



# ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Susan L. Crabtree  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Michael J. Hennessy  
Minority Leader

## COMMUNICATIONS FOR DISTRIBUTION NOVEMBER 12, 2009 (Correspondence relating to upcoming legislation, appointments, petitions, etc)

<u>FILE NO.</u>	<u>COMMITTEE</u>	<u>PAGES</u>
2009-433 . . .	Public Works, Ways & Means	2-4
2009-434 . . .	Public Works, Ways & Means	5-6
2009-435 . . .	Internal Affairs, Ways & Means	7
2009-436 . . .	Public Safety, Ways & Means	8
2009-437 . . .	Education, Youth & Agriculture, Ways & Means	9
2009-438 . . .	Internal Affairs, Ways & Means	10-13
2009-439 . . .	Education, Youth & Agriculture, Ways & Means	14
2009-440 . . .	Read & Filed	15-42
2009-441 . . .	Economic Development & Tourism, Way & Means	43-62
2009-442 . . .	Public Health, Ways & Means	63-65
2009-443 . . .	Public Health, Ways & Means	66-67
2009-444 . . .	Public Health, Ways & Means	68-69
2009-445 . . .	Public Health, Ways & Means	70-71
2009-446 . . .	Public Health, Ways & Means	72-74
2009-447 . . .	Public Health, Ways & Means	75-76
2009-448 . . .	Public Health, Ways & Means	77-78
2009-449 . . .	Public Health, Ways & Means	79-80
2009-450 . . .	Public Works, Ways & Means	81-83

# Oneida County Department of Public Works

ANTHONY J. PICENTE JR.  
County Executive

JOHN J. WILLIAMS  
Commissioner

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

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

October 16, 2009

7N(2009-433

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

**PUBLIC WORKS**

**WAYS & MEANS**

Dear County Executive Picente,

Since 2000, Oneida County has contracted with Lochner Engineering, P.C., to provide Construction Inspection Services for County funded bridge rehabilitation / replacement projects. The primary objective was to insure compliance with construction plans and specifications and insure a quality end product. Lochner has provided these services to the satisfaction of the County and as a result the quality and of finished projects has noticeably improved.

On March 25, 2009 the Oneida County Board of Acquisition and Contract accepted a proposal from Lochner Engineering, P.C., for \$100,000.00 to provide construction inspection services for the 2009 construction season and a contract was executed. Funding was and will be provided through Capital Project H-374, County Highway Bridge Program (Phase 3).

It is necessary to execute an amendment to the agreement for the 2009 construction season. Additional compensation is required because of an unusually large number of projects and the geographic location of each project. The increased number of projects is due to several projects rolling-over from the 2008 construction season into the 2009 construction season. The geographic location of each project ranged throughout Northern Oneida County. This made it impossible for one team of inspectors to cover all projects. Projects completed to date and incomplete projects are as follows

Completed Projects

Railroad Street Bridge, Village of Camden  
Hayes Road Bridge, Town of Florence  
Coleman Mills Road Structure, Town of Rome  
Fox Road Structure, Town of Marcy  
Jug Point Road Structure #1, Town of Verona  
North Steuben Road Structure, Town of Steuben  
Sheehan Road Bridge, Town of Annsville

Incomplete Projects

Bear Creek Road Bridge, Town of Forestport  
Point Rock Road Bridge, Town of Ava  
Powell Road Bridge, Town of Trenton  
Jug Point Road Structure #2, Town of Verona

Originally, the Department of Public Works and Lochner Engineering estimate that an additional \$110,000.00 would be required to provide construction inspection and project closeout services for the balance of 2009 on the following projects. On October 14, 2009, the Oneida County Board of Acquisition & Contract accepted a proposal from Lochner Engineering in this amount. Subsequently, the Department of Public Works and Lochner Engineering were able to reduce the estimate to \$90,000.00 by eliminating overtime, limiting work hours, and compressing several construction schedules.

2009 NOV -3 PM 4:13  
ONEIDA COUNTY LEGISLATURE

2.

Therefore, please consider the enclosed amendment for \$90,000.00 to provide construction inspection and project closeout services on County funded bridge and highway reconstruction projects for the balance of 2009. Funding would be provided through Capital Project H-374, County Highway Bridge Program (Phase 3).

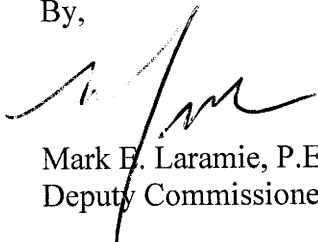
If the amendment is acceptable, please forward to the Oneida County Board of Legislators for consideration.

Thank you for your support.

Sincerely,

John J. Williams  
Commissioner

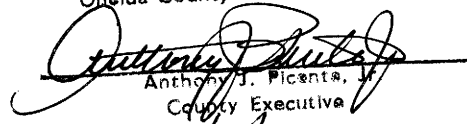
By,



Mark E. Laramie, P.E.  
Deputy Commissioner, Division of Engineering

cc: File/RF

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



Anthony J. Picentia, Jr.  
County Executive

Date 11/3/09

Oneida County Department: Public Works

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

## Oneida County Board of Legislators Contract Summary

Name of Proposing Organization: **Lochner Engineering, P.C.**  
**181 Genesee St., Suite 300**  
**Utica, NY 13501**

Title of Activity or Service: **Construction Inspection Services**

Client Population/Number to be Served: **N/A**

Summary Statements:

1) Narrative Description of Proposed Services:

**Amendment for additional construction inspection services for county funded bridge replacement / rehabilitation projects.**

2) Program/Service Objectives and Outcomes:

**The primary objective is to insure compliance with construction contract documents and obtain an acceptable level of quality.**

3) Program Design and Staffing Level:

**N/A**

Total Funding Requested: **\$90,000.00**

Oneida County Department Funding Recommendation: **\$90,000.00**

Account # **H-374**

Proposed Funding Source: Federal \_\_\_\_\_ State \_\_\_\_\_ County 100%

Cost Per Client Served: **N/A**

Past Performance Data: **N/A**

Oneida County Department Staff Comments

# Oneida County Department of Public Works

ANTHONY J. PICENTE JR.  
County Executive

JOHN J. WILLIAMS  
Commissioner

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

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

October 15, 2009

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

7N12009-434

**PUBLIC WORKS**  
**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -3 PM 4:19

Dear County Executive Picente,

Barton & Loguidice, P.C. of Syracuse was previously approved by the Oneida County Board of Legislators to provide preliminary engineering/design services and construction inspection services for Miscellaneous Repairs and Maintenance Painting of Multiple Bridges, for a not to exceed fee of \$273,000 (\$95,000 design, \$178,000 construction).

The original construction schedule called for 30 weeks of construction inspection. To date, Barton & Loguidice has expended 33.7 weeks of inspection time and it is estimated that an additional 3 weeks will be required to complete and close out all projects. Therefore, on September 30, 2009, the Oneida County Board of Acquisition & Contract accepted a proposal from Barton & Loguidice for \$29,000 (\$23,200.00 federal aid, \$4,350.00 State aid, \$1,450.00 County share) to provide additional construction inspection services as noted above. The revised contract total would be \$302,000.00 (\$241,600.00 federal aid, \$45,300 State aid, \$15,100 County share).

Please consider the enclosed Supplemental Agreement No. 2 for the services noted above. If the supplemental agreement is acceptable please forward to the Oneida County Board of Legislators for Consideration.

Thank you for your support.

Sincerely,

John J. Williams  
Commissioner

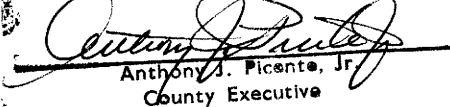
By,



Mark E. Laramie, P.E.  
Deputy Commissioner, Division of Engineering

cc: RF/File

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



Anthony J. Picente, Jr.  
County Executive

Date 10/28/09

Oneida County Department: Public Works

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

## Oneida County Board of Legislators Contract Summary

Name of Proposing Organization: **Barton & Loguidice, P.C.**  
Title of Activity or Service: **Professional Consulting Services**  
Client Population/Number to be Served: **N/A**  
Summary Statements: **N/A**

1) Narrative Description of Proposed Services:  
**Additional construction inspection services for Maintenance Repairs and Maintenance Painting of Multiple County Bridges.**

2) Program/Service Objectives and Outcomes:  
**As noted above.**

3) Program Design and Staffing Level:  
**N/A**

Total Funding Requested: **\$29,000**

Oneida County Department Funding Recommendation: **\$29,000** Account # **H-298**

Proposed Funding Source: Federal **\$23,200** State **\$4,350** County **\$1,450**

Cost Per Client Served: **N/A**

Past Performance Data: **N/A**

Oneida County Department Staff Comments

61



2009 NOV -3 PM 4: 18

RECEIVED  
ONEIDA COUNTY LEGISLATURE

Anthony J. Picente Jr.  
County Executive

Mello Testa  
Director

Gregg Grower  
Assistant Director

# Oneida County Department of Purchasing

800 Park Avenue- Utica, New York 13501  
Phone (315) 798-5880 Fax (315) 798-4042

7N2009-435

October 21, 2009

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

**INTERNAL AFFAIRS**

**WAYS & MEANS**

Dear County Executive Picente,

The Purchasing Department's success relating to E-bay has surpassed all expectations with anticipated revenues to increase for the third straight year. This success was mainly due to the letter you sent to local municipalities, including cities, towns, villages, school districts and non for profits inviting them to utilize our E-bay site to sell their surplus. We have received nothing but high marks from each one that we have worked with and we have and will continue to reach out beyond Oneida County, signing agreements with other counties and school districts.

In this tough economy I thought it was time to take a look at our fee structure in an effort to assist our partners. I propose that we lower our current percentage fees. Currently we receive:

- 20% for items selling for \$10,000.00
- 10% for everything over \$10,000.00

I'm asking that we reduce our fee as follows:

- Items sold under \$1,000.00 will be charged 20%
- Items sold over \$1,001.00 will be reduced to 10%.

Even with the reduction in fees I don't expect a loss in revenue because most of the items we sell are already under \$1,000.00. What I expect to see will be more items with a value over \$1,000.00 because of the lower percentage. This will most likely pick up more business from current partners and will most certainly add to our list of partners due to the lower fees.

I will make myself available to speak at any and all town, village, school, or executive board meeting promoting this shared service in an effort to retain and increase outside sales if you approve my proposal. I ask that you submit to the Board of Legislators this change in our fee structure reflecting the percentages listed above.

Respectively,

Mello Testa  
Director of Purchasing

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

Anthony J. Picente, Jr.  
County Executive

Date 10/28/09

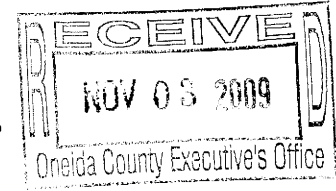
# Oneida County Department of Traffic Safety

## Division of Traffic Safety – STOP-DWI Program

Anthony J. Picente Jr.  
Oneida County Executive



Michael S. Colangelo  
STOP-DWI Coordinator



7N12009-436

October 30, 2009

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

**PUBLIC SAFETY**  
**WAYS & MEANS**

2009 NOV -3 PM 4:17  
RECEIVED  
ONEIDA COUNTY LEGISLATURE

Dear County Executive Picente:

I am submitting the following request for a supplemental appropriation for year 2009. This supplemental appropriation would place the necessary funds needed to run additional, unscheduled "Alive at 25" and "Defensive Driving" classes. These classes are necessary to accommodate the increased number of students being referred from Oneida County Local Criminal Courts and the District Attorney's Office.

This supplemental appropriation is **100% supported** by unanticipated revenue from tuition fees, thus requiring no county tax dollars.

To:	A3610.195	Other Fees & Services	\$3,000.00
	A3610.4951	Other Expenses	\$2,500.00

This appropriation will be fully supported by revenue in:

A1562 Traffic Safety Fees / Alive at 25	\$5,500.00
-----------------------------------------	------------

Thank you for your personal attention to this matter. Should you have any further questions, please contact my office.

Sincerely,

Michael S. Colangelo, Administrator

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

Anthony J. Picente, Jr.  
County Executive

Date 11/3/09

5900 Airport Road • Suite 209 • Oriskany, NY 13424  
Division of Traffic Safety 315.736.8946 • STOP-DWI Program 315.736.8943  
Fax: 315.736.8958 • E-mail [stopdwi@ocgov.net](mailto:stopdwi@ocgov.net) • [www.ocgov.net](http://www.ocgov.net)





7N 2009-437

October 30, 2009

EDUCATION, YOUTH & AGRICULTURE

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

WAYS & MEANS

2009 NOV -3 PM 4:15  
ONEIDA COUNTY LEGISLATURE

Dear County Executive:

In reviewing the Students in Other Community Colleges cost center it is estimated there will be a shortfall for the year of approximately \$50,000. This is a result of more students opting to attend other community colleges instead of attending Mohawk Valley Community College and increases in the tuition reimbursements throughout New York State.

Fortunately, there is an estimated surplus in the Onondaga Community College and the Fashion Institute Technology budgets which will cover the estimated shortfall.

I therefore request your Board approval for the following 2009 fund transfer:

TO:

AA# A2490.4941- Students in Other Community Colleges, All Other C.C. .... \$ 50,000.

FROM:

AA# A2490.4943 - Students in Other Community Colleges, Onondaga C.C ..... \$ 30,000.

AA# A2490.4944 - Students in Other Community Colleges, Fashion Institute ..... 20,000.

Total ..... \$ 50,000.

Respectfully submitted,

Thomas B. Keeler  
Budget Director

Attach.

Cc: County Attorney  
Comptroller  
Budget Director

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

ANTHONY J. PICENTE, JR.  
COUNTY EXECUTIVE

Date 11/3/09

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

2009 NOV - 3 PM 4:15  
ONEIDA COUNTY EXECUTIVE

7m/2009-438

October 27, 2009

**INTERNAL AFFAIRS**

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

**WAYS & MEANS**

Dear Mr. Picente:

Enclosed, please find a proposed resolution regarding the semi-annual report on Mortgage Tax Receipts.

Please submit this to the Board of Legislators for their approval on or before December 31, 2009.

Very truly yours,

Anthony Carvelli  
Commissioner of Finance

AC/bad

Enclosure

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

Anthony Picente, Jr.  
County Executive

Date 11/3/09

cc: Susan Crabtree, Clerk of the Board

**MORTGAGE TAX RECEIPTS AND DISTRIBUTION**

**FOR THE PERIOD ENDING SEPTEMBER 2009**

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

**WHEREAS:** This report shows the credit statement to the sum of \$1,508,436.28 to be  
Distributed to the various towns, cities and villages pursuant to  
Section 261 of the Tax Law, now therefore, be it hereby

**RESOLVED:** That the Oneida County Commissioner of Finance be, and hereby is  
Authorized and directed to remit payments in the amount shown in  
Said semi-annual report on the Mortgage Tax Receipts.

**APPROVED:**



NEW YORK STATE MORTGAGE TAX SEMI-ANNUAL REPORT

COUNTY OF Oneida County FOR THE PERIOD OF April 2009 THROUGH September 2009  
 CASH STATEMENT FOR TAXES COLLECTED PURSUANT TO ARTICLE 11

TAX RATE: 0.9362056546

Months	BASIC TAX DISTRIBUTED						TREASURER				ALL OTHER TAXES DISTRIBUTED			
	1 Basic tax collected	2 Interest received by recording officer	3 Recording Officer's expense	4 Refunds or adjustments	5 Amount paid treasurer (Col 1 + Col 2 - Col 3 - Col 4)	6 Interest received by Treasurer	7 Treasurers expense	8 Tax districts share (Col 5 + Col 6 - Col 7)	9 Local Tax	10 Additional Tax CNY	11 Special assistance fund	12 Special additional tax SONYMA		
Oct														
Nov														
Dec														
Jan														
Feb														
Mar														
Apr	211,960.96	9.59	17,488.97	0.00	194,481.58	0.00	0.00	194,481.58	85,649.17		83,968.41			
May	286,091.53	14.70	17,253.90	0.00	268,852.33	0.00	0.00	268,852.33	120,162.05		121,175.79			
Jun	347,157.41	17.68	17,234.93	0.00	329,940.16	0.00	0.00	329,940.16	147,272.84		149,590.16			
Jul	307,580.65	18.32	17,302.77	0.00	290,296.20	0.00	0.00	290,296.20	130,659.34		128,371.64			
Aug	246,394.00	16.29	17,338.90	0.00	229,071.39	0.00	0.00	229,071.39	101,344.13		102,152.73			
Sep	212,038.66	15.94	17,387.33	0.00	194,667.27	1,127.35	0.00	195,794.62	85,873.47		86,036.50			
Totals	1,611,223.21	92.52	104,006.80	0.00	1,507,308.93	1,127.35	0.00	1,508,436.28	670,961.00		671,295.23			

*David S. ...* Recording Officer

*...* Treasurer

**PART II**

Credit Statement  
(Column 6) This column is the net amount due to each tax district for which the Board of Supervisors shall issue its warrant or warrants.

Distribution Statement  
(Columns 1 through 5) The "taxes collected" shown in column 2 were produced by mortgages covering real property in the respective tax districts. Additions and deductions to make adjustments and correct errors are recorded in column 3 and 4, respectively. Authority for these additions and deductions is given by the orders of the Taxation Department noted on the bottom of this part.

	2	3	4	5	6
	Taxes Collected	*Additions	*Deductions	Taxes Adj. Corr	Amount Due Tax District
MUNICIPALITY					
ANNSVILLE	9,426.50	0.00	0.00	9,426.50	8,825.14
AUGUSTA	14,876.35	0.00	0.00	14,876.35	13,927.32
AVA	5,348.50	0.00	0.00	5,348.50	5,007.30
BOONVILLE	38,460.00	0.00	0.00	38,460.00	36,006.47
BRIDGEWATER	6,671.85	0.00	0.00	6,671.85	6,246.22
CAMDEN	36,620.00	0.00	0.00	36,620.00	34,283.85
DEERFIELD	47,056.16	0.00	0.00	47,056.16	44,054.24
FLORENCE	4,703.50	0.00	0.00	4,703.50	4,403.44
FLOYD	24,176.00	0.00	0.00	24,176.00	22,633.71
FORESTPORT	23,847.50	0.00	0.00	23,847.50	22,326.16
KIRKLAND	104,114.52	0.00	0.00	104,114.52	97,472.60
LEE	48,238.50	0.00	0.00	48,238.50	45,161.16
MARCY	77,650.18	0.00	0.00	77,650.18	72,696.54
MARSHALL	17,039.00	0.00	0.00	17,039.00	15,952.01
NEW HARTFORD	260,363.50	0.00	0.00	260,363.50	243,753.78
PARIS	37,714.00	0.00	0.00	37,714.00	35,308.06
REMSEN	14,342.79	0.00	0.00	14,342.79	13,427.80
ROME	197,392.08	0.00	0.00	197,392.08	184,799.58
SANGERFIELD	18,543.50	0.00	0.00	18,543.50	17,360.53
STEUBEN	7,616.71	0.00	0.00	7,616.71	7,130.81
TRENTON	34,558.50	0.00	0.00	34,558.50	32,353.86
UTICA	171,171.00	0.00	0.00	171,171.00	160,251.26
VERNON	73,701.70	0.00	0.00	73,701.70	68,999.95
VERONA	48,694.00	0.00	0.00	48,694.00	45,587.60
VIENNA	46,413.00	0.00	0.00	46,413.00	43,452.11
WESTERN	23,822.50	0.00	0.00	23,822.50	22,302.76
WESTMORELAND	64,672.69	0.00	0.00	64,672.69	60,546.94
WHITESTOWN	153,988.68	0.00	0.00	153,988.68	144,165.07
<b>Total Tax Districts</b>	<b>28</b>	<b>0.00</b>	<b>0.00</b>	<b>1,611,223.21</b>	<b>1,508,436.28</b>

\*See refund, adjustment and special adjustment orders of Commissioner of Taxation and Finance, case numbers

**Working Solutions**  
Herkimer-Madison-Oneida  
David L. Mathis  
Director



Anthony J. Picente, Jr.  
County Executive

7N2009-439

October 6, 2009

**EDUCATION, SCIENCE & AGRICULTURE**  
**WAYS & MEANS**

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

Dear County Executive Picente,

Oneida County Workforce Development has been notified by the New York State Division of Criminal Justice Services that it has been awarded a \$224,332.00 grant for the continuation of the Local Re-entry Task Force Enhanced Services program. The Re-entry program goal is to reduce recidivism in local jurisdictions and increase public safety. This funding will be used to cover allowable costs incurred through June 30, 2010.

In order for this funding to be utilized and to accept this unanticipated revenue, we respectfully request Board of Legislators approval of the following 2009 supplemental appropriation:

TO:

AA #J6342.495                      Other Expenses                      \$150,000.00

This 2009 supplemental appropriation will be fully supported by unanticipated revenue in:

RA#J3766                      State Aid - Local Re-entry Task Force Enhanced Services    \$150,000.00

In order to utilize and accept this unanticipated revenue for 2010, we respectfully request Board of Legislators approval of the following 2010 supplemental appropriation:

TO:

AA#J6342.495                      Other Expenses                      \$ 74,332.00

This 2010 supplemental appropriation will be fully supported by unanticipated revenue in:

RA#J3766                      State Aid - Local Re-entry Task Force Enhanced Services    \$ 74,332.00

Thank you for your support for this important endeavor.

Yours truly,  
*David Mathis*  
David Mathis, Director  
Oneida County Workforce Development

cc: Budget Director  
Comptroller  
J. Gotte  
M. Rieth

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by  
*Anthony J. Picente, Jr.*  
Anthony J. Picente, Jr.  
County Executive  
Date 11/3/09

2009 NOV 5 - PM 4:17

ONEIDA COUNTY WORKFORCE DEVELOPMENT  
209 Elizabeth Street, Utica, NY 13501  
315-798-5908  
e-mail: ocwd@ocgov.net

"We are an equal opportunity employer/program.  
Auxiliary aids and services are available upon  
request to individuals with disabilities"



# ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Susan L. Crabtree  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Michael J. Hennessy  
Minority Leader

FN 2009-440

November 4, 2009

**READ & FILED**

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

Mrs. Crabtree:

The parcels recommended to be included in Agricultural Districts around the County during Open Enrollment period of January 2009, have been received and certified by the State.

Please file attached as a "Read & File docket to read "RE: NYS certification of properties added to agricultural districts during Oneida County's designated Open Enrollment Period, January 2009."

Respectfully,

Gerald Fiorini  
Chairman of the Board

GJF:pp

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -5 AM 11:05

15.



STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS

10B Airline Drive, Albany, New York 12235  
518-457-8876 Fax 518-457-3087  
www.agmkt.state.ny.us

David A. Paterson  
Governor

Patrick Hooker  
Commissioner

Susan L. Crabtree, Clerk  
Oneida County Board of Legislators  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 JUN 29 PM 3:50

Dear Ms. Crabtree:

In accordance with Section 303-b of the Agriculture and Markets Law, the Oneida County Board of Legislators submitted to me, by Resolution No. 158-09, a plan to modify Oneida County Agricultural District No. 23 by including predominantly viable agricultural land in the District.

Following review of the plan and its related documentation, I hereby certify that the inclusion of predominantly viable agricultural land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the District.

Signed and Sealed at the Town of Colonie,  
County of Albany, New York,  
This 26<sup>th</sup> day of June, 2009

PATRICK HOOKER  
Commissioner of Agriculture and Markets  
of the State of New York

PH/rjm

cc: James Vincent, Chair, Advisory Council on Agriculture  
Susan Hoskins, IRIS  
Brymer Humphreys, Chairman, AFPB  
Guy Sassaman, Oneida County Dept. of Planning





STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS  
10B Airline Drive, Albany, New York 12235  
518-457-8876 Fax 518-457-3087  
www.agmkt.state.ny.us

David A. Paterson  
Governor

Patrick Hooker  
Commissioner

Susan L. Crabtree, Clerk  
Oneida County Board of Legislators  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 JUN 29 PM 3:50

Dear Ms. Crabtree:

In accordance with Section 303-b of the Agriculture and Markets Law, the Oneida County Board of Legislators submitted to me, by Resolution No. 158-09, a plan to modify Oneida County Agricultural District No. 7 by including predominantly viable agricultural land in the District.

Following review of the plan and its related documentation, I hereby certify that the inclusion of predominantly viable agricultural land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the District.

Signed and Sealed at the Town of Colonie,  
County of Albany, New York,  
This 26<sup>th</sup> day of June, 2009

PATRICK HOOKER  
Commissioner of Agriculture and Markets  
of the State of New York

PH/rjm

cc: James Vincent, Chair, Advisory Council on Agriculture  
Susan Hoskins, IRIS  
Brymer Humphreys, Chairman AFPB  
Guy Sassaman, Oneida County Dept. of Planning



STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS  
10B Airline Drive, Albany, New York 12235  
518-457-8876 Fax 518-457-3087  
www.agmkt.state.ny.us

David A. Paterson  
Governor

Patrick Hooker  
Commissioner

Susan L. Crabtree, Clerk  
Oneida County Board of Legislators  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 JUN 29 PM 3:50

Dear Ms. Crabtree:

In accordance with Section 303-b of the Agriculture and Markets Law, the Oneida County Board of Legislators submitted to me, by Resolution No. 158-09, a plan to modify Oneida County Agricultural District No. 6 by including predominantly viable agricultural land in the District.

Following review of the plan and its related documentation, I hereby certify that the inclusion of predominantly viable agricultural land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the District.

Signed and Sealed at the Town of Colonie,  
County of Albany, New York,  
This 29<sup>th</sup> day of June, 2009

PATRICK HOOKER  
Commissioner of Agriculture and Markets  
of the State of New York

PH/rjm

cc: James Vincent, Chair, Advisory Council on Agriculture  
Susan Hoskins, IRIS  
Brymer Humphreys, Chairman, AFPB  
Guy Sassaman, Oneida County Dept. of Planning



STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS  
10B Airline Drive, Albany, New York 12235  
518-457-8876 Fax 518-457-3087  
www.agmkt.state.ny.us

Dávid A. Paterson  
Governor

Patrick Hooker  
Commissioner

Susan L. Crabtree, Clerk  
Oneida County Board of Legislators  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 JUN 29 PM 3:49

Dear Ms. Crabtree:

In accordance with Section 303-b of the Agriculture and Markets Law, the Oneida County Board of Legislators submitted to me, by Resolution No. 158-09, a plan to modify Oneida County Agricultural District No. 5 by including predominantly viable agricultural land in the District.

Following review of the plan and its related documentation, I hereby certify that the inclusion of predominantly viable agricultural land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the District.

Signed and Sealed at the Town of Colonie,  
County of Albany, New York,  
This 26<sup>th</sup> day of June, 2009

PATRICK HOOKER  
Commissioner of Agriculture and Markets  
of the State of New York

PH/rjm

cc: James Vincent, Chair, Advisory Council on Agriculture  
Susan Hoskins, IRIS  
Brymer Humphreys, Chairman, AFPB  
Guy Sassaman, Oneida County Dept. of Planning



STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS  
10B Airline Drive, Albany, New York 12235  
518-457-8876 Fax 518-457-3087  
www.agmkt.state.ny.us

David A. Paterson  
Governor

Patrick Hooker  
Commissioner

Susan L. Crabtree, Clerk  
Oneida County Board of Legislators  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 JUN 29 PM 3:49

Dear Ms. Crabtree:

In accordance with Section 303-b of the Agriculture and Markets Law, the Oneida County Board of Legislators submitted to me, by Resolution No. 158-09, a plan to modify Oneida County Agricultural District No. 3 by including predominantly viable agricultural land in the District.

Following review of the plan and its related documentation, I hereby certify that the inclusion of predominantly viable agricultural land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the District.

Signed and Sealed at the Town of Colonie,  
County of Albany, New York,  
This 26<sup>th</sup> day of June, 2009

PATRICK HOOKER  
Commissioner of Agriculture and Markets  
of the State of New York

PH/rjm

cc: James Vincent, Chair, Advisory Council on Agriculture  
Susan Hoskins, IRIS  
Brymer Humphreys, Chairman, AFPB  
Guy Sassaman, Oneida County Dept. of Planning



## ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Susan L. Crabtree  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Michael J. Hennessy  
Minority Leader

June 6, 2009

Mr. Patrick Hooker, Commissioner  
NYS Dept of Agriculture & Markets  
10 B Airline Drive  
Albany, NY 12235

RE:           **Parcels of Land Added to Various Agricultural Districts  
                  During Open Enrollment**

Dear Mr. Hooker:

The open enrollment period, pursuant to the amended Agriculture & Markets Law this year in Oneida County was designated as January 1 through January 31.

Applicants submitted their applications and the Agricultural and Farmland Protection Board reviewed the submitted applications for the year 2009 on an individual basis and found 23 parcels totaling 1003 acres to be in accordance with the qualifications for inclusion within an agriculture district and presented their findings to the Board of Legislators. Subsequently, on April 29th, the Oneida County Board of Legislators passed Resolution No. 158, accepting the 23 parcels for inclusion in agricultural districts.

Enclosed is:

County resolution accepting parcels,  
Listing of parcels with names and tax map numbers,  
Maps showing each parcel,  
Report of the County Planning Department Agricultural and Farmland Protection Board,  
Environmental Assessment, and  
Negative declaration  
Newspaper notice of Public Hearing;  
Notice of Open Enrollment period,

Once certification is obtained from the New York State Department of Agriculture and Markets, it is my understanding that the Commissioner will send to this office for our records, evidence of certification that the land shall become part of the districts.

Very truly yours,

Susan Crabtree  
Clerk of the Board

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO. 158**

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

**RE: FINAL APPROVAL OF THE "OPEN ENROLLMENT" PERIOD FOR FARM LAND OWNERS**

**WHEREAS,** On December 10, 2003, the Oneida County Board of Legislators adopted Resolution #365 wherein a designated "Open Enrollment" period (January 1 through January 31) was established to consider the inclusion of any viable agricultural land in an Agricultural District prior to its sanctioned review period, and

**WHEREAS,** Following a review of landowner applications under consideration for inclusion in existing Agricultural Districts, and a Public Hearing on March 3, 2009, the Oneida County Agricultural & Farmland Protection Board has determined that 23 parcels, comprised of 10 landowners and 1,003 acres, are acceptable and approved same for the January 1 through January 31, 2009 "Open Enrollment" period, and

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

**RESOLVED,** That the Oneida County Board of Legislators approves and confirms recommendations made by the Oneida County Agricultural & Farmland Protection Board to accept 23 parcels, comprised of 10 landowners and 1,003 acres, as represented in documentation filed with the Clerk of this Board, for "Open-Enrollment".

APPROVED: Ways & Means Committee (April 29, 2009)

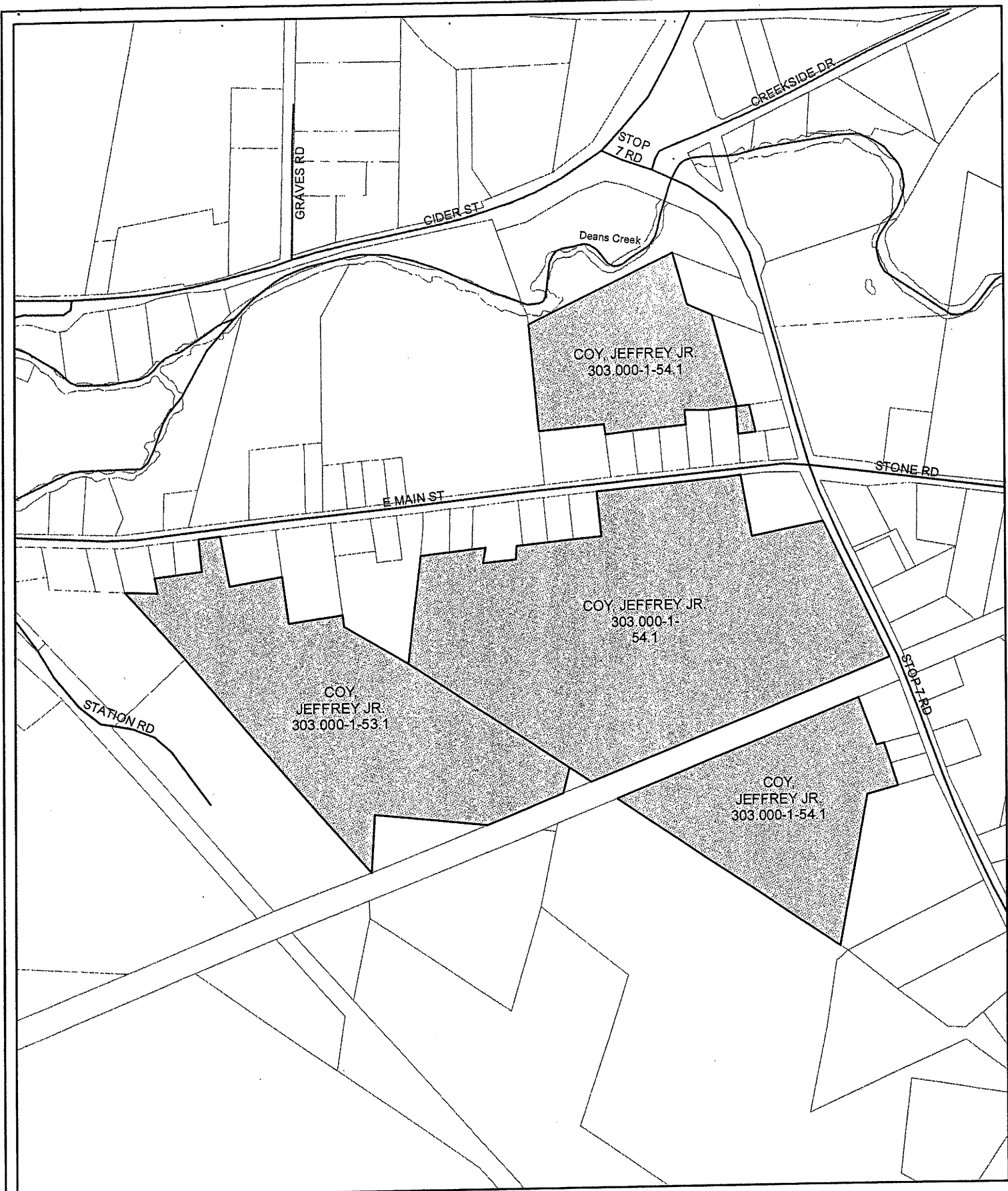
DATED: April 29, 2009

Adopted by the following v.v. vote:  
AYES 27 NAYS 0 ABSENT 2 (Messrs. Fiorini, Paparella)

**ONEIDA COUNTY AGRICULTURAL DISTRICTS**  
**2009 OPEN ENROLLMENT APPLICATIONS**

<u>PIN</u>	<u>OWNER</u>	<u>TOWN</u>	<u>DISTRICT</u>	<u>ACRES</u>
303.000-1-53.1	Coy, Jeffrey, Jr.	Westmoreland	5	19.9
303.000-1-54.1	Coy, Jeffrey, Jr.	Westmoreland	5	32.0
303.000-1-54.1	Coy, Jeffrey, Jr.	Westmoreland	5	9.1
303.000-1-54.1	Coy, Jeffrey, Jr.	Westmoreland	5	11.5
157.000-1-30.1	Dean, Leslie	Steuben	3	183.6
157.000-1-28.3	Dean, Leslie	Steuben	3	82.4
157.000-1-51.9	Dean, Leslie	Steuben	3	12.1
175.000-2-4	Doxstader, Jason	Steuben	3	67.7
384.000-1-28.2	Erlichman, James	Marshall	6	83.4
384.000-1-28.2	Erlichman, James	Marshall	6	53.9
340.000-4-12.6	Giotto, Frank & Kristine	New Hartford	5	12.6
192.000-1-20.4	Harvey, Gary	Floyd	7	45.8
192.000-1-30.1	Harvey, Gary	Floyd	7	147.8
192.000-1-26	Harvey, Gary	Floyd	7	36.3
192.000-1-26	Harvey, Gary	Floyd	7	13.9
325.000-1-58.7	Hullar, Tom	Westmoreland	5	20.2
262.000-1-31.1	Lett, Maurice	Marcy	7	74.7
262.000-1-31.1	Lett, Maurice	Marcy	7	17.4
262.000-1-31.1	Lett, Maurice	Marcy	7	1.4
153.000-1-39.5	Mandryck, Brian & James	Western	2	50.0
325.000-1-29	Rolewicz, Michael	Westmoreland	5	23.6
325.000-1-31	Rolewicz, Michael	Westmoreland	5	1.4
325.000-1-30	Rolewicz, Michael	Westmoreland	5	2.1

**TOTAL  
ACRES      1003.0**








Oneida County Ag. Districts  
Open Enrollment Map

2009



Scale: 1 inch = 500 feet

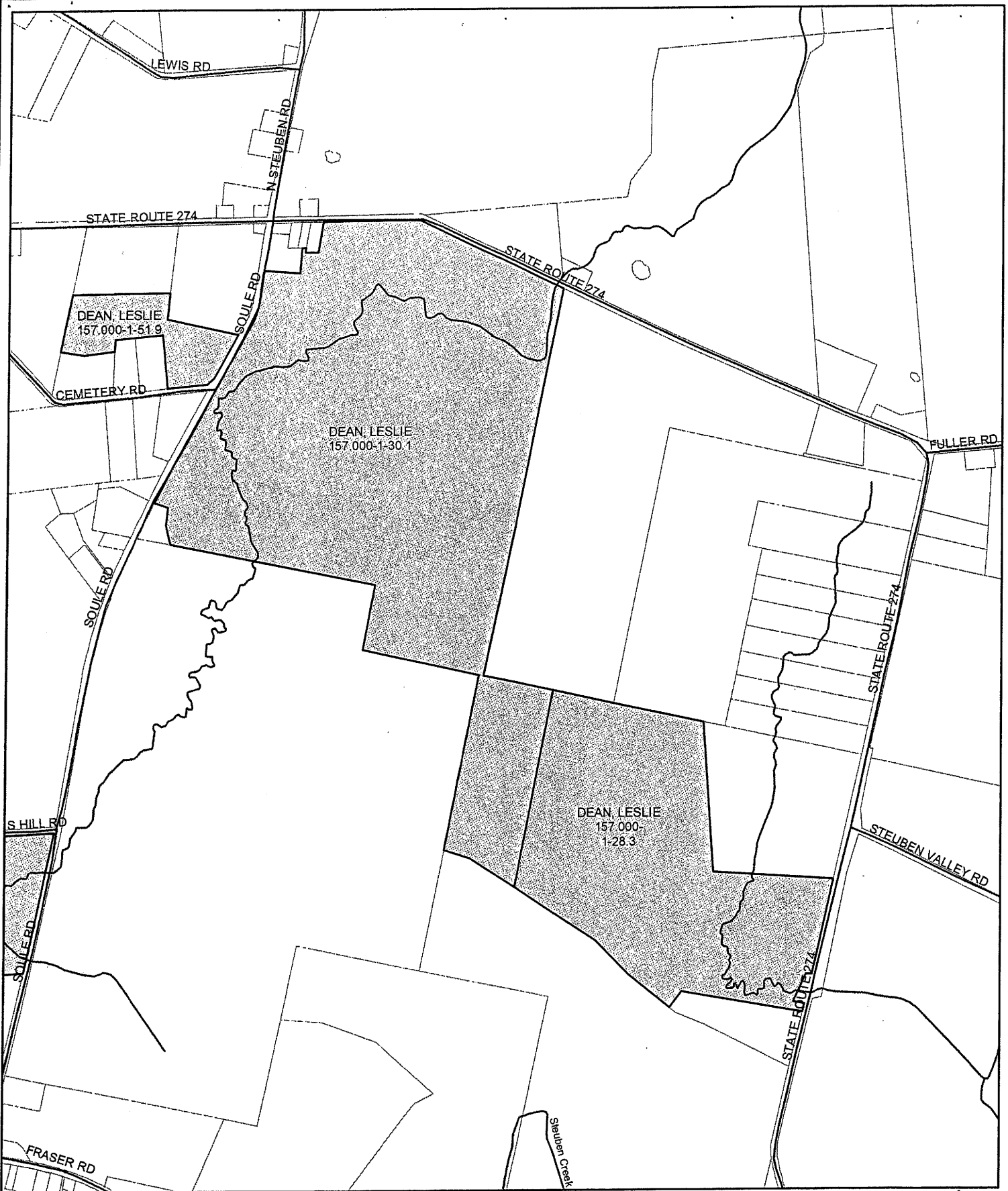
**Legend**

-  Municipal Boundaries
-  Water Bodies
-  Open Enrollment 2009
-  Parcels
-  Roads

Westmoreland 24

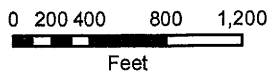
This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained hereon.





Oneida County Ag. Districts  
Open Enrollment Map

2009



Scale: 1 inch = 1000 feet

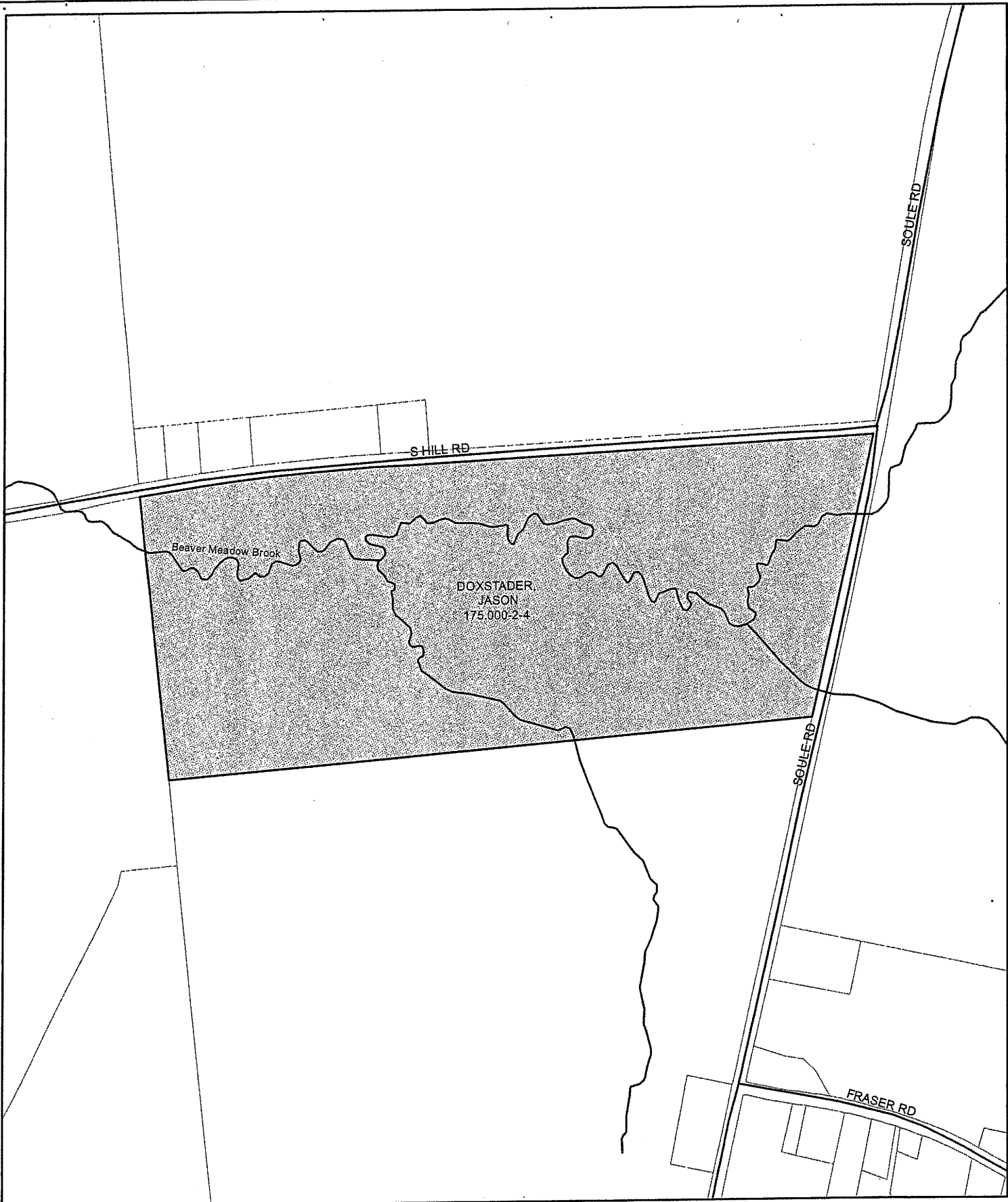
**Legend**

- Municipal Boundaries
- Water Bodies
- Roads
- Open Enrollment 2009
- Parcels

Town of Steuben

25.

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained hereon.



DOXSTADER,  
JASON  
175.000-2-4

Beaver Meadow Brook

S HILL RD

SOULE RD

SOULE RD

FRASER RD






Oneida County Ag. Districts  
Open Enrollment Map

2009



Scale: 1 inch = 500 feet

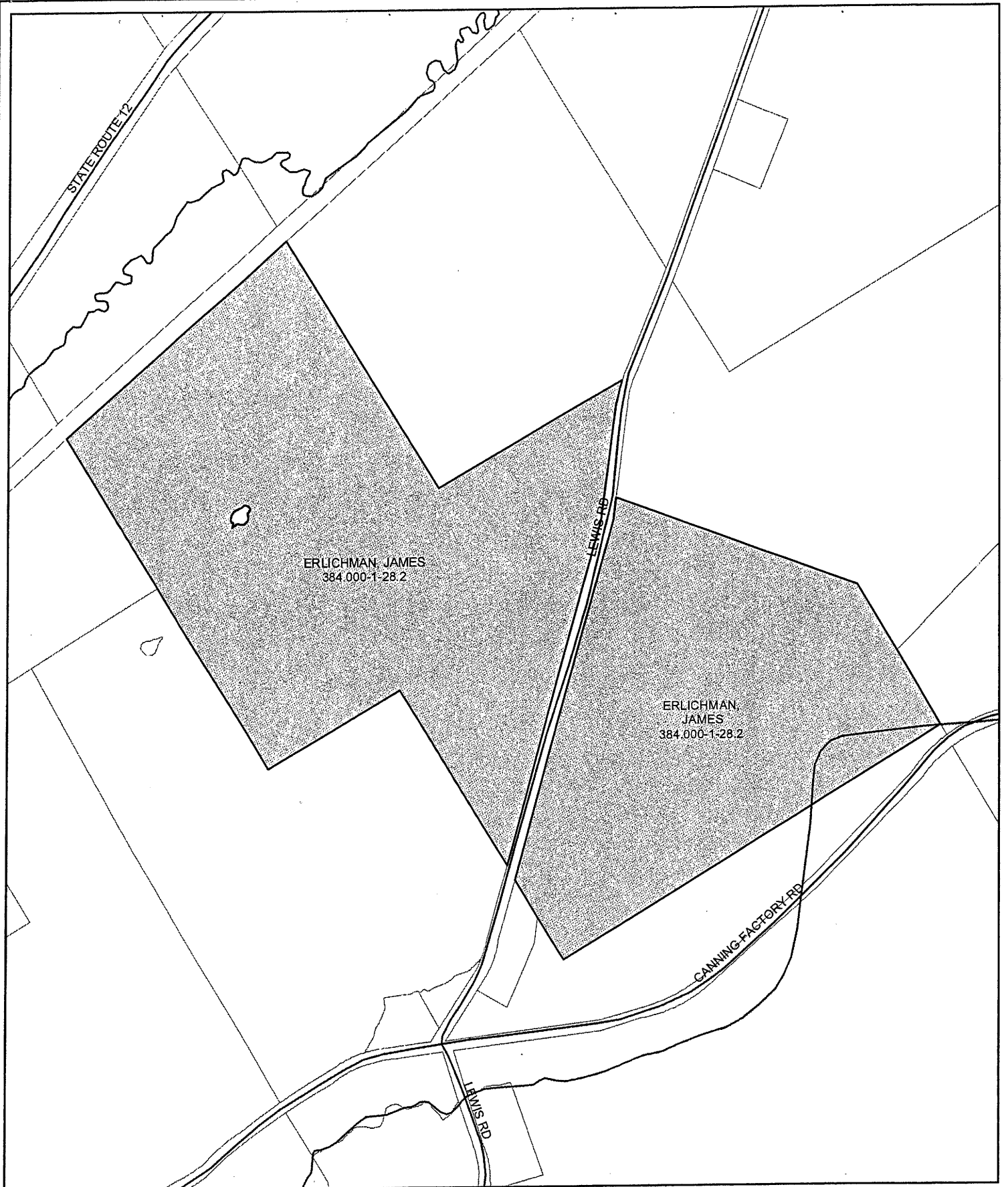
**Legend**

-  Municipal Boundaries
-  Water Bodies
-  Roads
-  Open Enrollment 2009
-  Parcels

Town of Steuben

26

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained hereon.



Oneida County Ag. Districts  
Open Enrollment Map

2009



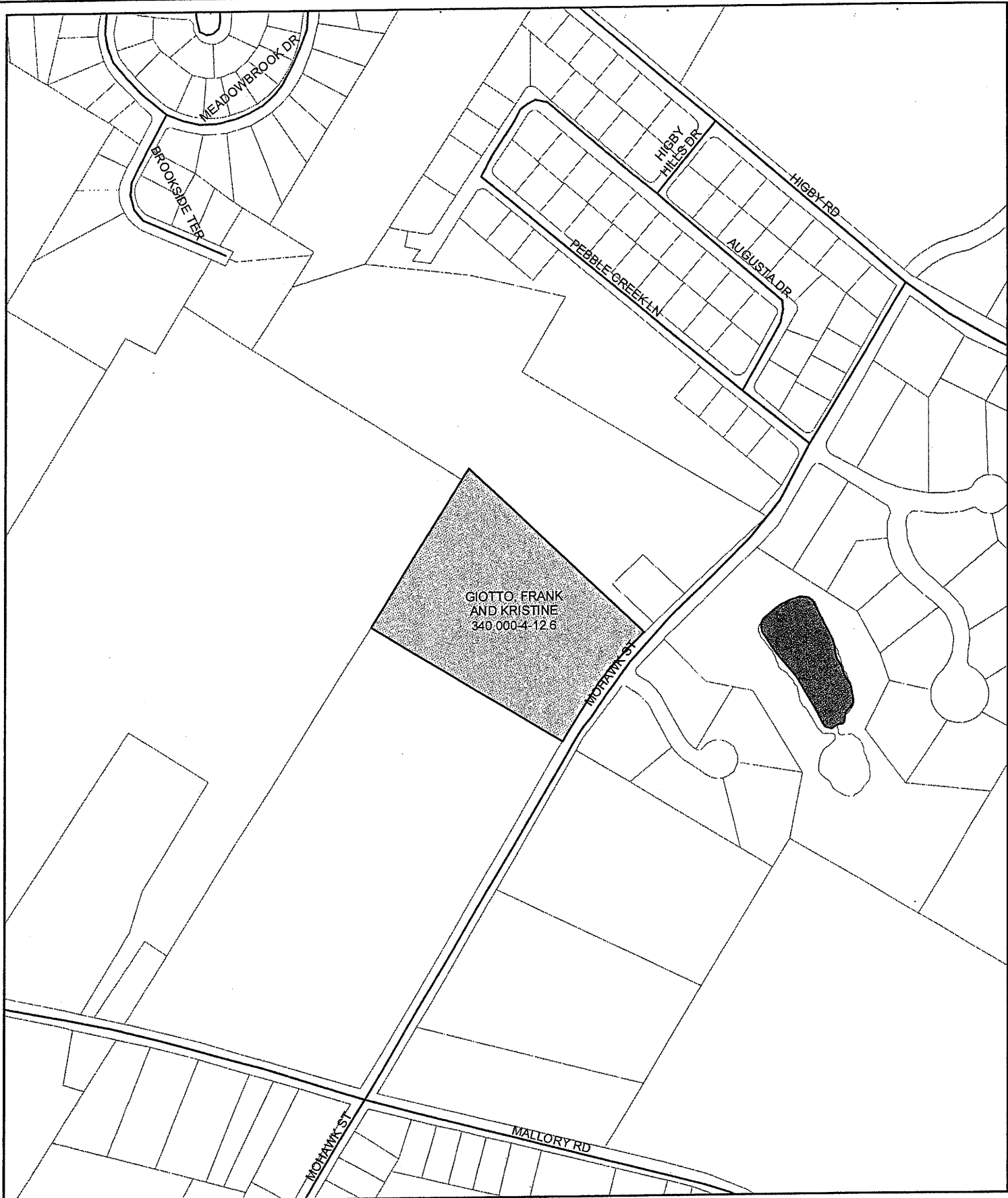
Scale: 1 inch = 600 feet

**Legend**

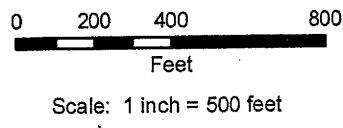
- Municipal Boundaries
- Water Bodies
- Roads
- Open Enrollment 2009
- Parcels

Town of Marshall 27.

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained hereon.



Oneida County Ag. Districts  
Open Enrollment Map



**Legend**

- Municipal Boundaries
- Water Bodies
- Roads
- Open Enrollment 2009
- Parcels

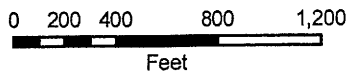
Town of New Hartford 28

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained hereon.



Oneida County Ag. Districts  
Open Enrollment Map

2009



Scale: 1 inch = 750 feet

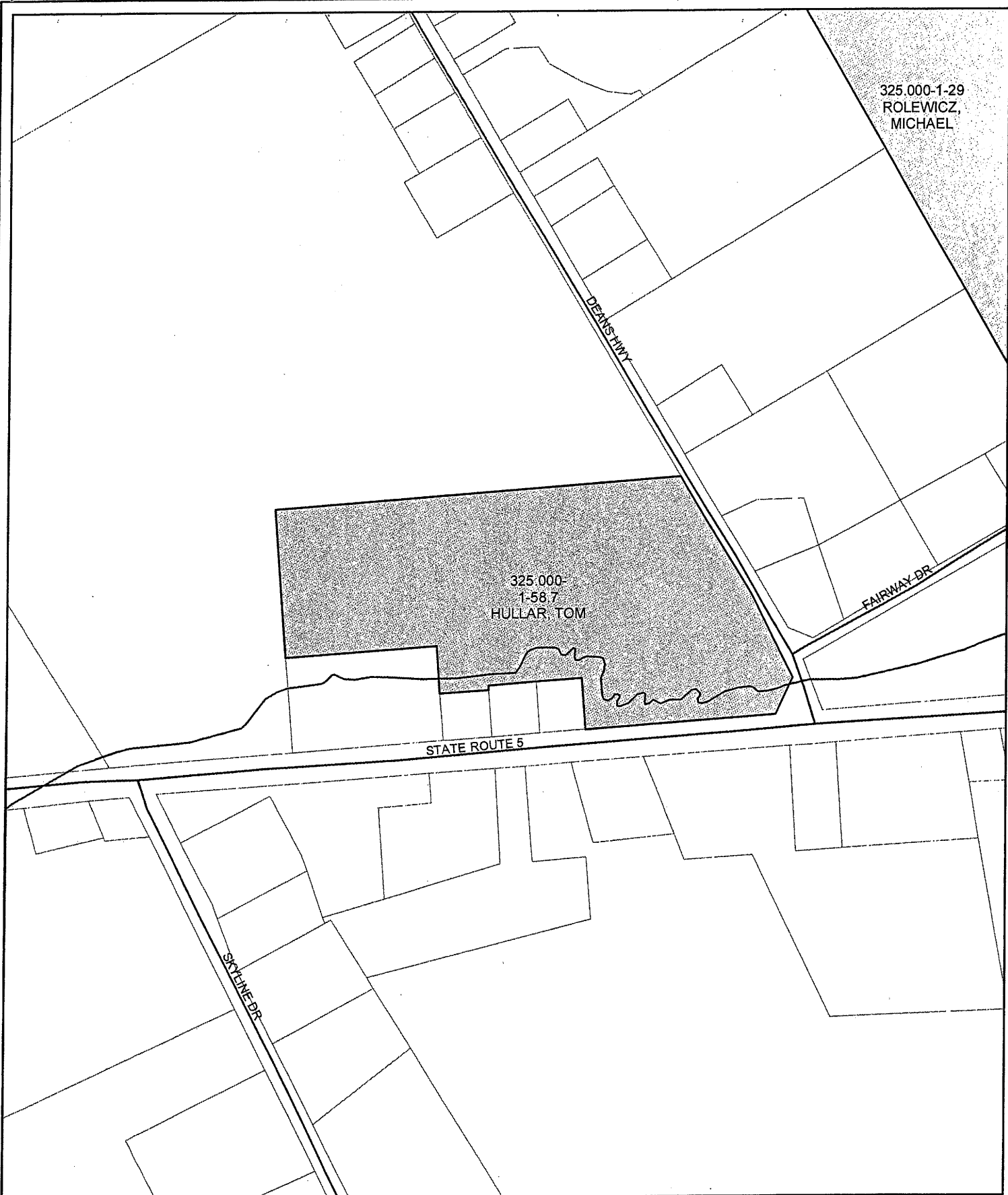
**Legend**

- Municipal Boundaries
- Water Bodies
- Roads
- Open Enrollment 2009
- Parcels

Town of Floyd

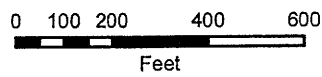
29.

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained herein.



Oneida County Ag. Districts  
Open Enrollment Map

2009



Scale: 1 inch = 400 feet

**Legend**

- Municipal Boundaries
- Water Bodies
- Open Enrollment 2009
- Parcels
- Roads

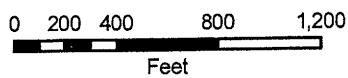
Westmoreland 30

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained hereon.



Oneida County Ag. Districts  
Open Enrollment Map

2009



Scale: 1 inch = 750 feet

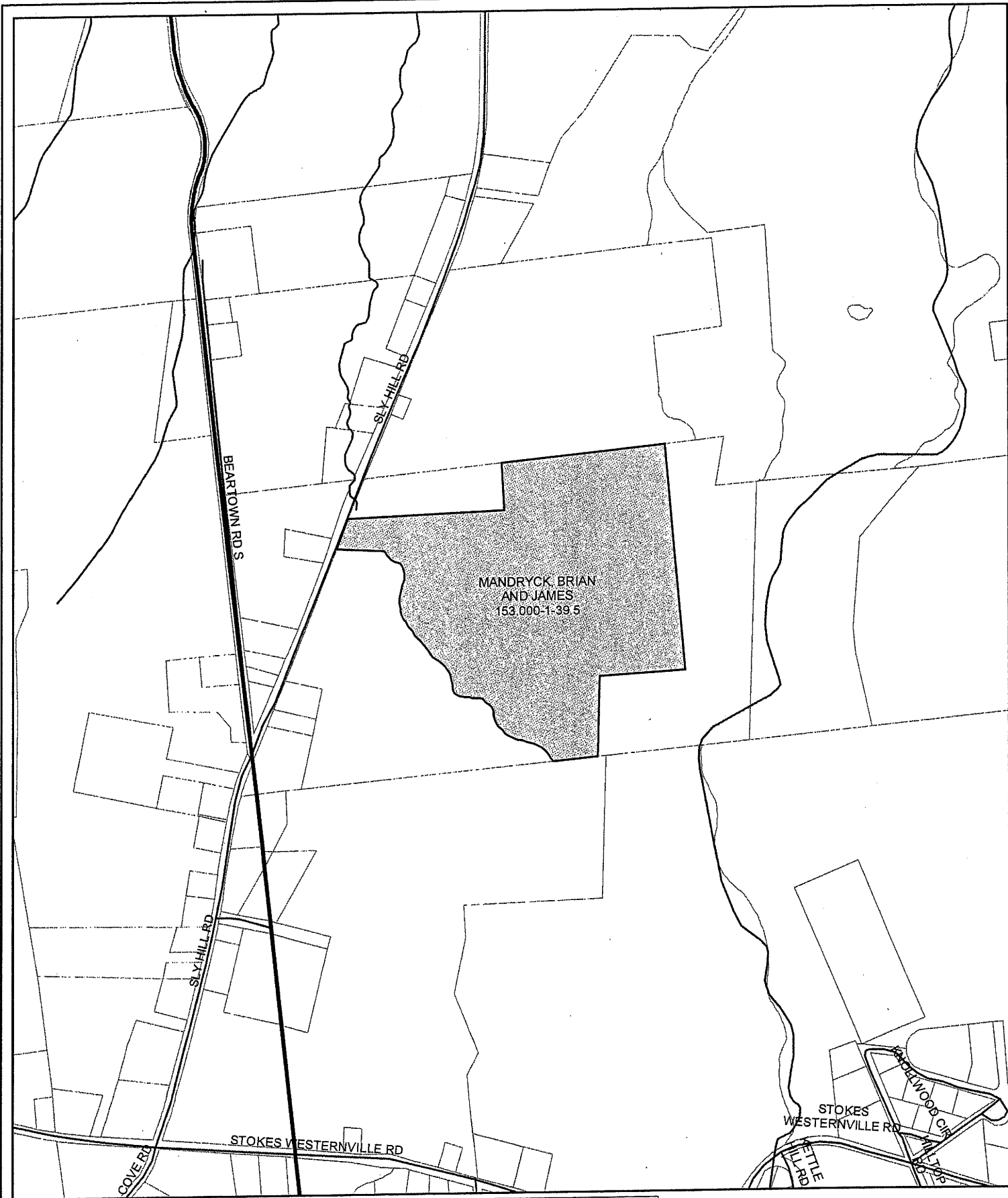
**Legend**

- Municipal Boundaries
- Water Bodies
- Roads
- Open Enrollment 2009
- Parcels

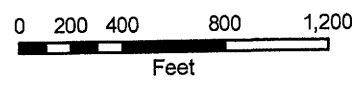
Town of Marcy

31.

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained hereon.



Oneida County Ag. Districts  
Open Enrollment Map



Scale: 1 inch = 750 feet

**Legend**

- Municipal Boundaries
- Water Bodies
- Roads
- Open Enrollment 2009
- Parcels

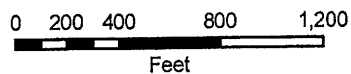
Town of Western 32.

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained hereon.





Oneida County Ag. Districts  
Open Enrollment Map



Scale: 1 inch = 750 feet

**Legend**

- Municipal Boundaries
- Water Bodies
- Roads
- Open Enrollment 2009
- Parcels

Town of Westmoreland **33.**

This information has been compiled for planning purposes and may not be reproduced or transmitted for commercial purposes or for any other purpose without the prior approval of the Herkimer Oneida Counties Comprehensive Planning Program (HOCCPP). The HOCCPP shall not be liable for any misuse or misrepresentation of this information. The HOCCPP makes no claim as to the completeness or accuracy of the data contained herein.

**ONEIDA COUNTY FARMLAND PROTECTION BOARD REPORT  
OPEN ENROLLMENT ADDITIONS TO EXISTING AGRICULTURAL DISTRICTS  
MARCH 2009**

**I. INTRODUCTION**

Oneida County established January 1, 2009 – January 31, 2009 as the Open Enrollment Period for Agricultural Districts. A public hearing was held on March 3, 2008. This report reflects the recommendations of the Oneida County Farmland Protection Board.

**II. DISCUSSION**

A total of 10 landowners, owning 1003 acres of farmland expressed a desire to be within an agricultural district by submitting an Agricultural District Enrollment Form to the Agricultural and Farmland Protection Board. These landowners, together with the specific parcels and acreages to be enrolled in the modified district, are shown on the attached list.

**III. FINDINGS MADE BY THE ONEIDA COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD**

The Oneida County Agricultural and Farmland Protection Board reviewed all of the applications and parcels on an individual basis and found all of them to be in accordance with the qualifications for inclusion within an agricultural district.

**IV. RECOMMENDATION**

The Oneida County Agricultural and Farmland Protection Board recommends that the 10 landowners and 1003 acres of farmland shown on the attached list. It is further recommended that the Oneida County Board of Legislators forward the list of properties and landowners to the NYS Commissioner of Agriculture and Markets for approval and recertification.

OPENENROLLMENTREPORT  
3/4/09

PROJECT I.D. NUMBER  
Open Enrollment Ag Districts  
2009

617.21  
Appendix C  
State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
For UNLISTED ACTIONS Only

**PART I - PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR Oneida County Board of Legislators	2. PROJECT NAME Open Enrollment Applications for Oneida County
3. PROJECT LOCATION: Municipality: Several Towns throughout Oneida County County: Oneida	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Individual parcel maps have been provided to show the various properties since they are scattered throughout Oneida County.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification	
6. DESCRIBE PROJECT BRIEFLY: The addition of several properties to various Agricultural Districts throughout Oneida County as a result of the Open Enrollment Period for Oneida County	
7. AMOUNT OF LAND AFFECTED: Initially _____ Ultimately acres 1003	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      If yes, list agency name and permit/approval: New York State Department of Agriculture and Markets.	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      If yes, list agency name and permit/approval. The properties will be included in previously created agricultural districts, which have been certified by the New York State Department of Agriculture and Markets.	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Application/sponsor Name: <u>John R. Kent, Jr., Commissioner, Oneida County Department of Planning</u> Date: <u>3/5/09</u>	
Signature: <u>John R. Kent, Jr.</u>	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

35.

**PART II – ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTION IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: Yes. Potential effect to air quality caused by odor, effects to surface or groundwater caused by farming practices, and erosion if livestock permitted direct access to stream banks. (See attached Determination of Significance)

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: No. Proposed action may result in beneficial effects. (See attached Determination of Significance)

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: No. Proposed action may result in beneficial effects. (See attached Determination of Significance)

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain Briefly: No. Proposed action may result in beneficial effects. (See attached Determination of Significance)

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: No. (See attached Determination of Significance)

C6. Long term, short term, cumulative, or other effects not identified in C1-5? Explain briefly: No.

C7. Other impacts (including changes in use of either quantify or type of energy)? Explain briefly: No.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?

Yes  No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes  No

**PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probably of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the **FULL EAF** and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impact **AND** provide on attachments as necessary, the reasons supporting this determination:

Oneida County Board of Legislators  
Name of Lead Agency

Gerald J. Fiorini  
Print or Type Name of Responsible Officer in Lead Agency

*Gerald J. Fiorini*  
Signature of Responsible Officer in Lead Agency

Chairman  
Title of Responsible Officer

*John R. Kent Jr.*  
Signature of Prepared (If different from responsible officer)

3/5/09  
Date

36.

617.21  
Appendix C  
State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

Part III - Determination of Significance

Re: Open Enrollment Properties for Oneida County 2009

The following paragraphs include responses to questions C1 through C5 of Part II of the Environmental Assessment Form.

- C1) While the attached Environmental Assessment - Part II, C1 notes a potential adverse effect caused by the agricultural activity with regard to odor, surface and groundwater quality, and erosion, the effect is not considered substantial, large or otherwise significant. The area is predominantly agricultural with scattered rural residences and woodland. Additionally, the duration and reversibility of any such potential impact is highly controllable through the implementation of Agricultural Best Management Practices, which will also further reduce the likelihood of the adverse effects occurring.
- C2) With regard to aesthetic, agricultural resources and community character discussed in Part II, C2, the proposed agricultural use will have no adverse effects and may, in fact, have beneficial effects by encouraging the continuation of existing land uses as agriculture and open space. (See the discussion of C4 and C5 below)
- C3) With regard to vegetation and wildlife habitat discussed in Part II, C3, the agricultural uses of lands may have a beneficial effect in creating wildlife habitat and, in some cases of crop production, providing a source of food supply for wildlife.
- C4) Regarding potential impacts to a community's existing plans or land use goals discussed in Part II, C4, the addition of the 1003 acres will not be in conflict with any community's existing plans or land use goals.
- C5) Regarding potential adverse impacts associated with topics discussed within Part II, C5, including: growth, subsequent development, or related activities induced by the proposed action, the continuation of land as agriculture and open space, in combination with the intent of the NYS Agricultural and Markets Law, will further control growth and development in most municipalities within Oneida County.

617.12  
Appendix F  
State Environmental; Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

Project Number Open Enrollment 2009

Date 3/5/09

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Oneida County Board of Legislators, as lead agency, has determined that the proposed action described below will not have significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Open Enrollment Additions to Existing Agricultural Districts within Oneida County

**SEQR status:** Type I   
Unlisted

**Conditional Negative Declaration:**  Yes  
 No

**Description of Action:** The addition of 17 parcels and 1003 acres to existing agricultural districts within Oneida County for 2009.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriated scale is also recommended.) Since the properties to be added are spread throughout the county, individual parcel maps are included.

**Reasons Supporting This Determination:**

(See 617.6(g) for requirements of this determination: see 617.6(h) for Conditional Negative Declaration)

**If Conditional Negative Declaration,** Provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person:

Address:

Telephone Number:

**For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:**

Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001  
Appropriate Regional Office of the Department of Environmental Conservation  
Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.  
Applicant (if any)  
Other involved agencies (if any)



**ROME SENTINEL COMPANY**

333 W. DOMINICK ST. P.O. BOX 471  
ROME, NY 13442-0471  
(315) 337-4000 • FAX 315-337-4704

1 BILLING PERIOD		2 ADVERTISER/CLIENT NAME	
2/14/09		County of Oneida/Board of Legislato	
23 TOTAL AMOUNT DUE		3 TERMS OF PAYMENT	
		* See Below	
21 CURRENT AMOUNT DUE	22 30 DAYS	20 60 DAYS	24 OVER 90 DAYS

**ADVERTISING INVOICE and STATEMENT**

4 PAGE NO.	5 BILLING DATE	8 BILLED ACCOUNT NAME AND ADDRESS	9 REMITTANCE ADDRESS
	2/14/09	Board of Legislators County of Oneida 800 Park Avenue Utica, New York 13501	ROME SENTINEL COMPANY P.O. BOX 471 ROME, NY 13442-0471
6 BILLED ACCOUNT NUMBER	1283		
7 ADVERTISER/CLIENT NUMBER			

**PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE**

0 DATE	11 NEWSPAPER REFERENCE	12 13 14 DESCRIPTION OF THE CHARGES	15 16 17 18 SIZE RATE	19 20 CHARGES CREDITS ADJUSTMENTS
2/14/09	Lg1 209901	Legal Notice Published in the Daily Sentinel  Agricultural Districts - Open Enrollment	52 Li .415	21.58

