



# ONEIDA COUNTY BOARD OF LEGISLATORS

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

## COMMUNICATIONS FOR DISTRIBUTION

March 24, 2010

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Mikale Billard  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Patricia A. Hudak  
Minority Leader

(Correspondence relating to upcoming legislation, appointments, petitions, etc)

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**ALL SUPPORTING DOCUMENTATION AVAILABLE IN THE  
CLERK'S OFFICE ON REQUEST**



Frank J. Nebush, Jr., Esq.  
Public Defender

Leland D. McCormac III, Esq.  
Chief Trial Counsel

Patricia A. Potter  
Confidential Secretary

Office of the Chief Investigator  
James J. Larabee  
Sr. Investigator  
Christian M. Nebush  
Confidential Investigator  
Nicholas J. LaBella  
Special Investigator

**Oneida County Public Defender**  
**Criminal Division**  
250 Boehlert Center at Union Station  
321 Main Street  
Utica, New York 13501  
Telephone: (315) 798-5870  
Facsimile Transmission: (315) 734-0364  
e-mail: pubdef@ocgov.net

Branch Offices

Utica City Court  
411 Oriskany Street, West  
Utica, New York 13502  
Telephone: (315) 735-6671  
Fax: (315) 724-3407

Rome City Court  
100 West Court Street  
Rome, New York 13440  
Telephone: (315) 334-7012  
Fax: (315) 334-1196

Violent Crimes Section  
Patrick J. Marthage, Esq.  
First Assistant Public Defender  
David A. Cooke, Esq.  
Assistant Public Defender  
Jennifer M. Compo  
Paralegal, Violent Crimes Section

Major Crimes Section  
Tina L. Hartwell, Esq.  
First Assistant Public Defender  
Robert R. Reittinger, Esq.  
First Assistant Public Defender  
Ray A. Eyles, Esq.  
Assistant Public Defender  
Luke A. Nebush, Esq.  
Assistant Public Defender

Appellate Section  
Mark C. Curley, Esq.  
Chief Appellate Counsel

City Courts Section  
James F. Kehoe, Esq. - Utica  
First Assistant Public Defender  
JoAnna Rae Corso, Esq. - Utica  
Assistant Public Defender  
Adam P. Tyksinski, Esq. - Utica  
Assistant Public Defender  
David L. Arthur, Esq. - Rome  
First Assistant Public Defender  
Doreen M. St. Thomas, Esq.  
Assistant Public Defender-P/T

Thursday, March 11, 2010

FN 20 10 - 166

Hon. Anthony J. Picente, Jr.  
Oneida County Executive  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

**PUBLIC SAFETY**

Re: **Certification of Section 606 Expenses**

**WAYS & MEANS**

Ian Hunter, Tamar A. Marshall, Lance Pridgen, Edwin Ramos, John A. Rizzi, Jose Rodriquez, Nicholas Rosario and Jose Santos, being inmates of the State of New York

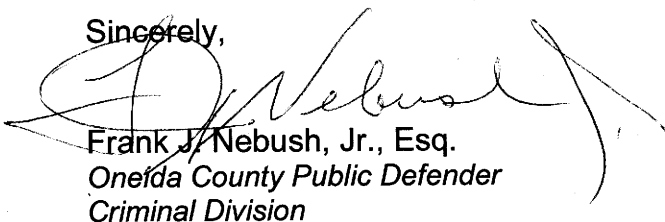
Dear Mr. Picente:

Enclosed are the following documents I am requesting be submitted to the Oneida County Board of Legislators for a resolution from them certifying my claim for reimbursement from the State of New York for representing the above state inmates pursuant to Section 606 of the Correction Law and Title 7, Part 410 of the NYCRR:

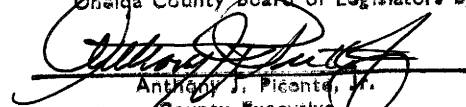
- 1) Proposed resolution certifying our expenses,
- 2) Sworn affidavit of the Oneida County Public Defender, Criminal Division setting forth the indictments and the time spent representing the above clients,

Should you need further information regarding this matter, please do not hesitate to contact me as soon as possible.

Sincerely,

  
Frank J. Nebush, Jr., Esq.  
Oneida County Public Defender  
Criminal Division

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

  
Anthony J. Picente, Jr.  
County Executive  
Date 3/11/10

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2010 MAR 11 PM 2:41

Frank J. Nebush, Jr.  
Public Defender

Leland D. McCormac III  
Chief Trial Counsel

Patricia A. Potter  
Confidential Secretary

Office of the Chief

Investigator

James J. Larabee  
Sr. Investigator  
Christian M. Nebush  
Confidential Investigator  
Nicholas J. LaBella  
Special Investigator

**Oneida County Public Defender  
Criminal Division**

250 Boehlert Center at Union Station  
321 Main Street  
Utica, New York 13501  
Telephone: (315) 798-5870  
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Branch Offices

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Assistant Public Defender  
David L. Arthur - Rome  
First Assistant Public Defender  
Doreen M. St. Thomas  
Assistant Public Defender-P/T

January 20, 2010

Daniel Ruzbasan  
Auditor III  
Oneida County Department of Audit and Control  
800 Park Avenue  
2nd Floor  
Utica, New York 13501

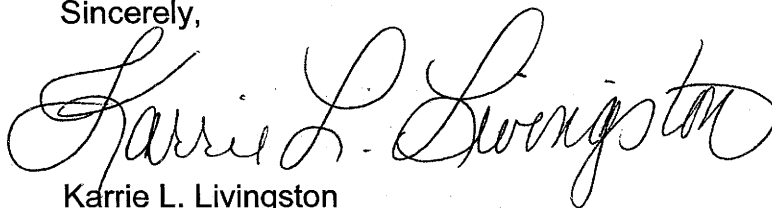
RE: Section 606

Dear Dan:

Enclosed is the Section 606 packet requesting reimbursement for eight inmates totaling \$8,137.51. Please forward accordingly.

Thank you for your assistance.

Sincerely,



Karrie L. Livingston  
Administrative Assistant  
Oneida County Public Defender  
Criminal Division

**In the Matter of the Claim of the:  
Oneida County Public Defender, Criminal Division**

under Section 606 of the Correction Law for Payment  
of Legal Expenses Incurred in the Defense of Inmates  
of the State of New York

**AFFIDAVIT IN SUPPORT OF  
CLAIM FOR PAYMENT OF  
OF  
SECTION 606 EXPENSES**

STATE OF NEW YORK ) ss:  
COUNTY OF ONEIDA )

Frank J. Nebush, Jr., being duly sworn, deposes and says:

1. I am a duly licensed attorney-at-law in the State of New York and the Public Defender, Criminal Division in and for the County of Oneida and make this affidavit for the purpose of certifying to the Oneida County Board of Legislators and the State of New York that the legal services of the attorneys and staff assigned to the above-mentioned matters are true and accurate.

2. All rates for legal services are based upon Section 722-b of the County Law of the State of New York.

3. The following times and dates represent legal services provided by this office on behalf of the following inmates, to wit:

Ian Hunter, Tamar A. Marshall, Lance Pridgen, Edwin Ramos, John A. Rizzi, Jose Rodriguez, Nicholas Rosario and Jose Santos, being inmates of the State of New York pursuant to Section 606 of the Correction Law of the State of New York. A true and accurate copy of the indictment follows the itemization of expenses for each inmate.

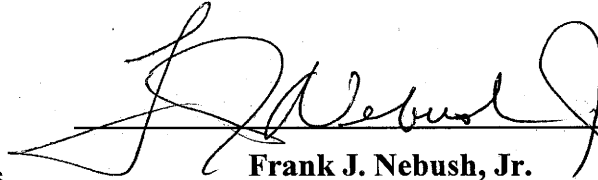
TOTAL OF EXPENSES

People v. Ian Hunter	\$1,519.19
People v. Tamar A. Marshall	\$880.52
People v. Lance Pridgen	\$1,023.39
People v. Edwin Ramos	\$908.44
People v. John A. Rizzi	\$511.24
People v Jose Rodriquez	\$1,619.13
People v. Nicholas Rosario	\$749.81
People v. Jose Santos	\$925.79

**TOTAL: \$8,137.51**

I hereby certify that the above statement is a true and accurate account of the expenses incurred in the defense of the above matters.

Dated: January 20, 2010



Frank J. Nebush, Jr.

Subscribed and sworn to before me this

20th day of January, 2010  
Patricia A. Potter

PATRICIA A. POTTER  
Notary Public, State of New York  
Qualified in Oneida County  
My Commission Expires 3/6/2010

PROPOSED RESOLUTION

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

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

WHEREAS, Section 606 of the Correction Law of the State of New York mandates reimbursement for such services to the County of Oneida for such legal defense, and

WHEREAS, the Oneida County Public Defender, Criminal Division has certified to the Oneida County Board of Legislators that the expense incurred by him while undertaking said legal representation amounted to the sum of **\$8,137.51** for undertaking the legal defense of:

Ian Hunter, Tamar A. Marshall, Lance Pridgen, Edwin Ramos, John A. Rizzi, Jose Rodriguez, Nicholas Rosario and Jose Santos, being inmates of the State of New York

WHEREAS, we have examined the documents provided by the Oneida County Public Defender, Criminal Division and find them to be a true and accurate account of his expenses concerning these matters,

NOW, THEREFORE BE IT RESOLVED, that this resolution and the vouchers, documents and affidavits of the Oneida County Public Defender, Criminal Division be forwarded to the Budget and Finance Office of the New York State Department of Correctional Services as required by Section 606 of the Correction Law and Title 7, Part 410 of the New York Code of Rules and Regulations for payment.

# ONEIDA COUNTY HEALTH DEPARTMENT

Adirondack Bank Building, 5<sup>th</sup> Floor, 185 Genesee St., Utica, NY 13501

ANTHONY J. PICENTE, JR.  
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.  
DIRECTOR OF ENVIRONMENTAL HEALTH  
SUPERVISOR-IN-CHARGE

## ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

March 11, 2010

MAR 12 2010

Anthony J. Picente, Jr.  
Oneida County Executive  
Oneida County Office Building  
800 Park Ave. – 10<sup>th</sup> Floor  
Utica, NY 13501

FN 20 10 - 167

**READ & FILED**

Dear Mr. Picente,

The Oneida County Health Department recently completed its 2010-2013 Community Health Assessment in collaboration with the Oneida County Health Coalition and representatives from Herkimer County. As a result of this process, physical activity and nutrition was identified as one of the health priorities for both Oneida and Herkimer Counties and a Regional Health Council was formed to identify and implement strategies to address challenges related to this issue. As you know, issues related to overweight and obesity puts adults and children at greater risk for numerous adverse health consequences and can result in significant medical and economic costs to the community.

One of the initial strategies proposed by the Regional Health Council is the request for the adoption of the attached resolution for the promotion of healthy lifestyles within the County which is also being proposed for adoption by Herkimer County leadership. We hope that this resolution will set the stage for stimulating action toward reducing barriers to accessing physical activity and healthy foods by all sectors of our communities. If adopted, we hope to announce the resolution at the 2010 Regional Health Summit on March 26<sup>th</sup> where numerous community representatives will be convening to launch their work toward promoting healthier lifestyles in the region.

Therefore, we request that you please accept and submit the attached proposed resolution for adoption by the Oneida County Board of Legislators. We look forward to your continued support of our Community Health Assessment activities and the collaborative efforts to improve health that have evolved from that process. If you have any questions, please do not hesitate to contact me.

Sincerely,



Daniel W. Gilmore, Ph.D.  
Acting Director of Health

Enclosure

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by



Anthony J. Picente, Jr.  
County Executive

Date 3/12/10



**PETITION BY ONEIDA COUNTY, N. Y., BOARD OF LEGISLATORS**

**for**

**MEMORIALIZING PETITION**

**F.N. 2010-167**

**SPONSOR(S):** Legislator

***RE: MEMORIALIZING PETITION DESIGNATING ONEIDA COUNTY AS A "HEALTHY ONEIDA COUNTY" FOR THE PURPOSES OF COMBATING OBESITY***

**WHEREAS**, obesity takes a tremendous toll on the health and productivity of many residents of New York State, and

**WHEREAS**, the annual cost of medical bills, workers compensation and lost productivity due to overweight, obesity and physical inactivity in the State exceeds six billion dollars annually, and

**WHEREAS**, supporting the health of residents and the local workforce would decrease chronic disease and health care costs and increase productivity, and

**WHEREAS**, Oneida County has a goal to promote and develop safe and healthy communities, now, therefore, be it hereby

**RESOLVED**, that Oneida County shall become a "Healthy Oneida County", and be it further

**RESOLVED**, that Oneida County shall collaborate with Herkimer County to combat obesity and promote a healthy lifestyle for its residents.

LEGISLATORS SUPPORTING PETITION

LEGISLATORS OPPOSING PETITION

# ONEIDA COUNTY HEALTH DEPARTMENT

Adirondack Bank Building, 5<sup>th</sup> Floor, 185 Genesee St., Utica, NY 13501

ANTHONY J. PICENTE, JR.  
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.  
DIRECTOR OF ENVIRONMENTAL HEALTH  
SUPERVISOR-IN-CHARGE

## ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

March 5, 2010

FN 20 10 - 168

Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

**PUBLIC HEALTH**

**WAYS & MEANS**

2010 MAR 19 PM 12:15  
RECEIVED  
ONEIDA COUNTY LEGISLATURE

Dear Mr. Picente:

Attached are four (4) copies of a contract amendment between Oneida County through its Health Department and the New York State Department of Health - Women, Infant's and Children (WIC) Program.

As you are aware, the WIC program helps to improve the nutrition and health status of eligible pregnant, postpartum, and breastfeeding women, infants and children in New York State through the provision of nutritious foods, nutrition/health education and counseling and linkages with other health and human service programs. Chapter 502 of the New York State Laws of 2009, commonly known as the Deficit Reduction Program (DRP), reduced several appropriations associated with Department of Health contracts. The DRP is limited to State funded appropriations. Because WIC contracts are predominately federally funded, the reduction to the Oneida County WIC program is 2.64% or \$31,349. This reduction will effect contract year October 1, 2009 through September 30, 2010. After this reduction, the total contract will be in the amount of \$1,155,949.

If you are in agreement, please forward to the Board of Legislators for their approval.

Feel free to contact me should you require additional information.

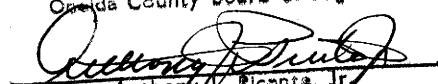
Sincerely,



Daniel W. Gilmore, Ph.D.  
Acting Public Health Director

attachments  
ry

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by



Anthony J. Picente, Jr.  
County Executive

Date 3/12/10

**CONTRACT SUMMARY SHEET - ONEIDA COUNTY HEALTH DEPARTMENT**

**DIVISION:** Women, Infants and Children Program (WIC) - C025776

**NAME AND ADDRESS OF VENDOR:** New York State Dept. of Health  
Division of Nutrition  
Bureau of Supplemental Foods  
Riverview Center, 150 Broadway  
6<sup>th</sup> Floor West  
Albany, New York 12204-2719

**VENDOR CONTACT PERSON:** Michael Rimkunas

**SUMMARY OF STATEMENTS:** Chapter 502 of the New York State Laws of 2009, commonly known as the Deficit Reduction Program (DRP), reduced several appropriations associated with Department of Health contracts. The DRP is limited to State funded appropriations because WIC contracts are predominately federally funded and reduced funding by 2.64%.

**PREVIOUS CONTRACT YEAR:** October 1, 2008 through September 30, 2009  
**TOTAL:** \$1,274,445

**THIS CONTRACT YEAR:** October 1, 2009 through September 30, 2010  
**TOTAL:** \$1,187,298 **Contract being reduced in the amount of \$31,349**

\_\_\_\_\_ **NEW**      \_\_\_\_\_ **RENEWAL**      \_\_\_\_\_ **X** \_\_\_\_\_ **AMENDMENT**

**FUNDING SOURCE:** Grant A4082 A4082.495 \*\$1,155,949

Less Revenues: \_\_\_\_\_

Federal Funds \$1,155,949

County Dollars -0-

\* Original contract reduced by \$31,319 from \$1,187,298 to \$1,155,949 as a result of Chapter 502 of the New York Sate Laws of 2009, commonly known as the Deficit Reduction Program (DRP).

**SIGNATURE:** Daniel W. Gilmore, Ph.D., Acting Public Health Director

**DATE:** February 25, 2010

# ONEIDA COUNTY HEALTH DEPARTMENT

A Adirondack Bank Building, 5<sup>th</sup> Floor, 185 Genesee St., Utica, NY 13501

ANTHONY J. PICENTE, JR.  
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.  
DIRECTOR OF ENVIRONMENTAL HEALTH  
SUPERVISOR-IN-CHARGE

## ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2010 MAR 10 PM 12:14

March 2, 2010

FN 20 10 - 169

Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

## PUBLIC HEALTH

Dear Mr. Picente:

Re: Healthy Neighborhoods Program

## WAYS & MEANS

The New York State Department of Health – Healthy Neighborhoods Program has advised the Oneida County Health Department that Oneida County has not been awarded funding for contract year 2009 through 2012. However, the term of the contract has been extended from September 30, 2009 through December 31, 2009.

Attached are five (5) copies of a signature page required to allow for the extension of the Healthy Neighborhoods Program.

This contract provides an outreach program designed to improve environment, safety and health conditions of the at-risk population of the Cornhill and West Utica area and regret our proposal was not chosen for funding.

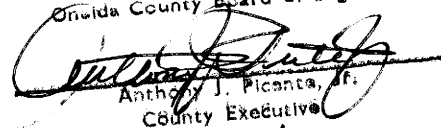
If this meets with your approval, please forward to the Board of Legislators.

Sincerely,



Daniel W. Gilmore, Ph.D.  
Acting Public Health Director

attachments  
ry

Reviewed and approved for submittal to the  
Oneida County Board of Legislators by  
  
Anthony J. Picente, Jr.  
County Executive  
Date 3/18/10

**CONTRACT SUMMARY SHEET - ONEIDA COUNTY HEALTH DEPARTMENT**

**DIVISION:** Environmental Health – Healthy Neighborhood C-021674

**NAME AND ADDRESS OF VENDOR:** New York State Department of Health  
Bureau of Community Environmental  
Health and Food Protection  
Flanigan Square, 547 River Street  
Troy, New York 12180-2216

**VENDOR CONTACT PERSON:** Michael J. Cambridge, Director

**DESCRIPTION OF CONTRACT:** An outreach program designed to improve environment, safety and health conditions of the at-risk populations of the Cornhill and West Utica area.

**SUMMARY STATEMENTS:** The major components of the program are asthma, lead poisoning prevention, fire safety and indoor air quality, as well as substandard housing and unintentional injuries. By providing educational literature, safety products and referrals to other community programs for assistance, the Oneida County Healthy Neighborhood Program staff looks to ensure safer housing, as well as fewer incidents of asthma attacks, lead poisoning, fire related injuries or death, carbon monoxide poisoning and unintentional injuries. In 2007, 167 smoke detectors, 162 carbon monoxide detectors, 166 fire extinguishers, 157 first aid kits, 164 cleaning products, 441 bath tub strips, coloring books, peak flow meters were given to homes in need of these items.

**PREVIOUS CONTRACT YEAR:** October 1, 2007 through September 30, 2008

**TOTAL:** \$120,105

**THIS CONTRACT YEAR:** October 1, 2009 through December 31, 2009

**TOTAL:** \$107,263

\_\_\_\_\_ **NEW**                      \_\_\_\_\_ **RENEWAL**                        X   **AMENDMENT**

**FUNDING SOURCE:** A4018.3418

State Funds		* \$ 107,263
County Dollars - Previous Grant		\$ -0-
County Dollars - This Grant		\$ -0-

**\* This is not a renewal in funding; only extending length of contract to December 31, 2009.**

**SIGNATURE:** Daniel W. Gilmore, Acting Public Health Director

**DATE:** March 2, 2010

///

# Oneida County Department of Public Works

ANTHONY J. PICENTE JR.  
County Executive

DENNIS S. DAVIS  
Commissioner

6000 Airport Road  
Oriskany, New York 13424  
Phone:(315) 793-6235  
Fax: (315) 768-6299

DIVISIONS:  
Buildings & Grounds  
Engineering  
Highways, Bridges & Structures  
Reforestation

March 8, 2010

FN 20 10 - 170

Anthony J. Picente Jr.  
Oneida County Executive  
800 Park Ave.  
Utica, NY 13501

**PUBLIC WORKS**

**WAYS & MEANS**

2010 MAR 10 PM 12:14  
ONEIDA COUNTY LEGISLATURE  
RECEIVED

Dear County Executive Picente,

Oneida County leases approximately 15,000 square feet of office space from ADRON, Inc. at 182 Genesee Street, Utica, NY for the Oneida County Health Department. The original lease agreement specifies limited janitorial cleaning services to be provided by the Landlord. The Landlord is in compliance with the lease specifications. However, the specified level of service is not adequate. There is a significant difference between the level of service provided by the Landlord and the level of service typically provided by Oneida County at other facilities occupied by County Employees. This has resulted in numerous grievances regarding the perceived lack of janitorial cleaning services.

The best solution to this problem is an amendment to the existing lease agreement making Oneida County responsible for janitorial cleaning services and crediting Oneida County the value of janitorial cleaning services currently provided. Therefore, a credit of \$7,962.00/year was negotiated with the Landlord and a proposal was received from Human Technologies Corporation (HTC) for \$18,141.36/year for janitorial cleaning services. HTC currently provides janitorial cleaning services at many County owned facilities and has provided an excellent level of service.

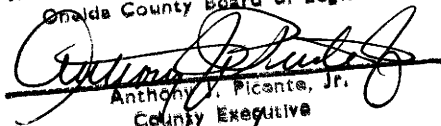
On February 10, 2010, the Oneida County Board of Acquisition & Contract accepted the proposal from HTC for \$18,141.36/year to provide janitorial cleaning services at 182 Genesee Street, Utica, NY, and approved an amendment to the original lease agreement with ADRON, Inc. to eliminate janitorial cleaning services and provide a credit of \$7,962.00/year. Please note that the Oneida County Health Department's 2010 Budget was developed and approved with funding for this lease modification.

Please consider the enclosed amendment to the original lease agreement with ADRON, Inc. at your earliest convenience. If acceptable, please forward to the Oneida County Board of Legislators for further consideration.

Thank you for your support.

Sincerely,

  
Dennis S. Davis  
Commissioner

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by  
  
Anthony J. Picente, Jr.  
County Executive

Date 3/16/10

cc: Mark E. Laramie, P.E., Deputy Commissioner  
File

12



**MODIFICATION OF LEASE**

**THIS MODIFICATION OF LEASE** dated as of the \_\_\_ day of March, 2010, by and between **ADRON BUILDING, LLC**, a New York Limited Liability Company, with an address at 185 Genesee Street, Utica, NY, ("Lessor"), and the **COUNTY OF ONEIDA**, a municipal corporation organized and existing under the laws of the State of New York, with office located at 800 Park Avenue, Utica, New York, 13501 ("Tenant" or "Lessee")

WHEREAS, on August 29, 2007, the Lessor and Lessee executed a Lease Agreement ("Original Lease"), for certain premises located at 185 Genesee Street, Utica, NY 13501, specifically the Demised Premises located on the fourth (4<sup>th</sup>) and fifth (5<sup>th</sup>) floor, and

WHEREAS, in said Original Lease at Article 1.01, the Lessor and Lessee agreed that the Demised Premises would consist of 9,500 square feet on the fifth floor of the building and 5,500 square feet on the 4<sup>th</sup> floor of the building, and

NOW THEREFORE, in consideration of the premises and other good and valuable consideration it is hereby agreed as follows:

1. Lessor and Lessee mutually agree to modify the Original Lease dated August 29, 2007 to reflect a reduction in rental payment per month by the amount of Six Hundred Sixty Three and 50/100 Dollars (\$663.50), in exchange for the Lessee assuming responsibility for its own janitorial services in and on the Demised Premises.

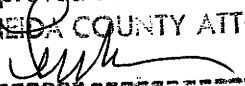
2. The Effective Date of this Modification of Lease shall be the date of execution hereof.

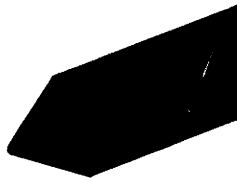
3. All other terms and conditions of the Original Lease dated August 29, 2007, shall remain in full force and effect as between the parties.

This Modification contains the understanding of the parties hereto. There are no promises, agreements, terms, conditions, warranties, representations or statements other than contained herein. This agreement shall apply to and bind the heirs, legal representatives, successors and assigns of the respective parties. This amendment may not be changed orally.

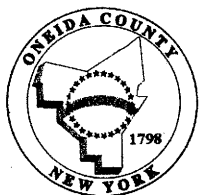
Lessor:  
  
\_\_\_\_\_  
ADRON BUILDING, LLC  
By: Joan Grande  
Title: Building Manager

Lessee:  
\_\_\_\_\_  
County of Oneida  
By: Anthony J. Picente, Jr.  
Oneida County Executive

Approved As To Form  
ONEIDA COUNTY ATTORNEY  
By: 







COUNTY OF ONEIDA  
OFFICE OF THE COUNTY EXECUTIVE

ANTHONY J. PICENTE JR.  
County Executive  
ce@ocgov.net

ONEIDA COUNTY OFFICE BUILDING  
800 PARK AVENUE  
UTICA, NEW YORK 13501

(315) 798-5800

FAX: (315) 798-2390 FN 20

www.ocgov.net

10 - 171 -

March 22, 2010

Oneida County  
Board of Legislators  
800 Park Avenue  
Utica, New York 13501

PUBLIC WORKS

WAYS & MEANS

2010 MAR 23 AM 9:23  
ONEIDA COUNTY LEGISLATURE

Honorable Members:

As you are all aware the County is under a consent order to fix the various problems concerned with the overflow from the sewer system into the Sauquoit Creek Pumping Station. In order to be in compliance with the order it is necessary to establish a capital project to start Phase IIA of the repairs.

Phase IIA will include the comprehensive rehabilitation of the system. The goal of this project is to complete a comprehensive sewer system rehabilitation program to correct and repair inflow and infiltration sources thereby reducing the flows being conveyed to the Sauquoit Creek Pumping Station by tributary communities. This program will repair structural deficiencies and continue to inspect and document sanitary sewer pipe liner conditions.

I therefore request your Board approval to establish **Capital Project HG-448 – Consent Order Sewer Repairs – Phase IIA**, as follows:

	<u>PROPOSESD</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonding.....	\$ 20,500,000.	\$ 0.	\$20,500,000.
Federal Aid.....	<u>0.</u>	<u>0.</u>	<u>0.</u>
TOTAL.....	\$20,500,000.	\$ 0.	\$20,500,000.

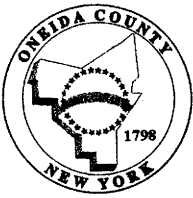
I also, respectfully request to have your Board act on this amendment at your **April 28, 2010** meeting.

Respectfully submitted,

Anthony J. Picente, Jr.  
Oneida County Executive

AJP:tbk  
Attach.

CC: County Attorney  
Comptroller  
Budget Director  
Commissioner of Water Pollution



COUNTY OF ONEIDA  
**OFFICE OF THE COUNTY EXECUTIVE**

**ANTHONY J. PICENTE JR.**

County Executive

ce@ocgov.net

ONEIDA COUNTY OFFICE BUILDING

800 PARK AVENUE

UTICA, NEW YORK 13501

(315) 798-5800

FAX: (315) 798-2390

www.ocgov.net

March 22, 2010

Oneida County  
Board of Legislators  
800 Park Avenue  
Utica, New York 13501

FN 20 10 - 172

PUBLIC WORKS

**WAYS & MEANS**

Honorable Members:

As you are all aware the County is under a consent order to fix the various problems concerned with the overflow from the sewer system into the Sauquoit Creek Pumping Station. In order to be in compliance with the order it is necessary to establish a capital project to start Phase I of the repairs.

Phase I will include the rehabilitation of the manholes. The goal of this project is to continue the inspection and the documentation of manhole conditions in the tributary communities to the Sauquoit Creek Pumping Station and repair structural defects and to eliminate excessive inflow and infiltration.

I therefore request your Board approval to establish **Capital Project HG-447 – Consent Order Sewer Repairs – Phase I**, as follows:

	<u>PROPOSED</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonding.....	\$ 5,300,000.	\$ 0.	\$5,300,000.
Federal Aid.....	<u>0.</u>	<u>0.</u>	<u>0.</u>
TOTAL.....	\$5,300,000.	\$ 0.	\$5,300,000.

I also, respectfully request to have your Board act on this amendment at your **April 28, 2010** meeting.

Respectfully submitted,

Anthony J. Picente, Jr.  
Oneida County Executive

AJP:tbk

Attach.

CC: County Attorney  
Comptroller  
Budget Director  
Commissioner of Water Pollution

RECEIVED  
ONEIDA COUNTY LEGISLATIVE  
2010 MAR 23 AM 9:22

**JOSEPH J. TIMPANO**  
Comptroller



**SHERYL A. BROWN**  
Deputy Comptroller  
**DEBORAH S. JOANIS**  
Deputy Comptroller - Administration

**ONEIDA COUNTY DEPARTMENT OF AUDIT & CONTROL**

County Office Building ♦ 800 Park Avenue ♦ Utica, New York 13501  
(315) 798-5780 ♦ Fax: (315) 798-6415  
E-Mail: jtimpano@co.oneida.ny.us

FN 20 10 - 173-176

2010 MAR 23 AM 9:23

RECEIVED  
ONEIDA COUNTY LEGISLATURE

# Memo

## PUBLIC WORKS

### WAYS & MEANS

**To:** Anthony J. Picente Jr., County Executive  
Board of Legislators  
**From:** Joseph J. Timpano, Comptroller *JJT*  
**Date:** March 22, 2010  
**Re:** Bond Resolutions

Attached are bond resolutions for funding the two new capital sewer projects to complete Phases I and IIA of the DEC consent order sewer system repairs.

These authorizations allow us to effectuate this borrowing through the Environmental Facilities Corporation (EFC) which will provide us with interest subsidies and potentially significant principal reductions from Federal Stimulus funding.

Any remaining principal and interest due on these two issues will be paid from the reserves generated by surcharges assessed to the applicable users.

Also attached are two legally required resolutions approving the increase and improvement to the facilities of the sewer district.

I respectfully request that Ways and Means consider these resolutions at their April 14, 2010 meeting so they may be acted upon by the full Board of Legislators at their April 28, 2010 meeting.

Thank you.

Cc: Mike Billard, Clerk of the Board  
Steve Devan, Commissioner WPC  
Sheryl Brown, Deputy Comptroller  
Daniel Ruzbasan, Auditor III

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

*Anthony J. Picente, Jr.*  
Anthony J. Picente, Jr.  
County Executive

Date 3/23/10

INTRODUCTORY  
NO. \_\_\_\_\_

F.N. 2010- 173

## ONEIDA COUNTY LEGISLATORS

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: \_\_\_\_\_

2ND BY: \_\_\_\_\_

A RESOLUTION AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT, IN THE COUNTY OF ONEIDA, NEW YORK, AT AN AGGREGATE MAXIMUM ESTIMATED COST OF \$5,300,000, AND AUTHORIZING THE ISSUANCE OF \$5,300,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Oneida, New York, as follows:

Section 1. The increase and improvement of facilities of the Oneida County Sewer District, consisting of a sanitary sewer collection system-manhole rehabilitation project for all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, at a maximum estimated cost of \$5,300,000, together with incidental expenses and improvements in connection therewith, is hereby approved.

Section 2. The plan for the financing of such aggregate maximum estimated cost is by the issuance of \$5,300,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, allocated as heretofore described in Section 1 hereof.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 40 years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of said County of Oneida, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. To the extent not paid by user charges adopted pursuant to County Law Section 266, there shall annually be apportioned and assessed upon the

several lots and parcels of land within said District in the manner provided by law, an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Comptroller, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the County, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the County Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the *Observer Dispatch* and in the *Rome Sentinel*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

APPROVED:

DATED:

Adopted by the following roll call vote:

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_

**INTRODUCTORY**  
**NO.** \_\_\_\_\_

F.N. 2010- 174

**ONEIDA COUNTY LEGISLATORS**

**RESOLUTION NO.** \_\_\_\_\_

**INTRODUCED BY:** \_\_\_\_\_

**2ND BY:** \_\_\_\_\_

RESOLUTION DATED APRIL 14, 2010.

A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT IN AND FOR THE COUNTY OF ONEIDA, NEW YORK. (HG446)

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Oneida, New York, has established a County sewer district designated and known as the Oneida County Sewer District; and

WHEREAS, the Board of the Oneida County Sewer District has duly caused a map and report, together with an estimate of cost, to be prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase and improvement of the facilities of said Sewer District; and

WHEREAS, said proposed increase and improvement of facilities of said Sewer District consists of a sanitary sewer collection system-manhole rehabilitation project for all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, at a maximum estimated cost of \$5,300,000, together with incidental expenses and improvements in connection with the aforescribed project, as more fully described in such map and report; and

WHEREAS, said County Legislature duly adopted a resolution on March 24, 2010, calling a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, said public hearing to be held at the County Office Building, in Utica, New York, in said County, on the 14th day of April, 2010, at \_\_\_\_\_ o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said public hearing was duly held at the time and place aforesaid; and

WHEREAS, said County Legislature has duly considered the evidence at said public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the County Legislature of the County of Oneida, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Oneida County Sewer District in the County of Oneida, New York as hereinbefore set forth and as more fully described in the aforesaid map and report including an estimate of cost, and the same is hereby authorized at an aggregate maximum estimated cost of \$5,300,000, all as more fully described in the preambles hereby.

Section 2. The Board of said Oneida County Sewer District is hereby authorized and directed to proceed with such increase and improvement of the facilities of said Sewer District in the manner provided by Section 262 of the County Law.

Section 3. The Clerk of the County Legislature shall, within ten (10) days, cause a certified copy of such resolution to be recorded in the Office of the Clerk of the County of



Oneida and when so recorded such resolution shall be presumptive evidence of the regularity of the proceedings for the authorization of the increase and improvement of the facilities of said Oneida County Sewer District as more fully described herein and of all other actions taken by the County Legislature in relation thereto.

Section 4. This resolution shall take effect immediately.

APPROVED:

DATED:

Adopted by the following roll call vote:

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_

INTRODUCTORY  
NO. \_\_\_\_\_

F.N. 2010- 175

**ONEIDA COUNTY LEGISLATORS**

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: \_\_\_\_\_

2ND BY: \_\_\_\_\_

A RESOLUTION AUTHORIZING THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT, IN THE COUNTY OF ONEIDA, NEW YORK, AT AN AGGREGATE MAXIMUM ESTIMATED COST OF \$20,500,000, AND AUTHORIZING THE ISSUANCE OF \$20,500,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Oneida, New York, as follows:

Section 1. The increase and improvement of facilities of the Oneida County Sewer District, consisting of sanitary sewer collection system rehabilitation/replacement project for all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, at a maximum estimated cost of \$20,500,000, together with incidental expenses and improvements in connection therewith, is hereby approved.

Section 2. The plan for the financing of such aggregate maximum estimated cost is by the issuance of \$20,500,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 40 years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of said County of Oneida, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. To the extent not paid by user charges adopted pursuant to County Law Section 266, there shall annually be apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law, an amount

sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Comptroller, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the County, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the County Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the *Observer Dispatch* and in the *Rome Sentinel*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

APPROVED:

DATED:

Adopted by the following roll call vote:

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_

26.

**INTRODUCTORY**  
**NO. \_\_\_\_\_**

F.N. 2010- 176

**ONEIDA COUNTY LEGISLATORS**

**RESOLUTION NO. \_\_\_\_\_**

**INTRODUCED BY: \_\_\_\_\_**

**2ND BY: \_\_\_\_\_**

RESOLUTION DATED APRIL 28, 2010.

A RESOLUTION APPROVING AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ONEIDA COUNTY SEWER DISTRICT IN AND FOR THE COUNTY OF ONEIDA, NEW YORK. (HG447)

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Oneida, New York, has established a County sewer district designated and known as the Oneida County Sewer District; and

WHEREAS, the Board of the Oneida County Sewer District has duly caused a map and report, together with an estimate of cost, to be prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase and improvement of the facilities of said Sewer District; and

WHEREAS, said proposed increase and improvement of facilities of said Sewer District consists of a sanitary sewer collection system rehabilitation/replacement project for all municipalities served by the Sauquoit Creek Pumping Station consisting of the Towns of Paris and Whitestown and the Villages of Clayville, New Hartford, Yorkville, New York Mills, Whitesboro and Oriskany and a portion of the Town of New Hartford, at a maximum estimated cost of \$20,500,000, together with incidental expenses and improvements in connection with the aforescribed project, as more fully described in such map and report; and

WHEREAS, said County Legislature duly adopted a resolution on March 24, 2010, calling a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, said public hearing to be held at the County Office Building, in Utica, New York, in said County, on the 14th day of April, 2010, at \_\_\_\_\_ o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said public hearing was duly held at the time and place aforesaid; and

WHEREAS, said County Legislature has duly considered the evidence at said public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the County Legislature of the County of Oneida, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Oneida County Sewer District in the County of Oneida, New York as hereinbefore set forth and as more fully described in the aforesaid map and report including an estimate of cost, and the same is hereby authorized at an aggregate maximum estimated cost of \$20,500,000, all as more fully described in the preambles hereby.

Section 2. The Board of said Oneida County Sewer District is hereby authorized and directed to proceed with such increase and improvement of the facilities of said Sewer District in the manner provided by Section 262 of the County Law upon receipt of consent from the State Comptroller as to the expenditures for such project.

Section 3. The Clerk of the County Legislature shall, within ten (10) days, cause a certified copy of such resolution to be recorded in the Office of the Clerk of the County of Oneida and when so recorded such resolution shall be presumptive evidence of the regularity of the proceedings for the authorization of the increase and improvement of the facilities of said Oneida County Sewer District as more fully described herein and of all other actions taken by the County Legislature in relation thereto.

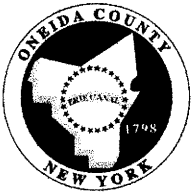
Section 4. This resolution shall take effect immediately.

APPROVED:

DATED:

Adopted by the following roll call vote:

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_



**ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY & WATER POLLUTION CONTROL**

51 Leland Ave, PO Box 442, Utica, NY 13503-0442

(315) 798-5656

wpc@ocgov.net

FAX 724-9812

**Anthony J. Picente, Jr.**  
County Executive

**Steven P. Devan, P.E.**  
Commissioner

March 15, 2010

FN 20 10 - 177

The Honorable Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Ave.  
Utica, NY 13501

**PUBLIC WORKS**

**WAYS & MEANS**

2010 MAR 29 AM 9:51  
ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY & WATER POLLUTION CONTROL

Re: Work Order #7-3 Public Information/Public Outreach (FY2010), Amendment 3  
Shumaker Consulting Engineering and Land Surveying, P.C.

Dear County Executive Picente:

On July 25, 2007 the Oneida County Board of Legislators authorized hiring Shumaker Consulting Engineering and Land Surveying, P.C. to provide engineering services for compliance with the consent order issued by the New York State Department of Environmental Conservation and for resolving permit issues affecting the Oneida County Water Pollution Control Plant. The formal contract between Shumaker and Oneida County, approved on November 28, 2007 by the Board of Legislators, calls for the submission of Work Orders with associated pricing for specific tasks that are needed as the project develops.

Shumaker has submitted for consideration the Work Order #7-3. This work order covers services related to the support of the Steering Committee, the Working Group and any subcommittees formed by the Steering Committee for FY2010. As this work is specific to the Steering Committee and the Sanitary Sewer Overflow Abatement Project, funding will be provided by capital project HG406.

Department staff has reviewed this work order and its scope of work and find it acceptable. It is recommended that this work order be accepted with an estimated cost of \$66,000.

I would appreciate consideration of this work order by you and the Board of Legislators at your earliest possible convenience. I am available to meet with you or the Board at your convenience to discuss this request and explain this item in more detail.

Thank you for your consideration in this matter.

Sincerely,

**THE ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY AND WATER POLLUTION CONTROL**

Steven P. Devan, P.E.  
Commissioner

Cc: Karl E. Schrantz, P.E. – Shumaker Engineering

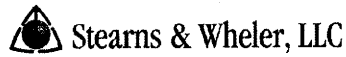
Attachments: Six(6) copies of Work Order #7-3

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive

Date 3/22/10





January 25, 2010

Mr. Steven Devan, P.E., Commissioner  
Oneida County Department of Water Quality  
& Pollution Control  
P.O. Box 442  
Utica, NY 13503-0442

**Re: SPDES Permit Compliance and CSO/SSO Abatement Project  
SCE No. 07060.00**

Dear Mr. Devan:

Shumaker Consulting Engineering & Land Surveying, P.C. in conjunction with Stearns & Wheeler, LLC, and Brown and Caldwell (SCE Team) is pleased to provide the following Work Order for services to be performed for the above referenced project:

**CAPITAL PROJECT BUDGET**

**Work Order 7 – Amendment 3 – Program Administration (FY 2010)**

**OPERATING BUDGET**

**Work Order 7 – Amendment 4 – Public Information/Public Outreach (FY 2010)**

**Work Order 14 – CMOM Assessment and Readiness Reviews**

**Work Order 16 – Water Pollution Control Plant – Physical Condition Assessment**

Work will be performed under the Terms and Conditions of the Master Agreement for Consulting Services dated July 16, 2007, between Shumaker Consulting Engineering & Land Surveying, P.C. and Oneida County.

Should you have any questions or need additional information please do not hesitate to contact us at (315) 724-0100.

Very truly yours,

**SHUMAKER CONSULTING ENGINEERING  
& LAND SURVEYING, P.C.**

Karl E. Schrantz, P.E.  
Managing Engineer

KES/krf

Enclosures

Shumaker Consulting Engineering & Land Surveying, P.C., 430 Court Street, Utica, NY 13502  
Stearns & Wheeler, LLC One Remington Park Drive, Cazenovia, NY 13035  
Brown & Caldwell 290 Elwood Davis Road, Suite 290, Liverpool, NY 13088



**ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY & WATER POLLUTION CONTROL**

51 Leland Ave, PO Box 442, Utica, NY 13503-0442

(315) 798-5656

wpc@ocgov.net

FAX 724-9812

**Anthony J. Picente, Jr.**  
County Executive

**Steven P. Devan, P.E.**  
Commissioner

FN 20 10 = 178

**PUBLIC WORKS**

**WAYS & MEANS**

ONEIDA COUNTY LEGISLATURE  
2010 MAR 22 AM 9:52

March 15, 2010

The Honorable Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Ave.  
Utica, NY 13501

- Re: Work Order #7-4 Public Information/Public Outreach (FY2010), Amendment 4
- Work Order #13-1 Institutional Structure and Funding Strategies, Amendment 1
- Work Order #14 CMOM Assessment and Readiness Reviews
- Work Order #16 Water Pollution Control Plant-Physical Condition Assessment
- Shumaker Consulting Engineering and Land Surveying, P.C.

Dear County Executive Picente:

On July 25, 2007 the Oneida County Board of Legislators authorized hiring Shumaker Consulting Engineering and Land Surveying, P.C. to provide engineering services for compliance with the consent order issued by the New York State Department of Environmental Conservation and for resolving permit issues affecting the Oneida County Water Pollution Control Plant. The formal contract between Shumaker and Oneida County, approved on November 28, 2007 by the Board of Legislators, calls for the submission of Work Orders with associated pricing for specific tasks that are needed as the project develops.

Shumaker has submitted for consideration the work orders listed above. These work orders were included in the Department operating budget, G8110.195, as they affect the entire District, not just the municipalities tributary to the Sauquoit Creek Pumping Station. A brief description of each work order with associated cost estimates are as follows. A detailed scope of work may be found in the individual work orders.

WO#7-4 Public Information/Public Outreach (FY2010), Amendment 4 **\$50,000**  
 This work order establishes a budget for FY2010 for public information/public outreach that impacts the entire District. Tasks under this work order include consultation services, program development and issue management, media relations and communications as well as member community meeting coordination. CMOM and private I&I will be significant district-wide issues.

WO#13-1 Institutional Structure and Funding Strategies, Amendment 1 **\$188,000**  
 This work order establishes a budget to examine in detail the overall institutional structure of the Sewer District and make recommendations, in conjunction with the Steering Committee, as to potential institutional and financial structure of the Sewer District. Financial impacts of this project and potential future projects will also be examined under this work order. Continued coordination with funding agencies is also covered in the work order.

The Honorable Anthony J. Picente, Jr.  
March 15, 2010  
Page 2 of 2



WO#14 CMOM Assessment and Readiness Reviews

\$149,000

Capacity Management, Operations, and Maintenance will be an integral part of future operations of the District and its member communities to insure that sewer infrastructure is properly maintained, managed, repaired and replaced. This work order lays the groundwork for establishing a formal District wide CMOM program. It should be noted that this work order is timely as USEPA has scheduled sanitary sewer overflow compliance inspections with all communities served by the District, except Utica.

WO #16 Water Pollution Control Plant-Physical Condition Assessment

\$60,000

The Oneida County Water Pollution Control Plant is approximately 40 years old. It will require capital investment into its infrastructure to insure that it continually operates correctly in the future. This work order will examine the structural, architectural, electrical and mechanical components of the facility with the intent of establishing a 20-year capital improvement plan.

Department staff has reviewed these works orders and their scope of work and find them acceptable. It is recommended that these work orders be accepted with an estimated cost of \$447,000.

I would appreciate consideration of these work orders by you and the Board of Legislators at your earliest possible convenience. I am available to meet with you or the Board at your convenience to discuss this request and explain these items in more detail.

Thank you for your consideration in this matter.

Sincerely,

**THE ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY AND WATER POLLUTION CONTROL**

A handwritten signature in black ink, appearing to read "Steven P. Devan".

Steven P. Devan, P.E.  
Commissioner

Cc: Karl E. Schrantz, P.E. – Shumaker Engineering

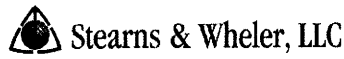
Attachments: Six(6) copies of Work Order #7-4  
Six(6) copies of Work Order #13-1  
Six(6) copies of Work Order #14  
Six(6) copies of Work Order #16

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

A handwritten signature in black ink, appearing to read "Anthony J. Picente, Jr.". Below the signature is a horizontal line.

Anthony J. Picente, Jr.  
County Executive

Date 3/22/10



January 25, 2010

Mr. Steven Devan, P.E., Commissioner  
Oneida County Department of Water Quality  
& Pollution Control  
P.O. Box 442  
Utica, NY 13503-0442

**Re: SPDES Permit Compliance and CSO/SSO Abatement Project  
SCE No. 07060.00**

Dear Mr. Devan:

Shumaker Consulting Engineering & Land Surveying, P.C. in conjunction with Stearns & Wheler, LLC, and Brown and Caldwell (SCE Team) is pleased to provide the following Work Order for services to be performed for the above referenced project:

**CAPITAL PROJECT BUDGET**

**Work Order 7 – Amendment 3 – Program Administration (FY 2010)**

**OPERATING BUDGET**

**Work Order 7 – Amendment 4 – Public Information/Public Outreach (FY 2010)**

**Work Order 14 – CMOM Assessment and Readiness Reviews**

**Work Order 16 – Water Pollution Control Plant – Physical Condition Assessment**

Work will be performed under the Terms and Conditions of the Master Agreement for Consulting Services dated July 16, 2007, between Shumaker Consulting Engineering & Land Surveying, P.C. and Oneida County.

Should you have any questions or need additional information please do not hesitate to contact us at (315) 724-0100.

Very truly yours,

**SHUMAKER CONSULTING ENGINEERING  
& LAND SURVEYING, P.C.**

Karl E. Schrantz, P.E.  
Managing Engineer

KES/krf

Enclosures

Shumaker Consulting Engineering & Land Surveying, P.C., 430 Court Street, Utica, NY 13502  
Stearns & Wheler, LLC One Remington Park Drive, Cazenovia, NY 13035  
Brown & Caldwell 290 Elwood Davis Road, Suite 290, Liverpool, NY 13088



ONEIDA COUNTY

ANTHONY J. PICENTE JR.  
COUNTY EXECUTIVE

DEPARTMENT OF FINANCE

County Office Building ♦ 800 Park Avenue ♦ Utica, New York 13501  
(315) 798-5750 ♦ Fax: (315) 735-8371 ♦ www.ocgov.net

FN 20 10 - 179

February 25, 2010

Mr. Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

**INTERNAL AFFAIRS**

**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2010 MAR 23 AM 10:17

Dear Mr. Picente:

Enclosed, please find three (3) original Extension Agreements signed by Linda Maar, of Chase Bank, requesting a one (1) year extension on the attached contract for on-route pickup and delivery by Loomis Armored US, Inc. Our office agrees with this request.

After your consideration, please forward this to the Board of Legislators for their approval.

Sincerely yours,

Anthony Carvelli  
Commissioner of Finance

cc: Linda Maar, Chase Bank  
Linda M.H. Dillon, County Attorney

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive  
Date 3/26/10

Oneida Co. Department: FINANCE

Competing Proposal \_\_\_\_\_  
Only Respondent \_\_\_\_\_  
Sole Source RFP \_\_\_\_\_

ONEIDA COUNTY BOARD  
OF LEGISLATORS

Name of Proposing Organization:

Loomis Armored US, Inc.

Title of Activity or Service:

ARMOR CAR SERVICES FOR PICKUP & DELIVERY OF DEPOSITS.

Proposed Dates of Operation:

Upon approval to 12/31/10

Client Population/Number to be Served:

Summary Statements

1) Narrative Description of Proposed Services

Vendor will provide ARMOR CAR services for the customer (ONEIDA COUNTY).

2) Program/Service Objectives and Outcomes:

One-yr agreement for collective, sequential, on-route pickup & delivery of items between the Co. Office Bldg & Chase

3) Program Design and Staffing

Banking Center.

Total Funding Requested: \$ 0 County Dollars Account #

(Chase Bank to pay costs involved)

Oneida County Dept. Funding Recommendation:

Proposed Funding Sources (Federal \$/ State \$/County \$): JP MORGAN CHASE

Bank will pay Vendor

Cost Per Client Served:

Zero County #'s

Past Performance Data:

O.C. Department Staff Comments:



RECEIVED

FEB 25 2010

ONEIDA COUNTY COMMISSIONER OF FINANCE

Request for Payment of Vendor Services

Name of Customer: County of Oneida

Name of Vendor: Loomis Armored US, Inc.

Description of Services: Armor car services for pickup and delivery of deposits.

Legal Description of Service Arrangement: Contract exists between Loomis and County of Oneida.  
One year contract automatically extends unless termination by either party on 60 days written notice.  
(If formal contract exists, specify title, date, etc. If no formal contract exists, please describe legal arrangement (e.g., month-to-month, terminable with notice, etc.)

In order to induce JPMorgan Chase Bank, N.A. (the "Bank") to approve its paying the Vendor for providing the Services, the undersigned Customer hereby:

- Informs the Bank that the Vendor is or will be providing the Services to the Customer
- Assigns to the Bank all the rights under the Service Arrangement
- Acknowledges that, notwithstanding the above assignment, the Bank does not assume any obligations under the Service Arrangement and that the Customer must look solely to the Vendor (and not the Bank) for performance of the Services pursuant to the Service Arrangement and for resolution of any disputes in connection therewith
- Acknowledges that the Bank will make payments to the Vendor only to the extent of accrued earnings credits with respect to the Customer's deposits at the Bank as made available to the Customer by the Bank from time to time (or as Bank and Customer may otherwise agree) and that if the Bank at any time makes Vendor payments which exceed such available earnings credits the Customer will, if the Bank so requires, provide such additional deposit balances as the Bank shall require, reimburse the Bank for such excess payments or make such other arrangements as shall be mutually agreed or the Bank may, among other things, elect to change the terms of, suspend or terminate this Vendor payment arrangement
- Represents that all of the funds in all of the Customer's deposits at the Bank that will accrue earnings credits to be used as aforesaid will at all times consist solely of the Customer's own funds (i.e., not funds held in a fiduciary capacity or otherwise expressly representing monies owned by others) *(delete remainder if inapplicable)* except that the Customer collects tax payments for other governmental entities as authorized pursuant to applicable law or otherwise, and the use as aforesaid by Customer of earnings credits accrued on such payments after collection but prior to their distribution to such other entities is in accordance with applicable law and/or agreements with or authorizations from such other entities
- Agrees that the Bank will only make payments with respect to services set forth on any Vendor invoice submitted to the Bank after the Bank has completed such review thereof as the Bank deems necessary or appropriate, that such review may include Customer verification of the amount owed and services performed and that all such payments are subject to Bank approval in its discretion
- Represents that the Vendor is not an subsidiary or affiliate of the Customer and no part of the payments which Bank may make to the Vendor pursuant to this Request have been or will be rebated or otherwise directly or indirectly paid to the Customer
- Acknowledges that the Bank will not start making any Vendor payments pursuant to this Request until it has returned to the Customer a copy of this Request approved by the Bank (in its discretion) and, further, that the Bank may change the terms of, suspend or terminate this Vendor payment arrangement being provided to the Customer at any time in its discretion.

Duly executed on behalf of Customer

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

Approved by JPMorgan Chase Bank, N.A.

By: Linda Maar  
 Name: Linda Maar  
 Title: Vice President

Date: \_\_\_\_\_

Reference No: \_\_\_\_\_

Approved At To Firm  
 ONEIDA COUNTY ATTORNEY  
 By: \_\_\_\_\_

# ONEIDA COUNTY HEALTH DEPARTMENT

185 Genesee Street, Utica, New York 13501

ANTHONY J. PICENTE JR.  
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.  
DIRECTOR OF ENVIRONMENTAL HEALTH  
SUPERVISOR-IN-CHARGE

## ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

March 8, 2010

FN 20/0 - 180

Anthony J. Picente, Jr.  
County Executive  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

**PUBLIC HEALTH**

**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2010 MAR 23 AM 10:05

Re: C - 021564 Grant

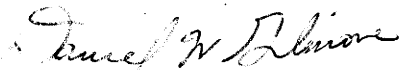
Dear Mr. Picente:

Attached are three (3) copies of an amendment between Oneida County through its Health Department and New York State Department of Health-Children with Special Health Care Needs Program.

This amendment is for contract year April 1, 2009 through March 31, 2010 in the amount of \$1,111.00. Payment of the Cost of Living Adjustment will be made separately from authorized contract payments. Cost of Living Adjustment Funds must be used to promote the recruitment and retention of staff or respond to other critical non-personal service costs during this fiscal year.

If this amendment meets with your approval, please forward to the Board of Legislators.

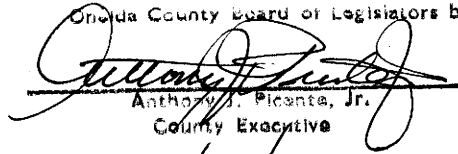
Sincerely,



Daniel W. Gilmore, Ph.D.  
Director of Environmental Health  
Supervisor-in-Charge

DWG/bc  
Attachments

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by



Anthony J. Picente, Jr.  
County Executive

Date 3/12/10



**CONTRACT SUMMARY SHEET - ONEIDA COUNTY HEALTH DEPARTMENT**

**DIVISION:** Special Children Services

**NAME AND ADDRESS OF VENDOR:** NYS Department of Health, Division of Family Health, Fiscal Unit, ESP Corning Tower, Room 876, Albany NY 12237-0657

**VENDOR CONTACT PERSON:** Gary Wood, Health Program Administrator III  
Fiscal Unit, Division of Family Health

**DESCRIPTION OF CONTRACT:** The Children with Special Health Care Needs Program (CSHCN) is a public health program that provides information and referral services for health and related areas for families of CSHCN.

**CLIENT POPULATION SERVED:** Children 0 – 21 who have or are suspected of having a serious or chronic physical, developmental, behavioral or emotional condition and who also require health and related services of a type or amount beyond that required by children generally.

**NYS FISCAL YEAR:** APRIL 1, 2009 THROUGH MARCH 31, 2010

**COLA AMOUNT:** \$1,111.00

         NEW                               RENEWAL                          X     AMENDMENT

**FUNDING SOURCE:** Grant Award for cost of living adjustment (COLA)

**ACCOUNT NUMBER:** A3401.02

State Funds	\$1,111.00		
County Dollars - Previous Grant		\$	<u>    0.00    </u>
County Dollars - This Grant		\$	<u>    0.00    </u>

**SIGNATURE:** DANIEL W. GILMORE, PhD.  
DIRECTOR OF ENVIRONMENTAL HEALTH  
SUPERVISOR-IN-CHARGE

**DATE:** March 8, 2010

# ONEIDA COUNTY HEALTH DEPARTMENT

A Adirondack Bank Building, 5<sup>th</sup> Floor, 185 Genesee St., Utica, NY 13501

ANTHONY J. PICENTE, JR.  
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.  
DIRECTOR OF ENVIRONMENTAL HEALTH  
SUPERVISOR-IN-CHARGE

## ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

FN 20 10 - 181

ONEIDA COUNTY LEGISLATURE  
2010 MAR 29 AM 10:03

March 5, 2010

Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

**PUBLIC HEALTH**  
**WAYS & MEANS**

Dear Mr. Picente:

Re: WM09835094

The Oneida Health Department has been awarded a contract in the amount of \$80,285 from the New York State Office of Homeland Security. The term of this contract will be in effect from August 10, 2009 through August 9, 2011.

The goal of this contract is to support health emergency preparedness planning efforts to prepare for and respond to a health emergency. This contract has four objectives: to enhance awareness of emergency preparedness, prevention and response; to enhance sustainable homeland security training program; to enhance plans, procedure, and protocols; to enhance mass care shelter and alternative medical facilities operations.

Attached are four (4) copies of the contract for signature and notarization. As requested by the New York State Office of Homeland Security, if approved by the Board of Legislators, please sign and notarize five (5) signature sheets as well as the signature sheet attached to the contract. Six copies of the signature sheet and one copy of the contract must be returned to the Office of Homeland Security.

Feel free to contact me should you require additional information.

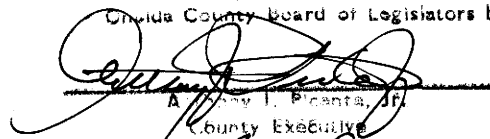
Sincerely,



Daniel W. Gilmore, Ph.D.  
Acting Public Health Director

attachments  
ry

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

  
Anthony J. Picente, Jr.  
County Executive  
Date 3/22/10

**CONTRACT SUMMARY SHEET - ONEIDA COUNTY HEALTH DEPARTMENT**

**DIVISION:** Administration

**NAME AND ADDRESS OF VENDOR:** New York State  
Office of Homeland Security  
1220 Washington Avenue  
State Office Building Campus  
Building 7A, 6<sup>th</sup> Floor  
Albany, New York 12242

**SUMMARY OF STATEMENTS:** The Oneida County Health Department has been awarded a contract from the New York State Office of Homeland Security. The goal of this contract is to support health emergency preparedness planning efforts to prepare for and respond to a health emergency. This contract has four objectives; to enhance awareness of emergency preparedness, prevention and response, to enhance sustainable homeland security training program, to enhance plans, procedure, and protocols and to enhance mass care shelter and alternative medical facilities operations.

**PREVIOUS CONTRACT YEAR:** New Contract  
**TOTAL:**

**THIS CONTRACT YEAR:** August 10, 2009 through August 9, 2011  
**TOTAL:** \$80,285

X NEW                       RENEWAL                       AMENDMENT

<b><u>FUNDING SOURCE:</u></b> A4010	\$80,285
Less Revenues: _____	-0-
Federal Funds:	\$80,285
County Dollars – Previous Contract	-0-
County Dollars – This Contract	-0-

Funding for this contract is provided by the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMMA).

**SIGNATURE:** Daniel W. Gilmore, Ph.D. Acting Public Health Director  
**DATE:** March 5, 2010

# ONEIDA COUNTY HEALTH DEPARTMENT

*A Adirondack Bank Building, 5<sup>th</sup> Floor, 185 Genesee St., Utica, NY 13501*

ANTHONY J. PICENTE, JR.  
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.  
DIRECTOR OF ENVIRONMENTAL HEALTH  
SUPERVISOR-IN-CHARGE

## ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

March 8, 2010

Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

FN 20 10 - 182

**PUBLIC HEALTH**

**WAYS & MEANS**

ONEIDA COUNTY LEGISLATURE  
2010 MAR 23 AM 10:00

Dear Mr. Picente:

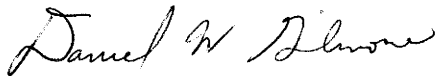
Re: C-021147 – Cost Of Living Adjustment

Attached are three (3) copies of an amendment between Oneida County through its Health Department and the New York State Department of Health – Childhood Lead Poisoning Prevention Program.

This amendment is for fiscal year April 1, 2009 through March 31, 2010 in the amount of \$11,716. Payment of the Cost of Living Adjustment will be made separately from authorized contract payments. Cost of Living Adjustment Funds must be used to promote the recruitment and retention of staff or respond to other critical non-personal service costs during this fiscal year.

If this amendment meets with your approval, please forward to the Board of Legislators.

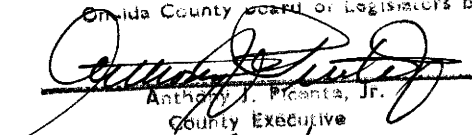
Sincerely,



Daniel W. Gilmore, Ph.D.  
Acting Public Health Director

attachments  
ry

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by



Anthony J. Picente, Jr.  
County Executive

Date 3/22/10

**CONTRACT SUMMARY SHEET - ONEIDA COUNTY HEALTH DEPARTMENT**

**DIVISION:** Childhood Lead Poisoning Prevention Program C-021147

**NAME AND ADDRESS OF VENDOR:** New York State Department of Health  
Division of Family Health, Fiscal Unit  
Empire State Plaza  
Corning Tower, Room 878  
Albany, New York 12237-0657

**VENDOR CONTACT PERSON:** Donna Hoinski

**SUMMARY STATEMENTS:** The Lead Program provides nursing and environmental services to children with elevated lead levels, age's birth to six years. Program services offered include nursing and environmental home visits, case management, referrals to other services, community outreach, technical and referral services for the medical community, and lead screening clinics for children lacking a primary care provider and/or third party reimbursements.

**FISCAL YEAR:** April 1, 2009 through March 31, 2010

**TOTAL:** \$11,716 This is a cost of living adjustment only to be used for expenditures associated with the recruitment and retention of staff or other critical non-personal service costs. Expenditures must occur in this contract year.

\_\_\_\_\_ **NEW**      \_\_\_\_\_ **RENEWAL**      \_\_\_\_\_ **X** \_\_\_\_\_ **AMENDMENT**

**FUNDING SOURCE:** A3415 Grant Award for Cost of Living Adjustment (COLA)

Less Revenues: \_\_\_\_\_

State Funds: \$11,716

County Dollars – Previous Grant -\$0-

County Dollars – This Grant \$ -0-

**SIGNATURE:** Daniel W. Gilmore, Acting Public Health Director

**DATE:** March 8, 2010

# ONEIDA COUNTY HEALTH DEPARTMENT

Adirondack Bank Building, 5<sup>th</sup> Floor, 185 Genesee St., Utica, NY 13501

ANTHONY J. PICENTE, JR.  
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.  
DIRECTOR OF ENVIRONMENTAL HEALTH  
SUPERVISOR-IN-CHARGE

## ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

FN 20 10 - 183

**PUBLIC HEALTH**

**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2010 MAR 23 AM 9:55

March 15, 2010

Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

Dear Mr. Picente:

C-023257

Attached are three (3) copies of an amendment between Oneida County through its Health Department and the New York State Department of Health – Immunization Plan.

This amendment is for fiscal year April 1, 2009 through March 31, 2010 in the amount of \$8,853. Cost of Living Adjustment Funds must be used to promote the recruitment and retention of staff or respond to other critical non-personal service costs during this fiscal year.

If this amendment meets with your approval, please forward to the Board of Legislators.

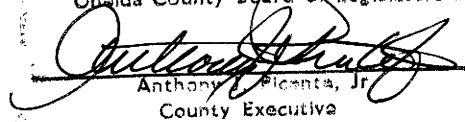
Sincerely,



Daniel W. Gilmore, Ph.D.  
Acting Public Health Director

attachments  
ry

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by



Anthony J. Picente, Jr.  
County Executive

Date 3/22/10

**CONTRACT SUMMARY SHEET - ONEIDA COUNTY HEALTH DEPARTMENT**

**DIVISION:** Diagnostic & Treatment Services (D&T)

**NAME AND ADDRESS OF VENDOR:** NYS Department of Health  
Corning Tower, Gov. Nelson A. Rockefeller  
Room 649, Corning Tower, ESP  
Albany, New York 12237-0627

**VENDOR CONTACT PERSON:** James Antoniak, Public Health Administrator

**SUMMARY STATEMENTS:** The NYS Immunization Program, in conjunction with the Healthy People Year 2010 goals, seeks to meet or exceed a 90% statewide immunization coverage level for two year old children with 4 DTP, (DTaP), 3 polio, 1 MMR, 3 Hib and 3 Hep B immunizations. Other goals of this contract are to promote the importance of immunizations for children and adolescents through education and outreach, increase awareness of adult immunization against influenza, pneumococcal, human papillomavirus, hepatitis A and B, tetanus, diphtheria, varicella, measles, mumps and rubella disease and to support the state's effort to implement a statewide immunization registry (NYSIIS).

**FISCAL YEAR:** April 1, 2009 through March 31, 2010

**TOTAL:** \$8,853 This is a cost of living adjustment only to be used for expenditures associated with the recruitment and retention of staff or other critical non-personal service costs. Expenditures must occur in this contract year.

\_\_\_\_\_ **NEW**    \_\_\_ **RENEWAL**    \_\_\_ **X** **AMENDMENT**

**FUNDING SOURCE:** A3408 Cost of Living Adjustment (COLA)

**Less Revenues:** \_\_\_\_\_

**State Funds:** \$8,853

**County Dollars – Previous Grant** -0-

**County Dollars – This Grant** -0-

**SIGNATURE:** Daniel W. Gilmore, Acting Public Health Director

**DATE:** March 15, 2010

**Anthony J. Picente Jr.**  
County Executive



**Lucille A. Soldato**  
Commissioner

**ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES**  
County Office Building, 800 Park Avenue, Utica, NY 13501  
Phone (315) 798-5733 Fax (315) 798-5218

2010 MAR 23 AM 10:11  
RECEIVED  
ONEIDA COUNTY DEPT. OF SOCIAL SERVICES

March 19, 2010

FN 20 10 - 184

Honorable Anthony J. Picente Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

**HUMAN RESOURCES**

**WAYS & MEANS**

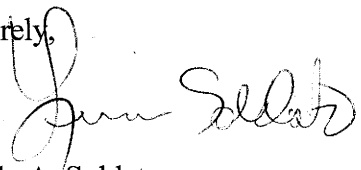
Dear Mr. Picente:

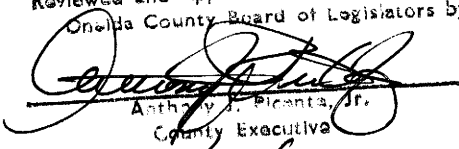
I am submitting the following Purchase of Services Agreement for review and approval by the Board of Legislators per Board Resolutions and Local Law #3 of 2001, amending Article VIII, Section 802 of the Administrative Code.

The Purchase of Services Agreement with the Resource Center for Independent Living is for two Disability Services Specialists which services TANF/Safety Net Family Recipients with disabilities. The Disability Services Specialist work with a number of community employers to engage clients in approved work activities that will assist in achieving participation hours, while seeking employment and self-sufficiency.

The cost of this Agreement is \$ 79,141 for the year May 1, 2010 through April 30, 2011. There is no local cost to support this effort.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for action. Thank you for your consideration.

Sincerely,  
  
Lucille A. Soldato  
Commissioner

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by  
  
Anthony J. Picente, Jr.  
County Executive  
Date 3/22/10

LAS/tms  
attachment



# 15707  
3/18/10

**Oneida Co. Department Social Services**

Competing Proposal  X   
Only Respondent \_\_\_\_\_  
Sole Source RFP \_\_\_\_\_

**Oneida County Board of Legislators**  
**Contract Summary**

**Name of Proposing Organization:**

Resource Center for Independent Living  
401-409 Columbia Street  
P. O. Box 210  
Utica, New York 13503-0210

**Title of Activity or Services:** Disability Services Specialists

**Proposed Dates of Operations:** May 1, 2010 through April 30, 2011

**Client Population/Number to be Served:** 50 TANF/Safety Net Family recipients with disabilities per month.

**SUMMARY STATEMENTS**

**1). Narrative Description of Proposed Services:**

The Disability Service Specialists have established a community network among employers involved in supported employment who, rely on the employment services staff for a myriad of support services such as employment incentives, co-worker education on disabilities, co-worker job mentoring techniques and training, creative approaches to problem solving and immediate response if a problem arises.

**2). Program/Service Objectives and Outcomes -**

Engage 50 clients per month in approved work activities that will assist in achieving participation hours, while seeking employment and self-sufficiency.

**3). Program Design and Staffing Level -**

(2) Disability Service Coordinators

**Total Funding Requested:** \$ 79,141

**Oneida County Dept. Funding Recommendation:** Account #:A6014.49544

**Mandated or Non-mandated:** Mandated

**Proposed Funding Source (Federal \$ /State \$ / County \$):**

<b>Federal</b>	100 %	\$ 79,141
<b>State</b>	0 %	\$ 0
<b>County</b>	0 %	\$ 0

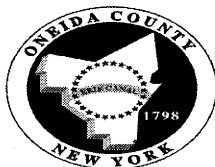
**Cost Per Client Served:**

**Past performance Served:** The Department has contracted for this service with this provider since 2005. The contract in 2009 was \$ 85,888. The Department of Social Services has had success contracting with RCIL to assist with this population.

**O.C. Department Staff Comments:** The Disability Services Specialists is a vital link in the total plan of bringing the TANF recipient from dependency to total self-sufficiency. This contract is paid 100% through federal funds.

This Contract is a result of a Request for Proposal for (2) Disability Services Specialists with a beginning date of May 1, 2010 and has been awarded to Resource Center for Independent Living.

Anthony J. Picente Jr.  
County Executive



Lucille A. Soldato  
Commissioner

2010 MAR 23 AM 10:11

RECEIVED  
ONEIDA COUNTY LEGISLATURE

**ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES**  
County Office Building, 800 Park Avenue, Utica, NY 13501  
Phone (315) 798-5733 Fax (315) 798-5218

March 19, 2010

FN 20 10 - 185

Honorable Anthony J. Picente Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

**HUMAN RESOURCES**

**WAYS & MEANS**

Dear Mr. Picente:

I am submitting the following Purchase of Services Agreement for review and approval by the Board of Legislators per Board Resolutions and Local Law #3 of 2001, amending Article VIII, Section 802 of the Administrative Code.

This Purchase of Services Agreement with the Neighborhood Center, Inc. ensures that the individuals providing advocacy services are competent and trained in the area of Child Sexual Abuse Investigation. The Advocates will provide child victims or alleged victims and their non-offending family members, with supportive services in a compassionate and understanding matter, to enable them to begin healing from the trauma of child sexual abuse and/or severe physical abuse.

The Child Advocacy Center has proven itself to be a model program and has been effective in the team-approach of investigation and conviction or perpetrators.

The cost of this Agreement is \$ 78,867 from the June 1, 2010 through May 31, 2011. The local cost to support this effort is 23.81 % or \$ 18,778.23.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for action. Thank you for your consideration.

Sincerely,

Lucille A. Soldato  
Commissioner

LAS/tms  
attachment

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive

Date 3/22/10

3/19/10  
# 18606

Oneida Co. Department Social Services

Competing Proposal  X   
Only Respondent \_\_\_\_\_  
Sole Source RFP \_\_\_\_\_.

**Oneida County Board of  
Legislators Summary**

**Name of Proposing Organization:** Neighborhood Center, Inc.  
293 Genesee Street  
Utica, New York 13501

**Title of Activity or Services:** Advocacy Services to provide advocacy and guidance for Child Sexual Abuse victims or alleged victims and their families, of Child Sexual Abuse.

**Proposed Dates of Operation:** June 1, 2010 through May 31, 2011

**Client Population/Number to be Served:** Children and their families who are victims or alleged victims of Child Sexual Abuse

**SUMMARY STATEMENTS**

**1). Narrative Description of Proposed Services**

The Agreement is to assist child victims and their non-offending family members to move forward in their lives following the horrendous crime of child sexual abuse and /or severe physical abuse. The Contractor will provide child victims and their non-offending family members with supportive services in a compassionate and understanding matter, which will enable them to begin healing from the trauma of child sexual abuse and/or severe physical abuse.

The Children who have been sexually abused and/or severely physically abused and have disclosed, need to feel safe when telling of these horrendous acts. The Child Sexual Abuse Advocates will accompany the children and their non-offending family members throughout all processes of this disclosure during medical interview, exam, law enforcement and judicial proceedings. The role of the advocate is supportive, informative and continuous. The Advocates are also active participates with the Child Advocacy Center.

