner** – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC's Program administration fee, closing costs and fees, title and appraisal fees, professionals' fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

**Enabling Act** – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

**Finance Agreement** – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties

as a result of a default or late payment and costs and reasonable attorneys' fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

**Financing Parties** – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

**Municipality** – the County of Oneida a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

**Municipal Lien** – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

**Non-Municipal Lien** – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

**Program** – the Energize NY Open C-PACE Financing Program authorized hereby.

**Qualified Project** – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

**Qualified Property** — Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

**Qualified Property Owner** – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

**RPTL** – the Real Property Tax Law of the State, as amended from time to time.

**Secured Amount** – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

**State** – the State of New York.

#### §3. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the "Benefit Assessment Lien") on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.
- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

#### §4. Procedures for eligibility

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality's offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6 of this local law.

#### §5. Application criteria

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;

- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

#### §6. Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the "Finance Agreement"). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a "Benefited Property").
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

#### §7. Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the

Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a "charge" within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.

- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

#### §8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- The Finance Agreement shall provide for the repayment of the Secured Amount in В. installments made at least annually, as provided in a schedule attached to the Benefit The Annual Installment Assessment Lien (the "Annual Installment Amount"). Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the "Annual Installment Lien") and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.
- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each

Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.

- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as the Municipality's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

#### §9. Verification and report

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

**§10.** Separability. If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the

clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect upon filing with the Secretary of State.

APPROVED: Ways and Means Committee (May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote:

AYES 20 NAYS 0 ABSENT 3 (Ms. Washburn Messrs. Hendricks, Sacco)

Message of Necessity issued by the Chairman of the Board

RESOLUTION NO. 164

INTRODUCED BY: Mr. D'Onofrio

2ND BY: Mr. Joseph

RE: APPOINTMENTS TO THE ONEIDA COUNTY FIRE ADVISORY BOARD – FIRE

**CHIEFS ASSOCIATION** 

WHEREAS, Pursuant to County Law Section 225-a and Article XX, Section 2002, of the Oneida County Charter Oneida County Executive, Anthony J. Picente, Jr., has recommended appointments of the following persons from the Oneida County Fire Chiefs Association to serve on the Oneida County Fire Advisory Board, and

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

**RESOLVED,** That the following appointments to the Oneida County Fire Advisory Board are hereby confirmed pursuant to County Law Section 225-a and Article XX, Section 2002 of the Oneida County Charter, effective immediately:

Acting Chief Scott Ingersoll – Utica

Chief Joe Morosco – Yorkville

Chief William DeKing – Bridgewater

Past Chief Robert Eaton – Remsen

Term Expiring December 31, 2019

Term Expiring December 31, 2019

Term Expiring December 31, 2019

Past Chief Neil Sutherland – Stittville
Chief Ronald Brement – Rome
Past Chief Gary Schreppel – Clinton

Term Expiring December 31, 2020
Term Expiring December 31, 2020

APPROVED: Ways and Means Committee (May 8, 2019)

DATED: May 8, 2019

Adopted by the following vote: