



ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5404

George Joseph
Majority Leader

Frank D. Tallarino
Minority Leader

COMMUNICATIONS FOR EXPEDITED ACTION

August 14, 2013

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

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AVAILABLE ON WEBSITE ONLY

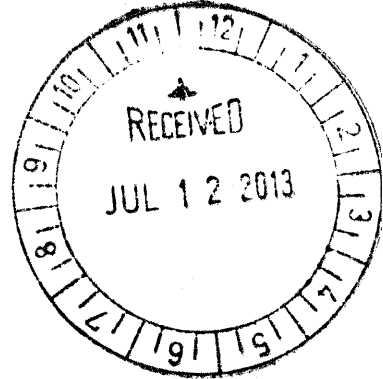
www.ocgov.net

ANTHONY J. PICENTE, JR.
County Executive



ROBERT J. ROTH
Director

ONEIDA COUNTY YOUTH BUREAU
County Office Building • 800 Park Avenue • Utica, New York 13501
Phone: (315) 798-5027 • Fax: (315) 798-6438



FN 20 13-262

July 5, 2013

HEALTH & HUMAN SERVICES

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

WAYS & MEANS

Dear Mr. Picente:

Re: 2013 Resource Allocation Plan # Y11400

We are submitting the attached Resource Allocation Plan for the year 2013 for review and approval by the Board of Legislators.

The Plan allocates funding from the New York State Office of Children and Family Services to the agencies contracting with the Oneida County Youth Bureau. It also allocates state funding of \$ 244,128 to 19 different agencies and 48 eligible municipalities in Oneida County.

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

Very truly yours,

Robert J. Roth
Director, Oneida County Youth Bureau

Attachment

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

Anthony J. Picente, Jr.
County Executive
Date 7/18/13

A.

Oneida Co. Department Youth Bureau
Y11400

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

**ONEIDA COUNTY BOARD
OF LEGISLATORS**

Name of Proposing Organization: Oneida County Youth Bureau
Title of Activity or Service: Resource Allocation Plan (RAP)
Proposed Dates of Operation: January 1, 2013 to December 31, 2013
Client Population/Number to be Served: 62,265 youth throughout Oneida County

Summary Statements

Narrative Description of Proposed Services

The Resource Allocation Plan (RAP) for 2013 outlines the distribution of state funds received from the New York State Office of children and Family Services to provide youth services, delinquency prevention, recreation and runaway/homeless youth programs to the young people, whose ages include birth to 21 years, in Oneida County. In FY 2013 these funds are to be distributed to 19 agencies and 48 eligible municipalities, which are responsible for the design and delivery of youth services at their level. All programs are monitored annually by Youth Bureau administrative staff and Advisory Board members appointed by the County Executive.

Total Funding: \$ 244,128 Account # A8830

Oneida County Dept. Funding Recommendation: \$ 244,128

Proposed Funding Sources (Federal \$/ State \$/County \$): New York State Office of Children and Family Services (NYSOCFS)

Cost Per Client Served: Varies by program

Past Performance Data: Agencies are reviewed annually to assure they meet NYS OCFS performance standards. Agencies which do not meet standards may receive a reduction in, or elimination of fund allocations.



ONEIDA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

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

July 26, 2013

Board of Legislators
Oneida County
800 Park Avenue
Utica, New York 13501
Re: Appointment of Phyllis Dantino Ellis

FN 20 13-263

HEALTH & HUMAN SERVICES

WAYS & MEANS



Honorable Members:

After a review of candidates applying for the position of Public Health Director for Oneida County and after approval from the New York State Commissioner of Health, and pursuant to Article XI, Section 1101 of the Oneida County Charter, I hereby appoint Phyllis Dantino Ellis to be the Public Health Director for Oneida County.

Ms. Ellis is a graduate of Albany Medical School of Nursing, earned a Bachelor of Science in Nursing from SUNY IT and a Masters Degree in Health Service Administration from the New School for Social Research, Graduate School of Management and Urban Policy.

Ms. Ellis comes to us after retiring as a Vice President at St. Elizabeth Medical Center, where she was responsible for administration of Emergency Medical Services, Trauma Services, Disaster Preparedness, Environmental Health and Safety and numerous other programs. She has been an active member on many local, regional and statewide health organizations, and is a Fellow in the American College of Healthcare Executives.

Ms. Ellis has impressive experience and familiarity with all aspects of public health. The Oneida County Health Department and the people of Oneida County will all benefit from her unique and varied knowledge and her proven leadership qualities.

I ask the Board of Legislators confirm the appointment of Phyllis Dantino Ellis to the position of Oneida County Public Health Director at a grade of H 49, said confirmation to occur at the August 14, 2013 meeting.

Sincerely,

Anthony J. Picente, Jr.
Oneida County Executive

4.

Participated in various research projects and Trauma Registry data collection. Integrated Regional EMS policies with center operations. Successfully obtained Trauma Center Designation in New York State. Successfully received review of American College of Surgeons. Assisted in Disaster Planning and Local Community Injury Prevention Programs. Coordinated Annual Trauma Education Conferences.

FACULTY EXPERIENCE

New School University, Faculty, Masters Health Service Administration Program

PUBLIC HEALTH EXPERIENCE

- School Nurse, Utica District, Utica NY
Responsible for all care of students in elementary, secondary, and special education. Health screening, acute care and health education for all levels of students.
- Patient Service Director, Home Care Agency, Utica NY
Responsible for all employees and patients of home care agency. Responsible for coordination of all regulatory aspects and educational aspects of Home Care Agency.

NURSING EXPERIENCE

- Internal Medicine; Guy H. Wilcox, Utica NY
Responsible for all patient care, acute and follow-up care. Management of office practice in Internal Medicine.
- Orthopedic Practice, Office and Operating Room
Kamal Zekry, MD, Utica NY (Deceased), Responsible for assisting Orthopedic Surgeon with all aspects of patient care surgical intervention, patient teaching, and follow-up care.
- Staff Nurse/ Charge Nurse, Medical Surgical Nursing and Emergency Department, St. Elizabeth Medical Center, Utica NY
Charge Nurse responsibilities include triage, patient care and special procedures.

AWARDS RECEIVED

- Midstate EMS Leadership Award, Oneida County for continued dedication to education and Trauma Care in three (3) County Area, 1995
- Midstate EMS Willis DeKing Service Award, 2001
- EMS Leadership Award, 1996
- Mohawk Valley in Good Health, Top Female Healthcare Professional, 2007
- Genesis Group, Health Care Leadership Award, 2010

PROFESSIONAL MEMBERSHIPS

- American Association of University Women
- American College of Healthcare Executives – Fellow
- American Trauma Society – NY Division, Member
- Emergency Nurses Association – TNCC Instructor & Member
- Oneida County Health Coalition Steering Committee
- Regional Trauma Oversight Committee, Central New York Region

- Who's Who in American Nursing 1990-Present
- STAC Part 708.5 Trauma Regulatory Review (NYS Trauma Advisory Committee)
- SEMAC Emergency Department Technical Advisory Committee (NYS Emergency Medical Advisory Committee)
- NYS Trauma Advisory Committee Executive Committee & Chair Education Committee
- NYS Emergency Medical Advisory Council, Emergency Medical Services Council and Chair Finance Committee
- REMSCO Member & Chair Hospital Oversight Committee (Regional Emergency Medical Services Council)
- NYS DOH ED Overcrowding Task Force Member
- NYS Trauma Site Surveyor – NYS DOH

PREVIOUS PROFESSIONAL APPOINTMENTS

- Work Group on Trauma Systems Development Member, a Committee of NYS Regional Trauma Quality Assurance Demonstration Project
- VNA Board of Directors 1996-2001
- Appointed to Resource Center for Independent Living Board Long Range Planning Committee – 1997
- International Who's Who of Professionals
- Appointed to Utica Area Catholic School Board 1997-2002
- Appointed to the Economic Development Growth Enterprises Corp. (EDGE) Education and Training Committee 1998
- Notre Dame Jr./Sr. High School Long Range Planning Committee 2001
- American Trauma Society, NY Division, Trauma Coordinator Committee Chairperson
- Think First, New York State Inc.

COMMUNITY COLLABORATION

- Community collaboration with Emergency Medical Services, Oneida, Herkimer and Madison Counties.
- Oneida County CHERP Committee
- Participation with Community Health Assessment Process (MAPP) in Oneida, Herkimer, and Madison Counties
- Emergency Preparedness Planning with all community agencies
- Incident Command collaboration with community partners during H₁N₁
- Participate with HANYS and NYS DOH with Emergency Preparedness Advisory Group
- Member of Upstate New York Physicians Recruitment organization to successfully recruit physicians to Upstate NY; Work collaboratively with numerous Upstate Hospitals and Iroquois Healthcare and HANYS
- Assist numerous physician practices to recruit physicians to the community with St. Elizabeth Center
- Participate as Advisory board Member of the Kernan School Based Health Program
- Presented Healthy Conversation programs locally to identify health care needs of our community through focus groups.
- SUNY IT Advisory Board, Health Service Management Advisory Board

REFERENCES

Confidential References available upon request



ONEIDA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

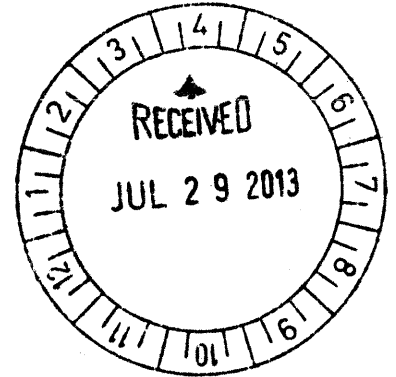
ANTHONY J. PICENTE, JR.
County Executive
ce@ocgov.net

July 29, 2013

FN 20 13 - 264

Oneida County Board of Legislators
Oneida County Office Building
800 Park Ave
Utica, NY 13501

HEALTH & HUMAN SERVICES



WAYS & MEANS

Honorable Members:

The Department of Public Health is responsible for numerous program areas including immunization services, early intervention as well as lead prevention and environmental services to name just a few. All areas require extensive expertise and oversight.

While the Department has been well served over the years under its current structure, the ever changing regulatory requirements along with recent public health crises require more direction and attention from its leadership. As such I am requesting that your Board create the position of Deputy Director of Public Health. I firmly believe that a Department with the enormous responsibilities which this carries should have the management team to reflect its role in our government service. Public health and safety is after all the major function of government.

I am requesting that your Board approve the newly created position of Deputy Director Public Health at the grade recommended by our Commissioner of Personnel attached.

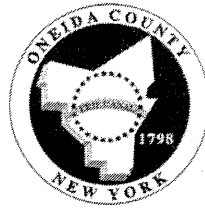
I believe that this new structure will enable Oneida County to remain at the forefront of the various changes in health services and continue to be a leader in many areas as we move toward a healthier Oneida County.

Sincerely,

Anthony J. Picente, Jr.
Oneida County Executive

8.

Anthony J. Picente Jr.
County Executive



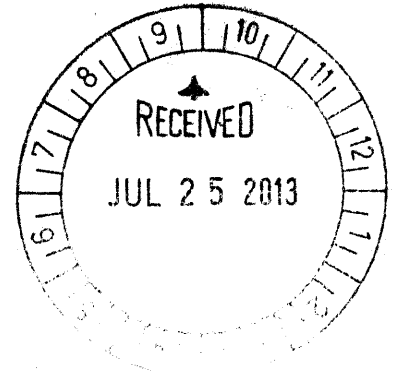
John P. Talerico
Commissioner

**ONEIDA COUNTY
DEPARTMENT OF PERSONNEL**

County Office Building • 800 Park Avenue • Utica, New York 13501-2986
Phone: (315) 798-5725 • Fax: (315) 798-6490
E-Mail: labor@ocgov.net

July 22, 2013

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

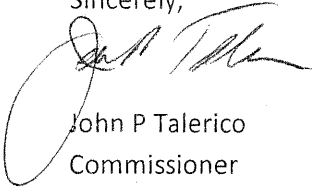


Dear County Executive Picente:

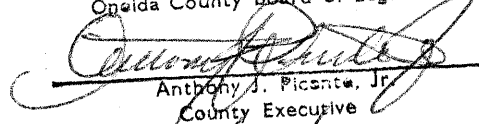
Per your request I have reviewed the New Position Duties statement and have determined the appropriate civil service title to be Deputy Public Health Director in the non-competitive jurisdictional class. I have added this title to the Oneida County Classification Plan. A copy of the job specification is attached.

I am recommending the salary be set at Grade M 47 Step 1 (\$70,979). If you agree, please request the Board of Legislators to allocate the salary based on my recommendation.

Sincerely,


John P. Talerico
Commissioner

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


Anthony J. Picente, Jr.
County Executive

Date 7/31/13

Civil Division: Oneida County Government
Jurisdictional Class: CSL 41.2, Pending Jurisdictional Classification (PJC)
EEO Category: Officials/Administrators
Adopted: 07/22/13

DEPUTY PUBLIC HEALTH DIRECTOR

DISTINGUISHING FEATURES OF THE CLASS: The incumbent in this class acts generally for and in place of the Public Health Director and is responsible for assisting in the planning, organizing and directing of Health Department programs. The incumbent assists in business management, program operations and coordination of technical services provided by the employees involved in programs which may be conducted by the health agency. The work is performed under the direction of the Public Health Director. Supervision is exercised over professional, administrative and clerical employees involved in programs which may be conducted by the health agency. The incumbent performs related work as required.

TYPICAL WORK ACTIVITIES: (Illustrative Only)

- Acts on behalf of the Public Health Director in his or her absence and assumes all administrative, operating and reporting functions normally performed by the Public Health Director;
- Participates in health care associations and organizations to keep abreast of new developments in public health in order to initiate and execute changes and adaptations;
- Gathers information and conducts studies on and improving health services in the county and makes recommendations on findings;
- Researches and identifies new funding sources and resources for public health program;
- Prepares a variety of records and reports related to the work;
- Oversees divisions of the department in developing and maintaining methods and procedures of optimal economy and efficiency;
- Interprets departmental policies and procedures to division;
- Serves as department head representative in the absence of or as directed by the Public Health Director by acting as a liaison between unit heads, other departments, and private organization administrative matters;
- Directs continuing and special studies of the department and its operation and makes reports and recommendations to the Public Health Director;
- Coordinates, plans, and implements initiatives with other departments to meet client needs in an efficient manner;
- In the absence of the Public Health Director, acts for the Director and carries out all responsibilities of Health Services;
- Reports departmental activities to the Public Health Director;

continued...

TYPICAL WORK ACTIVITIES: (continued)

- Directs environmental health programs;
- Directs the conduct of Environmental Health assessments;
- Makes proposals of local regulations to provide conformity with the State Sanitary Codes and confers with local officials regarding their impact;
- Assists in the development and control of the operating and capital budgets;
- Assists the Director in carrying out specialized administrative services;
- Assists in supervision of agency division heads and activities in assigned specialties;
- Assists in the formulation and implementation of policies and procedures concerning the operation of the department;
- Assists in the planning, organization, and direction of the Public Health Department;
- Assists with the development of the annual health services plan and the preparation of the annual department budget;
- Assists the Public Health Director in planning, organizing and directing a local public health program, including the identification, influence and treatment of disease and disease trends throughout the County;
- Assists and may represent the Director in public relations aspects of the department in helping to interpret the work of the department to the community;
- Assists in developing and implementing personnel practices and employee relations.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES, AND PERSONAL CHARACTERISTICS: Thorough knowledge of the principles, practices and terminology of the public health administration; thorough knowledge of business management procedure; good knowledge of the principles of personnel supervision; ability to direct and evaluate public health programs; ability to plan and coordinate the work of others; ability to readily acquire familiarity with applicable laws, regulations, and policies; ability to interpret financial reports; skill in organizing and consolidating information; skill in communicating effectively both orally and in writing; skill in human and public relations; good judgment; thoroughness; dependability; physical condition sufficient to perform the essential functions of the position.

continued...

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DEPUTY PUBLIC HEALTH DIRECTOR

page three

MINIMUM QUALIFICATIONS: Either:

- A. Graduation from a regionally accredited or New York State registered college or university with a Master's degree in public health or a related field **AND** two (2) years of public health administrative experience in a public health agency, hospital, or health-related program; **OR**
- B. Graduation from a regionally accredited or New York State registered college or university with a Bachelor's degree in public health, nursing, public administration or a closely related field **AND** three (3) years of progressive administrative experience in a public health agency, hospital, or health-related program.

Adopted: 07/22/13

12.



ONEIDA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

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

July 16, 2013

Oneida County
Board of Legislators
800 Park Avenue
Utica, NY 13501

FN 20 13-265

**PUBLIC SAFETY
WAYS & MEANS**

Honorable Members,

In your meeting on April 10, 2013, your Board approved Resolution 93, which approved the Grant Application and Contract between Emergency Services and the New York State to purchase equipment for Oneida – Herkimer Haz Mat.

Unfortunately, no vehicle was established to spend the funds when they were received. Therefore, it is necessary to establish a capital project to properly account for the revenue and the expenditures involved in this grant.

I therefore request your Board's approval for the following:

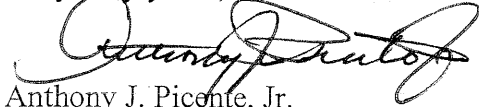
- A.) Establishment of **Capital Project H-484 – Emergency Services – Haz Mat Equipment**, and
- B.) Funding for Capital Project H – 484 as follows:

H – 484 - State Aid.....	\$ 32,000.
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I also, respectfully request your Board act on this legislation at the **August 14, 2013** meeting.

Thank you for the Board's kind attention to this request.

Very truly yours,


 Anthony J. Picente, Jr.
 Oneida County Executive

CC:

- E. S. Director
- Comptroller
- County Attorney
- Budget

13.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO. 93

INTRODUCED BY: Messrs. Flisnik, Porter

2ND BY: Mr. Goodman

RE: APPROVAL OF A GRANT APPLICATION AND CONTRACT BETWEEN ONEIDA COUNTY, THROUGH ITS OFFICE OF EMERGENCY SERVICES, AND NEW YORK STATE, THROUGH ITS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR EQUIPMENT RELATED TO THE ONEIDA-HERKIMER HAZ MAT

WHEREAS, This board is in receipt of correspondence from Kevin W. Revere, Director of Emergency Services, requesting approval of a Grant Application and Contract, between Oneida County, through its Office of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services for equipment related to the Oneida-Herkimer HAZ MAT, and

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

RESOLVED, That Oneida County Executive Anthony J. Picente, Jr., is hereby authorized and directed to execute any and all documents related to a Grant Application and contract between Oneida County, through its Office of Emergency Services, and New York State, through its Division of Homeland Security and Emergency Services, for equipment related to the Oneida-Herkimer HAZ MAT in the amount of \$32,000 under Capital Account H484-HAZ Mat 2012 for a term commencing October 24, 2012 through August 31, 2014.

APPROVED: Public Safety Committee (March 26, 2013)
Ways & Means Committee (April 10, 2013)

DATED: April 10, 2013

Adopted by the following vote:

AYES: 26 NAYS: 0 ABSENT: 3 (Porter, Flisnik, Trevisani)



Griffiss International Airport

592 Hangar Road, Suite 200
Rome, NY 13441
Telephone: 315-736-4171 / Fax: 315-736-0568

ANTHONY J. PICENTE, JR.
County Executive

FN 20 13-266 MICHAEL C. LAWRENCE, JR.
Deputy Commissioner of Aviation

July 1, 2013

WAYS & MEANS

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

Re: Niagara Mohawk Power Corp. Easement
18-13-1408443 1 - 10

Dear County Executive Picente,

Niagara Mohawk Power Corporation (a National Grid Company) is requesting a perpetual easement through County owned property for the purpose of installing a gas main extension on Airport property along Bomber Drive. The gas main extension will provide gas service to Nose dock buildings 782-786. The easement area is described in the attached "Grant of Easement" and on the sketch entitled "18-13-1408443 1 - 10". The final and definitive location of the easement area shall become established by and upon the final installation of the facilities. This easement will subsequently be filed with the County Clerks office.

The Department of Aviation recommends the acceptance and execution of this proposed easement. If you concur, *please forward to the Oneida County Board of Legislators for consideration at its earliest date possible.* Niagara Mohawk Power Corporation will not proceed with this work until the easement is approved. Please return the fully executed document to my office for distribution.

Thank you for your support.

Sincerely,

Michael C. Lawrence, Jr.
Deputy Commissioner of Aviation

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

Anthony J. Picente, Jr.
County Executive

Date 7/18/13



15.

Oneida County Department: Aviation

Competing Proposal _____
Only Respondent X
Sole Source RFP _____

Oneida County - Contract Summary

Name of Proposing Organization: Niagara Mohawk Power Corp.

Title of Activity or Service:
Grant of Easement- Natural Gas Line

Client Population/No. to be Served: N/A

Summary Statements:

1) Narrative Description of Proposed Services:

Grant of Easement execution for the installation of a natural gas line along County property (Bomber Drive)

2) Program/Service Objectives and Outcomes: The grant of easement will provide for the installation of a natural gas main extension to Nose dock buildings 782-786

3) Program Design and Staffing Level: N/A

Total Funding Requested: \$0

Oneida County Department Funding Recommendation:

Account # H-395

Proposed Funding Source:	Federal \$	State \$	County \$
	_____	_____	_____

Cost Per Client Served: N/A

Past Performance Data:

Oneida County Department Staff Comments: Executed easement will be filed with the County Clerks office

160

GRANT OF EASEMENT

COUNTY OF ONEIDA of 800 Park Avenue, Utica, New York 13501 (hereinafter referred to as "Grantor"), for consideration of One Dollar (\$1.00), and other valuable considerations paid, the receipt and sufficiency of which are hereby acknowledged under seal, hereby grants to **NIAGARA MOHAWK POWER CORPORATION**, a New York corporation, having an address at 300 Erie Boulevard West, Syracuse, New York 13202 (hereinafter referred to as "Grantee"), for Grantee and its lessees, licensees, successors, and assigns, the perpetual right and easement as described in Section 1 below (the "Easement") in, under, through, over, across, and upon the Grantor's land, as described in Section 2 below (the "Grantor's Land")

Section 1 – Description of the Easement. The "Easement" granted by the Grantor to the Grantee consists of a perpetual easement and right-of-way, with the right, privilege, and authority to:

a. Construct, reconstruct, relocate, extend, repair, maintain, operate, inspect, patrol, and, at its pleasure, abandon or remove underground gas distribution facilities including a line or lines of pipe, valves, fittings, handholes, manholes, conduit, vaults, housings, connectors, pedestals, closures, markers, cables, connections to aboveground facilities, braces, fittings, foundations, anchors, lateral service lines, and other fixtures and appurtenances (collectively, the "Facilities"), which the Grantee shall require now and from time to time, for the transmission and distribution of natural and manufactured gas for public or private use, in, upon, over, under, and across that portion of the Grantor's Land described in Section 3 below (the "Easement Area"), and the highways abutting or running through the Grantor's Land, and to renew, replace, add to, and otherwise change the Facilities and each and every part thereof and the location thereof within the Easement Area, and utilize the Facilities within the Easement Area for the purpose of providing service to the Grantor and others;

b. From time to time, without further payment therefore, clear and keep cleared, by physical, chemical, or other means, the Easement Area of any and all trees, vegetation, roots, aboveground or belowground structures, improvements, or other obstructions and trim and/or remove other trees, roots and vegetation adjacent to the Easement Area that, in the opinion of the Grantee, may interfere with the construction, operation, and maintenance of the Facilities. The first clearing may be for less than the full width and may be widened from time to time to the full width;

c. Excavate or change the grade of the Grantor's Land as is reasonable, necessary, and proper for any and all purposes described in this Section 1; provided, however, that the Grantee will, upon completion of its work, backfill and restore any excavated areas to reasonably the same condition as existed prior to such excavation; and

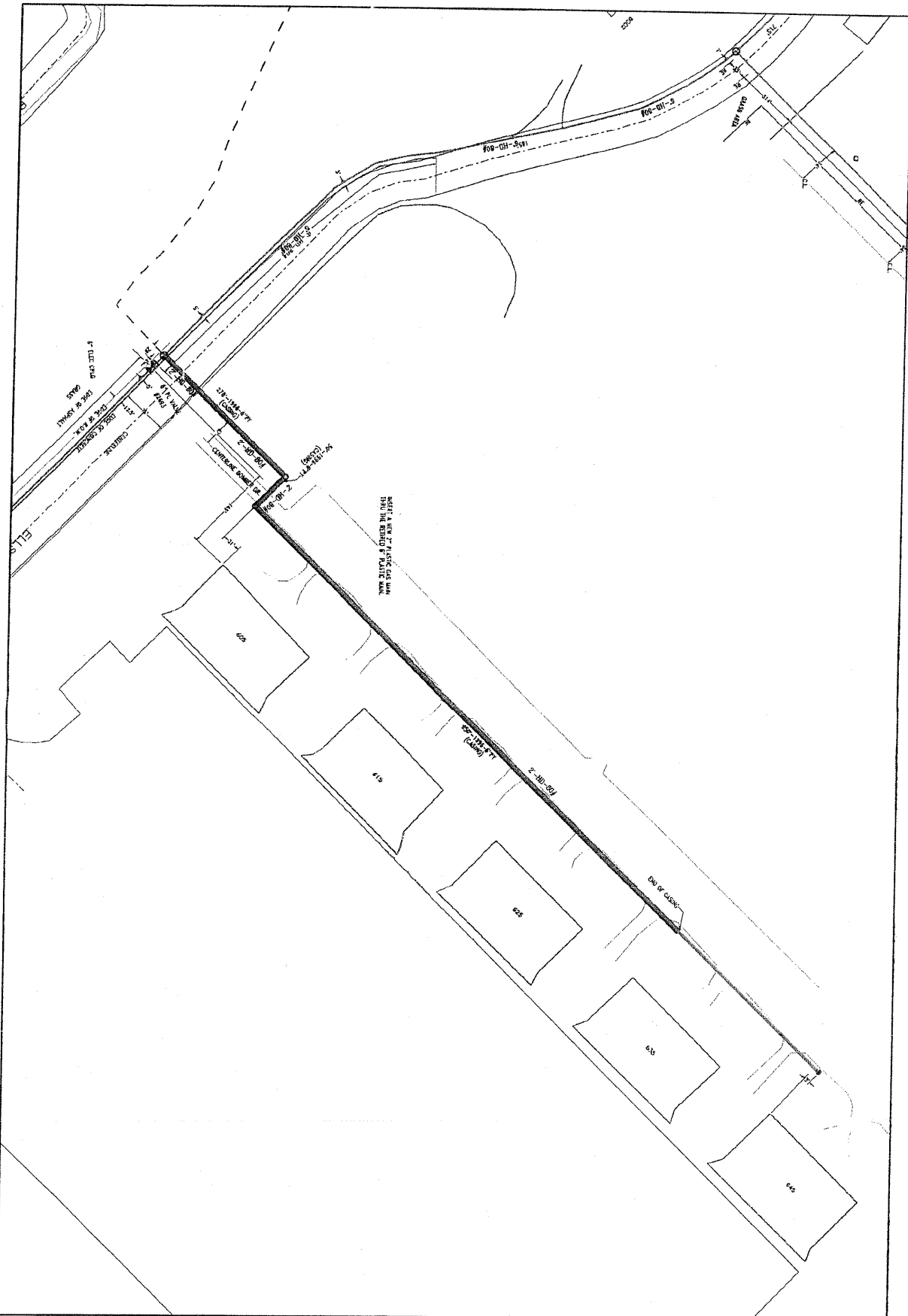
d. Pass and repass along the Easement Area to and from the adjoining lands and pass and repass over, across, and upon the Grantor's Land to and from the Easement Area, and construct, reconstruct, relocate, use, and maintain such footbridges, causeways, and ways of access, if any, thereon, as is reasonable and necessary in order to exercise to the fullest extent the Easement.

Section 2 – Description of Grantor's Land. The "Grantor's Land" is described in a certain Deed recorded in the Oneida County Clerk's Office on 12/31/2012, Instrument No. 2012-022150, and consists of land described as being part of Tax Parcel No. 244.000-3-4 of the City of Rome, County of Oneida, State of New York, commonly known as the "Nose Docks".

Section 3 – Location of the Easement Area. The "Easement Area" shall consist of a portion of the Grantor's Land 10 feet in width throughout its extent, the centerline of the Easement Area being the centerline of the Facilities. The general location of the Easement Area is shown on the sketch, which sketch is attached hereto as Exhibit A and recorded herewith, copies of which are in the possession of the Grantor and the Grantees. The final and definitive location(s) of the Easement Area shall become established by and upon the final installation and erection of the Facilities by the Grantees in substantial compliance with Exhibit A hereto.

Section 4 – Facilities Ownership. It is agreed that the Facilities shall remain the property of the Grantee, its successors and assigns.

Section 5 – General Provisions. The Grantor, for itself, its heirs, legal representatives, successors, and assigns, hereby covenants and agrees with the Grantee that no act will be permitted within the Easement Area which is inconsistent with the Easement hereby granted; no buildings or structures, or replacements thereof or additions thereto, swimming pools, or obstructions will be erected or constructed above or below grade within the Easement Area; no trees shall be grown, cultivated, or harvested, and no excavating, mining, or blasting shall be undertaken within the Easement Area without the prior written consent of the Grantee, it being the intent that the Easement herein conveyed is intended to prohibit the longitudinal or parallel use or occupancy of said Easement Area by surface or subsurface activities or structures which might damage or interfere with the Facilities; the Easement shall not be modified nor the Easement Area relocated by the Grantor without the Grantee's prior written consent; the present grade or ground level of the Easement Area will not be changed by excavation or filling; the



NATIONAL GRID USA		18-13-14808443 1-10		0 140 280 FT	
WORK REQUEST: 18-13-14808443	DESCRIPTION:	<input type="checkbox"/> WORK DONE AS SHOWN	T.D./T.C. 18	<input type="checkbox"/> MAINLINE MAP/VOLTAGE CONVERSIONS UPDATE REQUIRED	
STORMS ORDER: 14808443	CAS MAIN EXTENSION	<input type="checkbox"/> NOTE CHANGES ON SKETCH	FEEDER NO.		
DESIGNER: raulhd	DATE:	FOREMAN/DATE:	SHEET 1 OF 1		
JOB TITLE: BOMBER DR.		1624' OP 2' PLASTIC			

19.

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

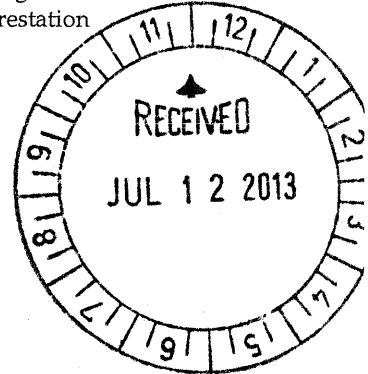
DIVISIONS:
Buildings & Grounds
Engineering
Highways, Bridges & Structures
Reforestation

July 3, 2013

FN 20 13-267

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

PUBLIC WORKS



WAYS & MEANS

Dear County Executive Picente,

In 2012, Oneida County contracted with C&S Engineering, Inc. to provide Construction Inspection services associated with the Pleasant Street structure replacement project. Recent developments, including opening Pleasant Street to traffic prior to completion of construction, have increased the total construction schedule to approximately 15 weeks. This will result in additional construction inspection services.

Please consider the enclosed Contract Amendment (Change Order) to provide an additional \$27,000.00 for construction inspection services related to the Pleasant Street structure replacement. The original contract value is \$133,175 and would be revised to \$160,175. If acceptable please forward to the Oneida County Board of Legislators for consideration.

Thank you for your continued support.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis S. Davis".

Dennis S. Davis
Commissioner

cc: Mark E. Laramie, PE, Deputy Commissioner

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 7/12/13

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

ONEIDA COUNTY BOARD OF LEGISLATORS

Name of Proposing Organization: C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, NY 13212

Title of Activity or Service: Construction Inspection Services

Proposed Dates of Operation: N/A

Client Population/Number to be Served: N/A

Summary Statements

1) Narrative Description of Proposed Services:

Construction Inspection services associated with the Pleasant Street structure replacement project. Recent developments, including opening Pleasant Street to traffic prior to completion of construction, have increased the total construction schedule to approximately 15 weeks. This will result in additional construction inspection services.

Original Contract Fee: \$133,175.00
Proposed Fee Increase: \$27,000.00
Proposed Contract Fee: \$160,175.00

2) Program/Service Objectives and Outcomes: N/A

3) Program Design and Staffing: N/A

Total Funding Requested: \$27,000.00 Account #: H-374

Oneida County Dept. Funding Recommendation: \$27,000.00

Proposed Funding Sources (Federal \$/ State \$/County \$): \$27,000.00 County

Cost Per Client Served: N/A

Past Performance Data: N/A

O.C. Department Staff Comments: None

Contract No. H1239088
Change Order No. 1
Effective Date June 1, 2013

CHANGE ORDER

In accordance with Article 7 of the Consulting Services Agreement (Hourly Rate) dated April 16, 2012 (“Agreement”) between Oneida County (“CLIENT”) and C&S Engineers, Inc. (“CONSULTANT”), this Change Order modifies the Agreement as follows:

1. Change in Services:

None

2. Change in time of Performance (attach schedule if appropriate):

Original agreement for construction inspection (RFP) was based on a construction duration of 6 weeks. Contractor schedule is for 15 weeks. See attached Schedule.

3. Change in CONSULTANT’s Compensation:

Original Maximum Contract Value: \$133,175. Additional fee for inspection time for the Replacement of Structure C1-22, Pleasant Street over Branch Starch Factory Creek, Town of New Hartford: \$27,000. Revised Maximum Contract Value: \$160,175. See attached work plan backup.

All other terms and conditions remain unchanged.

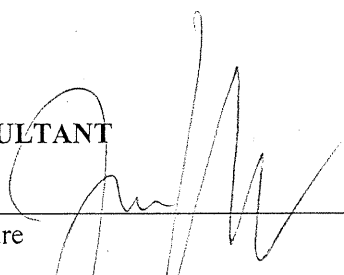
CLIENT

Signature

Name (Printed or Typed)

Date

CONSULTANT



Signature

James F. Morrissey, P.E.

Name (Printed or Typed)

6/12/13

Date

22.

SCHEDULE
PLEASANT STREET CULVERT REPLACEMENT
ALL ITEMS ARE WEATHER DEPENDENT

May 8, 9	Preparation of Dig Site, Secure Water Excavation of Wing Wall #4
May 9, 10	Pre-tie Rebar for Base Footer, Strip & Start Forming Wing Wall #3 Pour Base Footer for Wing Wall #4 Continue Forming Wing Wall #3
May 13	Continue Forming Wing Wall #3 and Tie Steel
May 14	Strip Base Footer Wing Wall #3
May 14	Start Forming Wing Wall #4
May 14, 15	Pour Wing Wall #3
May 16	Finish Forming & Rebar Wing Wall #4
May 17	Pour Wing Wall #4
May 20, 21	Strip Wall Forms, Install Cut Wall Off Upstream
May 22, 23, 24	Work on Downstream Rip Rap and Sloping, Backfill Wing Wall #3
May 28, 29	Start Backfill of Wing Wall #4, Box Culvert Excavation
May 30, 31	—Set Box Culvert Sections
June 3,4,5,6,7	Form & Pour Head Walls, Drill and Grout
June 10	Strip Head Walls
June 7-14	Grade All Areas and Rip Rap, Install Sewer Manholes
June 14	Backfill Head Walls and Roadway
June 16-21	Fill Roadway, Prepare Subbase
June 24-28	Asphalt Pavement - Binder and Shim
July 1-3	Install Guide Rail, Grass Restoration and Final Clean up & Demobilization

Oneida County Pleasant Street Culvert Replacement STR C1-22
 SA -1 Staffing Table for Change Order No.1
 C&S Engineers, Inc

Title	May	June	July	Aug	Sept	Oct	Nov	Dec	Hours	Billing Rate	Subtotal	
Project Manager (OT)		24	8						32	\$113.30	\$ 3,626	
Chief Inspector (OT)	36	176	80						292	\$76.74	\$ 22,408	
		8	8						16	\$56.14	\$ 898	
Mileage	Included								Total	340		\$ 26,932
Concrete /Soil Testing	By Contractor											
											Say	\$ 27,000

24.

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

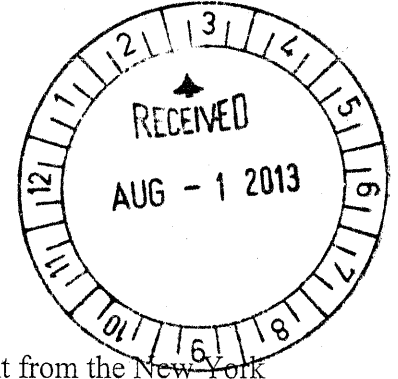
DIVISIONS:
Buildings & Grounds
Engineering
Highways, Bridges & Structures
Reforestation

July 23, 2013

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

FN 20 13-268

PUBLIC WORKS



Dear County Executive Picente,

WAYS & MEANS

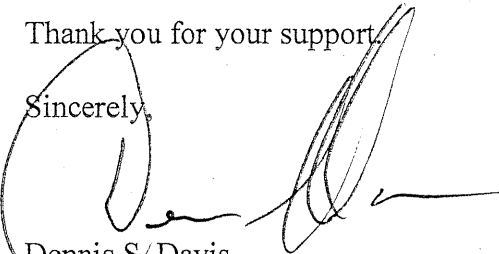
The Oneida County Public Market has been awarded a Fresh Connect grant from the New York State Department of Agriculture and Markets. Funds shall be used for outreach, multilingual promotions, and transportation to/from various locations to be coordinated with the Mohawk Valley Resource Center for Refugees.

Please consider the enclosed grant offer and if acceptable forward to the Oneida County Board of Legislators for consideration. Timing is critical therefore please request consideration at the August 14, 2013 meeting.

If approved please sign and return five (5) original signature pages for further processing.

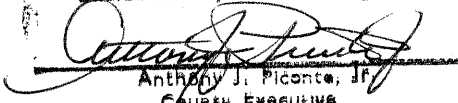
Thank you for your support.

Sincerely,


Dennis S. Davis
Commissioner

cc: Mark E. Laramie, PE, Deputy Commissioner

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


Anthony J. Picente, Jr.
County Executive

Date 8/1/13

Oneida Co. Department: Public Works

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

**ONEIDA COUNTY BOARD
OF LEGISLATORS**

Name of Proposing Organization: NYS Department of Agriculture & Markets
10B Airline Drive
Albany, New York 12235

Title of Activity or Service: Fresh Connect Grant for OC Public Market

Proposed Dates of Operation: May 13, 2013 to March 31, 2014

Client Population/Number to be Served: Oneida County Residents

Summary Statements

1) Narrative Description of Proposed Services

The Oneida County Public Market has been awarded a "Fresh Connect" grant from New York State through its Agriculture & Markets department. The Funds shall be used for Outreach, multi-lingual promotion materials and activities, transportation to/from various locations to be coordinated with the Mohawk Valley Resource Center for Refugees.

2) Program/Service Objectives and Outcomes:

As described within the Program Details.

3) Program Design and Staffing

This program will be managed by the Oneida County Public Market Manager

Total Funding Requested: \$10,000

Account # A4997

Oneida County Dept. Funding Recommendation: \$10,000

Proposed Funding Sources (Federal \$/ State \$/County \$): New York State

Cost Per Client Served: N/A

Past Performance Data: This is a new grant for 2013

O.C. Department Staff Comments: None

26.



ONEIDA COUNTY DEPARTMENT OF LAW

Oneida County Office Building
800 Park Avenue ♦ Utica, New York 13501-2975
(315) 798-5910 ♦ fax (315) 798-5603

ANTHONY J. PICENTE JR.
COUNTY EXECUTIVE

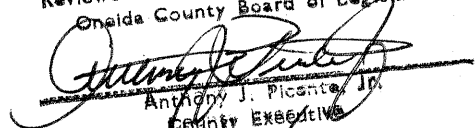
GREGORY J. AMOROSO
COUNTY ATTORNEY

FN 20 13-269

August 7, 2013

WAYS & MEANS

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

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

Anthony J. Picente, Jr.
County Executive
Date 8/8/13

Re: Memorandum of Understanding with Mohawk Valley Community College for Legal Services - Extension

Dear Mr. Picente, Jr.:


Attached are two (2) copies of an Amendment to the Memorandum of Understanding between Oneida County through the County Attorney's Office and Mohawk Valley Community College.

The purpose of this amendment is to extend the MOU to December 31, 2013, so that future MOUs will run concurrently with the County's fiscal year.

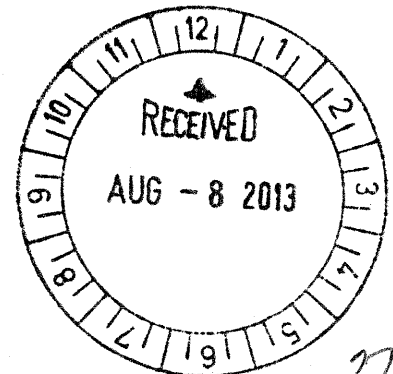
The amendment will result in additional revenue of \$25,000.00 (\$6,250.00 a month).

If this meets with your approval, please forward to the Board of Legislators for their August 14, 2013 meeting.

Very truly yours,


Gregory J. Amoroso, Esq.
Oneida County Attorney

Attachments



27.

Oneida Co. Department: County Attorney's Office

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____
Federal Agreement/Revenue X

Oneida County Contract Summary

Name of Proposing Organization: Mohawk Valley Community College

Title of Activity or Service: Memorandum of Understanding

Proposed Dates of Operation: 9/1/13 – 12/31/13

Client Population/Number to be Served: MVCC

Summary Statements

- 1) **Narrative Description of Proposed Services:** Extension of the current MOU through the end of the year, resulting in revenue for the County.
- 2) **Program/Service Objectives and Outcomes:** Legal services for MVCC
- 3) **Program Design and Staffing:**

Total Funding Requested: ----- Account #: A2837

Oneida County Dept. Funding Recommendation: -----

Proposed Funding Sources (Federal \$/ State \$/County \$): -----

Cost Per Client Served: -----

Past Performance Data: -----

O.C. Department Staff Comments:

**MEMORANDUM OF UNDERSTANDING
(2nd AMENDMENT)**

This Amendment made the 7th day of August, 2013, by and between **ONEIDA COUNTY**, (hereinafter referred to as the "County"), and **MOHAWK VALLEY COMMUNITY COLLEGE** (hereinafter referred to as "College")

WHEREAS, the County and the College have entered into a Memorandum of Understanding by which the County has provided legal counsel and services to the College in accordance with the College's Board of Trustees' Policy #1009, with a term beginning August 1, 2012 through August 31, 2013 (the "Original Agreement"), and

WHEREAS, the Original Agreement was amended on February 1, 2013, (1st Amendment), and

WHEREAS, the parties are now desirous of extending the term to the end of the 2013 calendar year,

NOW THEREFORE, in consideration of the mutual promises made herein, the parties hereto agree to a 2nd Amendment as follows:

1. The term of the amended Memorandum of Understanding shall be amended to be **September 1, 2012 through December 31, 2013**.
2. The total sum for this period of time shall not exceed **Twenty-five thousand dollars (\$25,000)**, and will continue to be paid in monthly installments of Six Thousand Two Hundred Fifty Dollars (\$6,250).
3. All other terms of the Original Agreement remain in effect without change or alteration.

IN WITNESS WHEREOF the County and the College have signed this Amendment on the day and year first above written.

County of Oneida County

Mohawk Valley Community College

By: _____
Anthony J. Picente, Jr.
Oneida County Executive

By: Randall J. VanWagoner
Randall VanWagoner
President

Approved as to Form only

Greg J. Amm
Oneida County Attorney



ONEIDA COUNTY DEPARTMENT OF LAW

Oneida County Office Building
800 Park Avenue ♦ Utica, New York 13501-2975
(315) 798-5910 ♦ fax (315) 798-5603

ANTHONY J. PICENTE JR.
COUNTY EXECUTIVE

GREGORY J. AMOROSO
COUNTY ATTORNEY

FN 20 13-270

August 7, 2013

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

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

WAYS & MEANS

Anthony J. Picente,
County Executive

Date 8/8/13

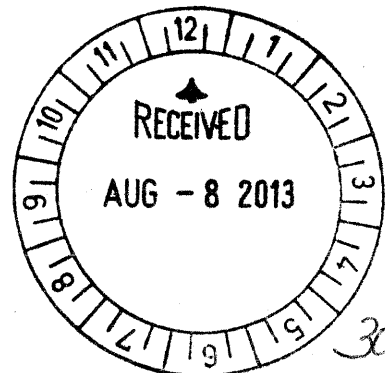
Dear Mr. Picente:

Plaintiff Michael A. Racquet, Sr., has commenced action in the United State District Court, Northern District of New York against the County of Oneida, Oneida County Deputy Sheriff James F. Danquer and New York State Trooper Nicholas J. Lotito for state and federal claims related to injuries suffered during an arrest that occurred on February 15, 2009.

I am in receipt of letters from attorney Bartle J. Gorman, attorney for the County and for Deputy Danquer, and from Gus Boucher, Claims Administrator for Oneida County, recommending that the action against the County and Deputy Danquer be settled in the amount of \$100,000. Mr. Gorman and Mr. Boucher both recommend the settlement on the basis of risk management, with no admission of wrongdoing on the part of the County or Deputy Danquer.

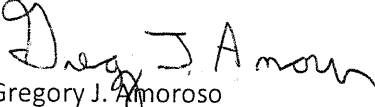
This will be part of a global settlement of the litigation whereby the County will contribute \$100,000 and New York State will contribute \$50,000 for an overall settlement amount of \$150,000 to be paid to plaintiff Michael A. Racquet. The payment will satisfy all claims from the plaintiff, including claims for attorney's fees and repayment of any Medicare lien, together with any subrogation claims from the Veteran's Administration and plaintiff's Medicare Supplement Plan.

HCC, the excess carrier for Oneida County, has agreed to contribute up to \$25,000 toward settlement of the case, which will be used to reimburse the County for already expended defense costs and disbursements, and any remainder of HCC's contribution will then be applied towards the County's settlement contribution.



I agree with the recommendation of settlement for all of the reasons set forth in Mr. Gorman and Mr. Boucher's letters and I ask that this matter be referred to the Board of Legislators for their approval at their August 14, 2013 regular session.

Very truly yours,


Gregory J. Amoroso
County Attorney

Cc: Bartle J. Gorman, Esq.
Gustave Boucher

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY:

2ND BY:

**RE: APPROVAL OF A SETTLEMENT IN THE MATTER OF MICHAEL A. RACQUET, SR.
V. COUNTY OF ONEIDA, ET AL**

WHEREAS, Oneida County Executive Anthony J. Picente, Jr. is in receipt of correspondence from County Attorney Gregory J. Amoroso requesting Board approval of a proposed settlement in the amount of \$100,000 in the matter of Michael A. Racquet, Sr. v. Oneida County et al., and

WHEREAS, Michael A. Racquet, Sr. commenced an action in United States District Court, Northern District of New York against the County of Oneida, Oneida County Deputy Sheriff James F. Danquer and New York State Trooper Nicholas J. Lotito for state and federal claims related to injuries suffered during an arrest that occurred on February 15, 2009, and

WHEREAS, The County's outside counsel assigned to the litigation, Bartle J. Gorman, Esq., and the County's Risk & Claims Administrator, Gus Boucher, both recommend that Oneida County settle such claims on the basis of risk management, with no admission of wrongdoing on the part of the County or Deputy Danquer for the proposed amount in full satisfaction of any and all obligations related to said action now, therefore, be it

RESOLVED, That the Oneida County Board of Legislators hereby authorizes settlement in the amount of \$100,000 in full satisfaction of any and all claims against the County of Oneida and Deputy James F. Danquer in the matter of Michael A. Racquet Sr. v. Oneida County et al.

APPROVED: Ways & Means Committee ()

DATED: August 14, 2013

Adopted by the following vote:

AYES NAYS ABSENT



ONEIDA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

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

August 7, 2013

FN 20 13-271

Board of Legislators
Oneida County
800 Park Avenue
Utica, NY 13501

WAYS & MEANS

Honorable Members:

I enclose herewith the 2013 enabling resolution extending the imposition of our additional sales tax rates until November 30, 2015.

The resolution incorporates the recent State Legislation which extended the 1% rate established in 1992 and the three quarters of one per cent imposed in 2007. Both of these additional rates of sales tax will end November 30, 2013 unless the Board of Legislators enacts the enclosed enabling resolution before September 1, 2013.

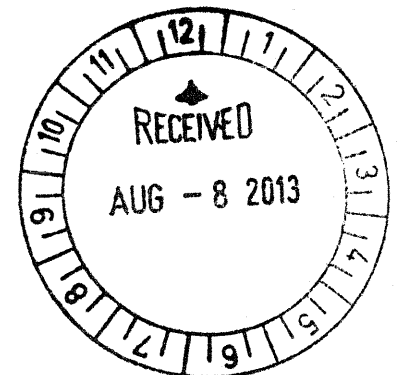
The duly enacted resolution must be filed with the Commissioner of Taxation and Finance at least 90 days before its effective date. This means we must have the enactment postmarked to the Tax Commissioner no later than September 2, 2013. I therefore request that the enabling resolution be passed at your August 14, 2013 regular session.

Thank you for the Board's prompt attention to this request.

Very truly yours,

Anthony J. Picente Jr.
Oneida County Executive

Cc: Anthony Carvelli



33

INTRODUCTORY
NO.

F.N.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY:

2ND BY:

RE: RESOLUTION EXTENDING THE ADDITIONAL RATES OF TAXES ON SALES AND COMPENSATING USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS, AND ON AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Be it enacted by the Board of Legislators of the County of Oneida, as follows:

SECTION 1. The first sentence of section two of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

Section 2. Imposition of sales tax.

On and after December 1, 1990, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing September 1, 1992, and ending November 30, 2015, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing September 1, 1992, and ending November 30, 2015, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall

be read as referring to September 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to May 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to August 31, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

Section 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after September 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two,

(D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering services described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of

three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Section 4-A of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

Section 4-A. Imposition of additional rate of sales and compensating use taxes. Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period December 1, 2007, and ending November 30, 2015. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 5. Subdivision (k) of section 6 of Resolution #202 as enacted in nineteen hundred ninety, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections 2 and 4, respectively, of this resolution for the period commencing September 1, 1992, and ending November 30, 2015.

SECTION 6. Paragraphs (B) and (E) of subdivision (1) of section 11 of Resolution #202 as enacted in nineteen hundred ninety, as amended, are amended to read as follows:

(B) With respect to the additional tax at the rate of one percent imposed for the period beginning September 1, 1992, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to September 1, 1992.

(E) With respect to the additional tax at the rate of three-quarters of one percent imposed for the period beginning December 1, 2007, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to December 1, 2007.

SECTION 7. Subdivisions (e) and (g) of section fourteen of Resolution #202 as enacted in nineteen hundred ninety, as amended, are amended to read as follows:

(e) Notwithstanding any contrary provision of law, with respect to the additional one percent rate of sales and compensating use taxes imposed by sections two and four of this resolution for the period September 1, 1992, through November 30, 2015:

(1) where a city in Oneida County imposes tax pursuant to the authority of subdivision (a) of section twelve hundred ten of the Tax Law of the State of New York, the County shall allocate, distribute and pay in cash quarterly to such city one-half of the net collections attributable to such additional one percent rate of the County's taxes collected in such city's boundaries;

(2) where a city in Oneida County does not impose tax pursuant to the authority of such subdivision (a) of such section twelve hundred ten, the County shall allocate, distribute and pay in cash quarterly to such city not so imposing tax a portion of the net collections attributable to one-half of the County's additional one percent rate of tax calculated on the basis of the ratio which such city's population bears to the County's total population, such populations as determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the County; and

(3) the County hereby dedicates the first one million five hundred thousand dollars of net collections attributable to such additional one percent rate of tax received by the County after the County receives in the aggregate eighteen million five hundred thousand dollars of net collections from such additional one percent rate of tax imposed for any of the periods: September 1, 2013, through August 31, 2014; and September 1, 2014, through August 31, 2015 to an allocation on a per capita basis, utilizing figures from the latest

decennial federal census or special population census taken pursuant to section twenty of the general municipal law, completed and published prior to the end of the year for which such allocation is made, which special census must include the entire area of the County, to be allocated and distributed among the towns of the County by an appropriation of the County's Board of Legislators; provided, further, that nothing herein shall require the Board of Legislators to make any such appropriation until it has been notified by any town by appropriate resolution and, in any case where there is a village wholly or partially located within a town, a resolution of every such village, embodying the agreement of such town and village or villages upon the amount of such appropriation to be distributed to such village or villages out of the allocation to the town or towns in which it is located.

(g) Net collections from the additional taxes imposed at the rate of three-quarters of one percent for the period December 1, 2007, through November 30, 2015, shall be set aside for county purposes and shall be available for any county purpose, and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section twelve hundred sixty-two of the Tax Law.

SECTION 8. This enactment shall take effect December 1, 2013.

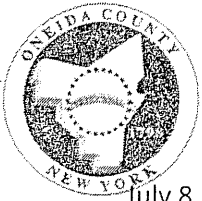
APPROVED: Ways & Means Committee ()

DATED:

Adopted by the following roll call vote:

AYES ___ NAYS ___

41.



July 8, 2013

ONEIDA COUNTY BOARD OF ELECTIONS

Union Station ♦ 321 Main St. ♦ 3rd Floor
Utica, New York 13501
Fax: (315) 798-6412

Anthony J. Picente Jr.
County Executive
Hand delivered

RUSSELL STEWART
Democratic Commissioner
(315) 798-5761

ROSE M. GRIMALDI
Republican Commissioner
(315) 798-5763

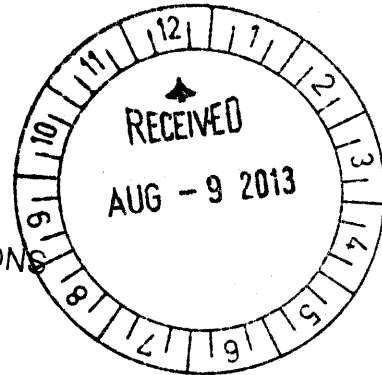
Anthony J. Picente, Jr.
Oneida County Office Building
800 Park Avenue
Utica, New York 13501

Dear County Executive:

FN 20 13-272

GOVERNMENT OPERATIONS

WAYS & MEANS



Enclosed you will find an Intermunicipal Agreement between the Schenectady County Board of Elections and the Oneida County Board of Elections for Ballot printing.

We are happy that we have been able to negotiate the cost of the printing of each ballot to \$.26. In the past, we have paid Fort Orange \$.57 for the printing of each ballot.

The Agreement has been passed by the Schenectady County Legislature and executed by their County Executive.

We are requesting that you expedite the execution of this Agreement and forward onto the Board. We have already spoken with the Board and this Agreement will be forwarded to Government Operations Committee meeting for August 14, 2013 and to the Board for approval on August 16, 2013.

Thank you.

Sincerely,

Russell Stewart
Russell Stewart

Democratic Commissioner

Rose Marie Grimaldi
Rose Marie Grimaldi

Republican Commissioner

Encls.

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

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

Date 8/8/13

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Oneida Co. Department:

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____
Federal Agreement/Revenue _____

Oneida County Contract Summary

Name of Proposing Organization: Schenectady County Board of Elections, 620 State Street, Schenectady, New York 12305

Title of Activity or Service: Ballot printing

Proposed Dates of Operation: Date of Execution until August 8, 2014

Client Population/Number to be Served:

Summary Statements

- 1) Narrative Description of Proposed Services: The Schenectady County Board of Elections will be printing ballots for the Primary and General Elections for 2013 for the Oneida County Board of Elections at a price of \$.26 per ballot.
- 2) Program/Service Objectives and Outcomes: Ballots will be supplied by the Schenectady County Board of Elections for the Primary and General Elections for the Oneida County Board of Elections for \$.26 per ballot.
- 3) Program Design and Staffing: n/a

Total Funding Requested: \$75,000-\$100,000

Account: 1450.4981

Oneida County Dept. Funding Recommendation: Payment for will come from 1450.4981

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

Cost Per Client Served: n/a

Past Performance Data: n/a

O.C. Department Staff Comments: Intermunicipal Agreement entered into between Schenectady County Board of Elections and the Oneida County Board of Elections for the printing of ballots for the Primary and General Elections for \$.26 per ballot.