**2). Program/Service Objectives and Outcomes**

**Outcome:** Assist child victims and non-offending family members to deal with victimization in the most positive and healing manner possible to minimize trauma associated with child sexual and/or severe physical abuse.

**Performance:** Victim advocates will be present at initial interviews, medical interviews and examinations, law enforcement and judicial proceedings, or other such meetings in order to support the victims, facilitate future disclosures and promote a coordinated response by the CAC team in

SD

regards to serious abuse cases. In their role the advocates will provide 24 hour crisis intervention as well as maintain regular contact with the victim and/or family. These services will be offered in a manner that reflects cultural competence and family focused planning.

**3). Program Design and Staffing Level - Two full-time Child Sexual Abuse Advocates.**

**Total Funding Requested: \$ 78,867**

**Oneida County Dept. Funding Recommendation: Account #: A6011.49537**

**Mandated or Non-mandated Service: Mandated**

**Proposed Funding Source (Federal \$ /State \$ / County \$):**

Federal	31.97 %	= \$ 25,213.78
State	44.22 %	= \$ 34,874.99
Local	23.81 %	= \$ 18,778.23

**Cost Per Client Served:**

**Past performance Served:** The Neighborhood Center, Inc. has provided this service to the Department since 2009. The maximum cost of this service in the first year of the contract is \$76,490. This contract is the result of a Request for Proposal beginning in 2009, which was awarded to the Neighborhood Center, Inc.

**O.C. Department Staff Comments:** The Department is satisfied with the provider's service and this is a community wide service not just limited to public assistance recipients.

Anthony J. Picente Jr.  
County Executive



Lucille A. Soldato  
Commissioner

**ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES**

County Office Building, 800 Park Avenue, Utica, NY 13501  
Phone (315) 798-5733 Fax (315) 798-5218

FN 20 10 - 186

2010 MAR 23 AM 10:08  
RECEIVED  
ONEIDA COUNTY LEGISLATIVE

March 19, 2010

Honorable Anthony J. Picente Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

**HUMAN RESOURCES**  
**WAYS & MEANS**

Dear Mr. Picente:

I am submitting the following Purchase of Services Agreement for review and approval by the Board of Legislators per Board Resolutions and Local Law #3 of 2001, amending Article VIII, Section 802 of the Administrative Code.

The New York State's Office of Temporary and Disability Assistance has encouraged local districts to design programs which assist applicants or recipients of public assistance in obtaining employment, therefore alleviating or reducing their need for Temporary Assistance.

This renewal Agreement is with the Oneida County Workforce Development which operates Oneida County's Pride in Work Program for all TANF employable applicant/recipients. The program is a full time four week training component combining life skills, work experience, job search and the assistance of job developers. It is designed to reduce the number of new TANF cases in Oneida County.

The term of the Agreement is July 1, 2010 through June 30, 2011. The total cost for this Purchase of Services Agreement is \$ 311,000 and there is no local cost to support this contract.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their review.

Thank you for your consideration.

Sincerely,

Lucille A. Soldato  
Commissioner

LAS/tms  
attachment

Reviewed and Approved for submission to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive

Date 3/22/10

3/18/10  
# 67301

**Oneida Co. Department Social Services**

**Competing Proposal \_\_\_\_\_**  
**Only Respondent \_\_\_\_\_**  
**Sole Source RFP \_\_\_\_\_**

**Oneida County Board of Legislators**  
**Contract Summary**

**Name of Proposing Organization:**

Oneida County Department Workforce Development  
209 Elizabeth Street  
Utica, New York 13501

**Title of Activity or Services:** JOB Readiness/ JOB Placement & Pride in Work Program

**Proposed Dates of Operations:** July 1, 2010 through June 30, 2011

**Client Population/Number to be Served:** Safety Net Applicants and Temporary Assistance Recipients TANF/Safety Net. Numbers are unlimited.

**SUMMARY STATEMENTS**

**1). Narrative Description of Proposed Services:** This is a full time four week program operated at the Access Center in Utica & the Adult Learning Center in Rome. A class begins every week in Utica & on a bi-weekly basis in Rome. The first two weeks are classroom training involving life skills, personal hygiene, decision making, work ethics, employment expectations, resume' writing, interviewing techniques and budgeting. The second two weeks involves an active job search combined with an assignment to a work experience.

The Contractor agrees to perform the "Pride in Work" program as follows:

- Administer TABE test or equivalent instrument to measure educational level,
- Teach Job finding skills to include resume preparation, application and interviewing skills,
- Computer and internet based application skills and communication,
- Oral communication and phone skills,
- Attendance, dress and workplace etiquette, including conflict resolution,
- Motivation, self confidence, perseverance,
- Assist with job placement through a variety of methods including directing clients to appropriate job openings, and the use of employer incentive programs such as those operated by Social Services and the Workforce Investment Board/ Wage Subsidy Program,

**2). Program/Service Objectives and Outcomes** This is a full time four week program designed to help Temporary Assistance Applicants/Safety Net find employment which would negate their need for temporary assistance benefits. Public Assistance Recipients that are considered employable will also be placed into the program to reduce their need for public assistance by obtaining employment.

**3). Program Design and Staffing Level -** This Contract is with the Office of Employment & Training and they have a subcontract with Madison/Oneida BOCES.

Staffing: Employment & Training

1 Full-time Project Coordinator  
1 Full-time Job Developer  
1 Full-time Job Placement Assistant

Madison/Oneida BOCES

1 Full-time Work Skills Teacher I  
1 Full-time Work Skills Teacher II  
1 Full-time Work Skills Teacher III  
1 Full-time Program Supervisor

**Total Funding Requested:** \$ 311,000

**Oneida County Dept. Funding Recommendation:** Account # A6014.49543

**Mandated or Non-mandated:** Non-mandated, however all safety net applicants and family assistance applicants are required to look for work prior to their case opening.

**Proposed Funding Source (Federal \$ /State \$ / County \$):**

<b>Federal</b>	33 % =	\$ 102,630
<b>State</b>	67 % =	\$ 208,370
<b>County</b>	0 % =	\$ 0

**Cost Per Client Served:**

**Past performance Served:** The maximum cost of the Contract for the period 7/1/09 - 6/30/10 is \$311,000. The Pride in Work Program had a total of 1,027 referrals in both Utica and Rome from July 2008 through June 2009.

**O.C. Department Staff Comments:** The Department originally contracted for this service with both Madison/Oneida BOCES and the Office of Employment and Training. The two agencies have combined their programs since 1997. The program has proved to be one of the most successful employment readiness programs operated by the Department.



Anthony J. Picente Jr.  
County Executive



Lucille A. Soldato  
Commissioner

**ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES**  
County Office Building, 800 Park Avenue, Utica, NY 13501  
Phone (315) 798-5733 Fax (315) 798-5218

2010 MAR 23 AM 10:07  
ONEIDA COUNTY LEGISLATIVE

March 19, 2010

Honorable Anthony J. Picente Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

FN 20 10-182

**HUMAN RESOURCES**

**WAYS & MEANS**

Dear Mr. Picente:

I am submitting the following Purchase of Services Agreement for review and approval by the Board of Legislators per Board Resolutions and Local Law #3 of 2001, amending Article VIII, Section 802 of the Administrative Code.

Enclosed are copies of Purchase of Services Agreements for the Junior Junction Day Care, 2215 Genesee Street, Utica, New York. This center provides safe Day Care Services at (2) sites for children 6 weeks to 12 years.

The Department pays for the care of children for eligible families. This resource helps to ensure safe care of children while their families participate in training and/or employment.

The term of this Agreement is September 1, 2010 through August 31, 2011. The rates for Day Care are set by the New York State Office of Children and Family Services. The total paid for the period March 19, 2009 through March 18, 2010 was \$ 77,588.24 with a local share of 4 % or \$ 3,103.53.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for action as soon as possible. Thank you for your consideration.

Sincerely,

Lucille A. Soldato  
Commissioner

LAS/tms  
attachment.

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive

Date 3/22/10

3/18/10  
# 18001

Oneida Co. Department Social Services

Competing Proposal \_\_\_\_\_  
Only Respondent \_\_\_\_\_  
Sole Source RFP \_\_\_\_\_

**Oneida County Board of Legislators**  
**Contract Summary**

**Name of Proposing Organization:** Junior Junction  
2215 Genesee Street  
Utica, New York 13501

**Title of Activity or Services:** Day Care Services

**Proposed Dates of Operations:** September 1, 2010 though August 31, 2011

**Client Population/Number to be Served:** Licensed for a total of 152 children 6 weeks to 12 years at the following (2) sites:

St. Lukes  
1714 Burrstone Road  
New Hartford, New York

St. Elizabeth's  
2215 Genesee Street  
Utica, New York

**SUMMARY STATEMENTS**

**1). Narrative Description of Proposed Services**

Day Care Services located at the (2) sites listed above.

**2). Program/Service Objectives and Outcomes**

To provide safe quality day care services to eligible low income employed families or public assistance recipients involved in approved educational, vocational job search or work experience activities.

**3). Program Design and Staffing Level -**

**Mandated or Non-mandated:** Mandated Service

**Total Funding Requested:** New York State Market Rates.

**Oneida County Dept. Funding Recommendation:** Account#:A6055.495

56

**Proposed Funding Source (Federal \$ /State \$ / County \$):**

Federal	80.0 %	\$ 62,070.59
State	16.0 %	\$ 12,414.12
County	4.0 %	\$ 3,103.53

**Cost Per Client Served:**

**Past performance Served:** The Department has contracted with this provider for this service since 1989. The Contractor was paid a total of \$ 77,588.24 for services provided March 19, 2009 through March 18, 2010 which serviced (26) children.

**O.C. Department Staff Comments:** The Department is satisfied with this provider's service and contracts with a number of providers to ensure the availability of services.

**ONEIDA COUNTY**  
**WORKERS' COMPENSATION DEPARTMENT**

ONEIDA COUNTY OFFICE BUILDING, 800 PARK AVENUE, UTICA, NY 13501

PHONE: (315) 798-5688    FAX: (315) 798-5924  
Lynn Milograno \*    Gail Hoffman

Workers' Compensation  
Committee  
Norman Leach, Chairman

Oneida County  
Board of Legislators  
Gerald J. Fiorini, Chairman

FN 20 10 - 188

March 22, 2010

Honorable Gerald J. Fiorini  
Oneida County Board of Legislators  
800 Park Avenue  
Utica, New York 13501

**WORKERS' COMPENSATION**

**WAYS & MEANS**

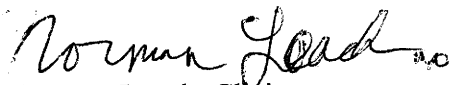
Dear Chairman Fiorini:

Pursuant to Local Law #10 of 1991 which gave the Board of Legislators the power to enter into a contract with a third party administrator for the administration of the Oneida County Self Insurance Plan, the Workers' Compensation Committee recently completed a request for proposal regarding the same.

The Workers' Compensation Committee has thoroughly reviewed the RFP's submitted and it is their recommendation to retain the services of Utica Mutual Insurance Company. Attached is the contract for March 15, 2010 and ending March 15, 2013.

I respectfully request that you forward this contract to the proper committees and then to the full board for action at the **April 14, 2010** meeting. Thank you for your consideration.

Sincerely yours,



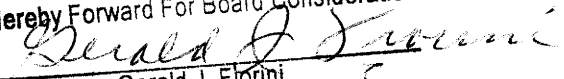
Norman Leach, Chairman  
Workers' Compensation Committee

NL/lm

Att.

Cc: Harris Samuels  
Assistant County Attorney

I Hereby Forward For Board Consideration

  
Gerald J. Fiorini  
Chairman of the Board of Legislators

Date: 3/24/10

2010 MAR 24 AM 11:14  
RECEIVED  
ONEIDA COUNTY LEGISLATURE

UNI-Service Risk Management Corporation as Service Agent for  
Oneida County

Self-Insured Workers Compensation

March 15, 2010 – March 15, 2013

## SELF-INSURED WORKERS' COMPENSATION CLAIMS SERVICES AGREEMENT

This agreement is made this 15th day of March, 2010, by and between Oneida County, hereinafter referred to as the "Self-Insured", and the Utica Mutual Insurance Company of New Hartford, New York, licensed and authorized to do business within the State of New York, hereinafter referred to as "Service Agent."

### I. TERM

This agreement is effective March 15, 2010 and shall continue in effect for three years after its initial effective date; additionally, as of March 15, 2010, this AGREEMENT supersedes any other agreement(s) which may be or have been in effect between the Self-Insured and the Service Agent.

### II. SERVICES TO BE PROVIDED

The Service Agent agrees to arrange for claims representation, claims administrative and adjusting services with representative(s) qualified to practice before the Workers' Compensation Board ("Representative") as follows:

#### SCOPE:

Applies to the handling of workers' compensation claims, including the investigation, defense, reserving, processing, reporting, medical case management, disability management, medical and indemnity payments and related computer-produced reports as specifically described below.

#### RESPONSIBILITY:

Administer, manage, and supervise designated workers' compensation claim functions following approved practices and procedures in full compliance with all state laws and state insurance department rules and regulations. Also work in cooperation with the Self-Insured and their designated representatives, and perform over-all claims administrative functions as specifically described below.

#### CLAIMS HANDLING/ ADJUSTING:

- 1 - Receive, review, and process newly reported claims.
2. Perform investigations, loss adjustment, and claims handling functions.
3. Determine compensability and verify medical expenses.
4. Review medical bills, investigating those that seem out of line.
5. Vigorously defend noncompensable claims.
6. Maintain a claim file on claimants and an active diary on open cases.

- 7 - Recommend initial case reserves and reserve (incurred) changes on a continuous basis, as warranted on indemnity and medical expenses.
- 8 - Make required claims form filings with the workers' compensation board or other applicable authority.
- 9 - Recommend and oversee potential second injury recoveries, and reopen case opportunities.
- 10 - Investigate and recommend potential third party actions.
- 11 - Arrange for representation at workers' compensation board hearings.

CLAIMS PAYMENT:

Use a claims payment system based on a "check cleared" reimbursement procedure.

MANAGEMENT REPORTS: Provide on-line access to UNI-Claims data to the Self-insured via IVANS interface.

- 1- Produce a monthly Paid Loss Report which identifies payments made during the month.
- 2- Produce a quarterly Location Summary showing number of losses, and incurred, paid, and outstanding loss dollars, by location.
- 3 - Produce an annual Loss Experience report which summarizes loss activity by location as well as type of loss and body part injured.
- 4- Provide quarterly Trend Reports showing claim frequency and payments in graph form.
- 5 - Provide a quarterly Experience Listing of total payments by claimant by location.

The Service Agent will provide the Self-Insured with budget allocation figures based on loss experience for the Self-Insured plan members and handle other budget related responsibilities in the Workers Compensation area.

### III. COMPENSATION

For the period March 15, 2010, to March 15, 2013, the Self-Insured shall pay the Service Agent for services rendered, the fee is as follows:

SERVICE YEAR	1	2	3	* 4	* 5
	\$157,500	\$160,000	\$162,500	\$165,000	\$167,500

Our fee per year includes the handling of new medical only, new indemnity, existing indemnity, existing medical, hearings, Administration Annual Budget Related Service/Administration Fee, Annual Agents Fee

The annual fee is to be paid in equal monthly installments. In the event the payment is not received as provided above, the Service Agent may cancel this AGREEMENT upon at least fifteen days written notice to the Self-Insured stating when such cancellation will be effective. This AGREEMENT shall terminate on the effective date of cancellation unless on or before such date the required payment is made to the Service Agent.

In addition, the Self-Insured shall pay the Service Agent for each hearing attended by Utica Mutual Insurance Company staff on the Self-Insured's behalf. **An audit will also be made on a semi-annual basis for all such hearings attended, and a separate invoice sent to the Self-Insured. Hearings will be billed at \$85.00 each.**

All allocated expenses incurred, including but not limited to attorney's fees in the event the proceeding is involved in a court of record, court costs, court stenographer fees, medical examination fees, rehabilitation charges, special investigations, hearings and expert witness fees, will be borne by the Self-Insured.



#### IV. TERMINATION

The Contract shall be subject to termination under any of the following conditions:

1 - Mutual Agreement

Upon mutual agreement of the contracting parties to terminate, specifying the effective date of termination with 90 days notice, in writing.

2 - By Self-Insured for Cause

By the Self-Insured for cause, upon the failure of the Service Agent to comply with the terms and conditions of the contract; provided that the Self-Insured shall give the Service Agent at least forty-five (45) days prior written notice stating the specific areas of nonperformance or noncompliance with the contract. Termination, at the option of the Self-Insured, shall be effective forty-five (45) days after mailing of such notice unless the Service Agent shall have remedied said failure(s) to the satisfaction of the Self-Insured within fifteen (15) days of receiving notice.

3 - By Service Agent for Cause

By the Service Agent for cause, upon the failure of the Self-Insured to comply with the terms and conditions of the contract; provided that the Service Agent shall give the Self-Insured at least forty-five (45) days prior written notice stating the specific areas of nonperformance or noncompliance with the contract. Termination, at the option of the Service Agent, shall be effective forty-five (45) days after mailing of such notice unless the Self-Insured shall have remedied said failure(s) to the satisfaction of the Service Agent within fifteen (15) days of receiving the notice. Notwithstanding the above, the Service Agent shall have the right to cancel this agreement in the circumstances and as provide in Section III. COMPENSATION, and subsection 1 of Section V. CONDITIONS.

4 - By Either Party on Renewal

At least 90 days prior to the expiration date of the AGREEMENT, either party may give written notice to the other that it does not intend to renew the AGREEMENT.

#### V. CONDITIONS

- 1 - Claims and expenses contemplated under the agreement will be paid using the Representative's checks. These funds paid by the Representative on behalf of the Self-Insured will be funded by the Self-Insured on a check cleared basis.

The Service Agent shall bill the Self-Insured on a daily basis for all monies paid on those checks that have cleared. The Self-Insured will transfer funds to the Representative's bank account at HSBC Bank USA, Account #160-00163-3 within forty-eight (48) hours of receiving the bill by facsimile from the Service Agent.

In the event payment is not received as provided above, the Service Agent may cancel this AGREEMENT upon written notification to the Self-Insured. In case of such cancellation, it is agreed between the parties that the Service Agent shall have no further responsibility to make any payments in connection with this agreement, and that any payments thereafter required to be made, shall be the responsibility of the Self-Insured.

If for any reason or by any authority the Representative is required to make any claims payments following the cancellation of this AGREEMENT, the Self-Insured agrees to indemnify the Representative, through the Service Agent, for any and all amounts so paid and expenses incurred.

It is understood that any penalty for late payment due to the fault or negligence of the Self-Insured imposed by the New York Workers' Compensation Board, is the responsibility and liability of the Self-Insured.

- 2 - In the event of cancellation of this AGREEMENT by the Self-Insured, fees will be pro-rated as of the effective date of cancellation. Also, files will be returned to the Self-Insured immediately. The Self-Insured shall be responsible for any outstanding balance of payment on all claims handled by the Service Agent.

In the event of cancellation of this AGREEMENT by the Service Agent, files will be returned to the Self-Insured within the time limits expressed in the applicable cancellation provisions.

The Self-Insured agrees to indemnify, protect, save, and keep harmless the Service Agent and the Representative from any loss, cost, damage, or expense arising out of the administration and handling of any claims after these records and files have been returned to the Self-Insured.

- 3 - The Service Agent shall retain all of the Self-Insured's closed files.

All files will be returned to the Self-Insured or destroyed with the Self-Insured's permission once the retention date has been reached.

The Self-Insured understands and agrees that these files are not retained in duplicate, and that the Service Agent shall not be held liable for any loss or damage to these files while in the possession of the Service Agent or while being returned to the Self-Insured, due to causes outside the control of the Service Agent.

- 4 - The Self-Insured agrees to indemnify, protect, save, and hold the Service Agent and the Representative harmless from any claims, loss, expense, or liability resulting from any actions taken by the Service Agent and/or Representative at the specific direction of the Self-Insured, its agents or employees, or actions of the Self-Insured for which the Service Agent and/or Representative is held responsible.

The Service Agent agrees to indemnify, protect, save, and hold the Self-Insured harmless from any claims, loss, expense, or other liability resulting from the negligence of the Service Agent and/or Representative, or violations by the Representative of the rules and regulations of the New York Workers' Compensation Board or other applicable laws and regulations other than as described in the preceding paragraph.

## VI. MISCELLANEOUS

- 1 - The Self-Insured shall have the right, at its own expense and during normal business hours, to inspect and/or audit the records and books of account of the Service Agent and/or Representative as pertaining to claims settled or handled on behalf of the Self-Insured. The Service Agent and/or Representative, each as appropriate, agrees to render its full cooperation to any auditors, examiners or representatives assigned by the Self-Insured to make such inspection, examination, or audit.
- 2 - If any dispute or disagreement shall arise in connection with this AGREEMENT, the parties shall make every effort to meet and settle their dispute in good faith. If the parties cannot agree on a settlement to the dispute, then the matter in controversy shall be settled by arbitration, in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction.

The parties may agree to submit the dispute to one arbitrator; otherwise there shall be three, one named in writing by each party and within twenty (20) days after notice of arbitration is served by either party upon the other, and a third arbitrator selected by these two arbitrators within fifteen (15) days thereafter. If the arbitrators are unable to agree upon a third arbitrator, then the third arbitrator shall be chosen impartially by the American Arbitration Association. Each party shall submit its case to the arbitrators within one (1) month following the selection of the third arbitrator. The arbitrators are empowered, however, to prolong the terms granted herein to either party in which to hand in its documents.

The determination of the arbitrator(s) shall be final and binding on all parties, provided such determination is made in writing and signed by a majority of the arbitrator(s). Where arbitration results in an award, such award shall include interest in the amount of nine percent (9%) per annum running from the date when the amount that is the subject of the award first became due.

The cost of arbitration shall be borne equally by the parties, provided, however, that the arbitrators may assess one party more heavily than the other for these costs upon a finding that the party did not make a good faith effort to settle the dispute informally when it first arose.

This article shall not apply to termination of this contract by either party.

Arbitration shall take place at New Hartford, New York.

- 3 - In the event that there are changes in state law and/or regulations which impose additional work on the Service Agent and/or Representative not contemplated at the outset of this AGREEMENT, it is understood and agreed that such additional work shall be outside this AGREEMENT and, as such, shall be billed to the Self-Insured in addition to the fee stated in Section III on a time and expense basis at prevailing rates.
- 4 - It is agreed that this AGREEMENT shall be interpreted and construed in accordance with the laws of the State of New York.
- 5 - No act by any of the parties shall be construed as a waiver or a modification of any of the terms hereof unless set forth in writing and duly subscribed.

65

- 6 - The Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of the Agreement, and no liability on account thereof shall be incurred by the "Self-Insured" beyond the amount of such monies. It is understood that neither this Agreement nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate or make available monies for the purpose of the Agreement beyond the current year.

Proposal submitted by:  
John A. Griffin, CPCU, ARM, Are  
Resident Senior Vice President  
Eastern Profit Center

Signature of authorized corporate officer:

John A. Griffin

Date: 3/23/10

**UTICA MUTUAL INSURANCE COMPANY CORPORATION AS SERVICE AGENT FOR  
ONEIDA COUNTY SELF-INSURED WORKERS' COMPENSATION**

Utica Mutual acknowledges the Oneida County Board of Legislators Resolution No. 249 of May 26, 1999 requirement to deliver all wastes and recyclables generated within the Authority's service area by performance of the contract to the facilities of the Oneida-Herkimer Solid Waste Authority. Utica Mutual's waste management plan currently provides for contracts with third parties to facilitate the removal of wastes and recyclables directly from the Utica Mutual claim operation located at 201 Lafayette Street, Utica, New York 13502. Utica makes no representations as to the course of disposal by the third party removal companies' use or non-use of the Oneida-Herkimer Solid Waste Authority. Utica shall use good-faith efforts to deliver all wastes and recyclables not otherwise disposed of by contract with a third party directly to the Oneida-Herkimer Solid Waste Authority.

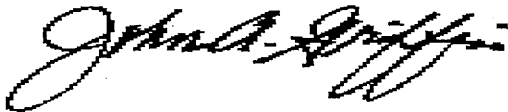
Signed this \_\_\_\_ day of March, 2010

Oneida County  
(Self-Insured)

By \_\_\_\_\_  
Oneida County Executive

Signed this 23rd day of March, 2010

Utica Mutual Insurance Company  
(Service Agent)



By \_\_\_\_\_  
John A. Griffin, CPCU, ARM, Are  
Resident Senior Vice President  
Eastern Profit Center