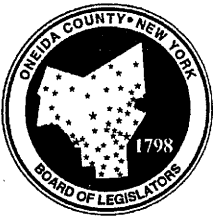
**NOTICE OF PUBLIC HEARING - AGRICULTURAL DISTRICTS - OPEN ENROLLMENT**  
**NOTICE IS HEREBY GIVEN** that a public hearing shall be held by the Oneida County Board of Legislators on Tuesday, March 2, 2009, at 1:00 PM at the Cornell Cooperative Extension, 121 Second Street, Oriskany, NY 13424.  
 Said public hearing is being held to consider applications submitted by landowners (during the Open Enrollment period January 1 - January 31) in compliance with Section 303(b) of the Agriculture and Markets Law for inclusion of viable agricultural land in an Agricultural District prior to its sanctioned review period. Proposed recommendations of the County Planning Board and Agricultural Districting Advisory Committee may be examined in the Office of the Clerk of the Oneida County Board of Legislators, 800 Park Avenue, 10th floor, Utica, NY.  
 All parties of interest and citizens will be heard by the Oneida County Board of Legislators at the public hearing.  
 DATED: February 11, 2009  
 ONEIDA COUNTY  
 BOARD OF LEGISLATORS  
 /S/ SUSAN L. CRABTREE  
 SUSAN L. CRABTREE  
 CLERK  
 2/14/09

STATEMENT OF ACCOUNT		AGING OF PAST DUE AMOUNTS	
21 CURRENT AMOUNT DUE	22 30 DAYS	20 60 DAYS	23 OVER 90 DAYS
			21.58

PUBLISHER OF THE <b>ROME SENTINEL COMPANY</b> DAILY SENTINEL • SUNDAY SENTINEL PRIMETIME • ATTRACTIONS	<b>TERMS:</b> * DISCOUNT IF INDICATED ABOVE. NO DISCOUNT ALLOWED IF OVERDUE BALANCE EXISTS. FINANCE CHARGE ON BALANCES PAST DUE 30 DAYS OR MORE IS COMPUTED AT 1 1/2% PER MONTH (ANNUAL PERCENTAGE RATE OF 18%)
-----------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

25 BILLING PERIOD	6 BILLED ACCOUNT NUMBER	7 ADVERTISER/CLIENT NUMBER	2 ADVERTISER/CLIENT NAME
			40





ONEIDA COUNTY BOARD OF LEGISLATORS

Pamela N. Mandryck 9245 Sly Hill Road Ava, New York 13303

NOTICE

TO: ALL ONEIDA COUNTY TOWN CLERKS
FROM: PAMELA N. MANDRYCK, LEGISLATOR, 17TH DISTRICT
CHAIR, ONEIDA COUNTY FARMLAND PROTECTION BOARD
DATE: NOVEMBER 26, 2008

Please post the enclosed notice in your municipal building.

Oneida County has designated the month of January to be "Open Enrollment Period" for persons applying to be included in an agricultural district. In September of 2003, the Department of Agriculture and Markets amended a section of the law adding Section -b which states that counties must select a 30 day period in which a landowner can submit a request for inclusion of any viable agricultural land in an already established Agricultural District. Oneida County has selected January with applications being accepted until JANUARY 31ST.

The procedure will be as follows:

- 1. Persons wishing to submit an application should pick up forms at their Town Clerk's Office, complete the forms and return them to the Oneida County Planning Department, Union Station, 321 Main St., Utica, NY 13501, postmarked by January 31, 2008.
2. Applications will then be reviewed by the Farmland Protection Board with recommendations forwarded to the County Board of Legislators.
3. The County will hold a public hearing, after which time they will vote to adopt or reject the inclusion of such land.
4. The County will forward their resolution to the Commissioner of Agriculture and Markets who certifies that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.
5. Within 30 days, the Commissioner of Ag & Markets will send notice of certification to the County and notification will be made to the individuals that submitted applications. Once the parcels have been certified by the State, assessors can make changes to the tax rolls.

If you have any questions, you may contact Guy Sassaman at the Planning Department at 798-5710 or Ron Mead at the Department of Agriculture & Markets at 518-457-2713.

Thank you in advance for your attention and cooperation.

Very truly yours,

[Handwritten signature of Pamela N. Mandryck]

Pamela N. Mandryck
Oneida County Legislator, 17th District
Chair, Oneida County Farmland Protection Board

Enclosures

Cc: Farmland Protection Board, Ronald Bunce, Director, Cooperative Extension, Ron Mead, NYS Ag & Markets

44



## ONEIDA COUNTY BOARD OF LEGISLATORS

*Pamela N. Mandryck*

*9245 Sly Hill Road*

*Ava, New York 13303*

November 21, 2008

Susan L. Crabtree, Clerk  
Oneida County Board of Legislators  
800 Park Avenue  
Utica, New York 13501

Dear Mrs. Crabtree:

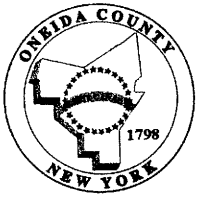
The Farmland Protection Board will be accepting open enrollment applications for inclusion into agricultural districts for a 30 day period beginning January 1, 2009 through January 31, 2009, pursuant to Resolution No. 365, passed by the Oneida County Board of Legislators on December 10, 2003.

I ask that you file this correspondence as official notice to the Board that the 30 day open enrollment period will begin January 1, 2009 and subsequent to review by the Farmland Protection Board, these applications will require legislative approval.

Respectfully submitted,

Pamela N. Mandryck, 17<sup>th</sup> District  
Chair, Farmland Protection Board

PNM:pp



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

*7N 2009-441*

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -9 PM 3:38

November 9, 2009

**ECONOMIC DEVELOPMENT  
& TOURISM**

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

**WAYS & MEANS**

Honorable Members:

I enclose herewith a letter from David C. Grow, Chairman of the Oneida County Industrial Development Agency ("OCIDA") requesting that the County Board of Legislators approve the formation of the "Oneida County Local Development Corporation" for the purpose of issuing tax-exempt bonds to refinance qualified projects that would typically be financed by tax-exempt Industrial Development bonds.

This request of the OCIDA is based on a recent State ruling which has resulted in a lack of viable, less costly financing alternatives for non-profit organizations such as colleges, universities and hospitals, etc.

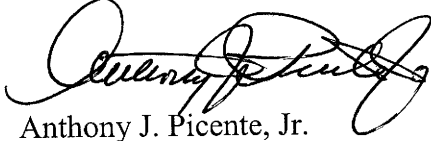
While other counties have created Local Development Corporations ("LDC") to issue bonds to finance these non-profit initiatives in the first instance, the LDC proposed for Oneida County would only have the power to issue bonds, notes and other obligations to refinance or refund outstanding debt of these organizations. There will be no "new money" for non-profit projects to be financed by the LDC structure as proposed for Oneida County.

The OCIDA is requesting Board approval of the enclosed resolution at its **November 25, 2009** regular session. I am certain that any questions the Board or its committees may have regarding this request for action can be addressed by Mr. Grow, OCIDA counsel

and the County Attorney. Please advise if you wish to have any of these parties present for committee or Board sessions.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Anthony J. Picente, Jr.", written in a cursive style.

Anthony J. Picente, Jr.  
Oneida County Executive

Anthony J. Picente Jr.  
County Executive

Shawna M. Papale  
Secretary/  
Executive Director

James P. Castilla  
Treasurer/  
Assistant Secretary

ONEIDA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

**OCIDA**



153 Brooks Road, Rome, New York 13441-4105  
(315) 338-0393, fax (315) 338-5694  
[info@mvedge.org](mailto:info@mvedge.org); [www.mvedge.org](http://www.mvedge.org)

David C. Grow  
Chairman

Natalie Brown  
Vice Chairman

Ferris Betrus Jr.  
Michael Fitzgerald  
Eugene Quadraro  
Michael Valentine  
Stephen Zogby

November 6, 2009

**HAND-DELIVERED**

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

Re: Oneida County Local Development Corporation

Dear Tony:

On behalf of the Oneida County Industrial Development Agency, I am writing to request that the County Legislature approve the formation of the Oneida County Local Development Corporation for the purpose of issuing tax-exempt bonds to refinance qualified projects that would typically be financed by tax-exempt Industrial Development Agency bonds. The State Legislature's failure to reinstate the legislation that allows Industrial Development Agencies to finance "civic facility" projects (i.e., projects that are owned or occupied by non-profit organizations such as colleges, universities, hospitals, etc.) has created substantial hardship for non-profit institutions in Oneida County. Right now, the only viable tax-exempt financing alternative for these institutions is to seek financing from the Dormitory Authority, which is significantly more costly for these institutions and often results in more burdensome financing covenants.

Faced with the continuing inability Industrial Development Agencies to issue tax-exempt bonds for non-profit institutions, counties are now forming local development corporations ("LDC's") with the authority to issue tax-exempt bonds. For example, Madison County, Cattaraugus County and, most recently, Onondaga County have all created LDC's to issue tax-exempt bonds. The formation of these LDC's was prompted by an Internal Revenue Service private letter ruling issued last May, in which the IRS concluded that interest on bonds issued by the LDC described in that ruling will be tax-exempt. Enclosed for your information is a copy of this IRS ruling.

Anthony J. Picente, Jr.  
November 6, 2009  
Page 2 of 2

Our bond counsel, Bond, Schoeneck & King, has prepared the enclosed Certificate of Incorporation for the Oneida County LDC. Pursuant to the Certificate of Incorporation (which is based on the model approved by the IRS), the County will be the sole member of the LDC with the power to, among other things, approve the Corporation's certificate of incorporation and bylaws and all amendments thereto, and to appoint the Corporation's Board of Directors. To ensure proper coordination between the IDA and the LDC, the Certificate of Incorporation provides that the LDC's officers and directors will be the same as the officers and directors of the Oneida County IDA.

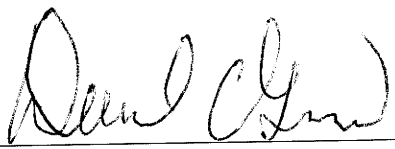
Unlike the other recently created LDC's, however, the Oneida County LDC will have the power to issue bonds, notes and other obligations only to refinance or refund outstanding debt. The Corporation will not have the power to issue obligations to provide initial financing or "new money" for any project. These limitations are stated in subparagraph (D) of paragraph "Twelfth" of the Certificate of Incorporation.

In order to move forward with the formation of the LDC, we ask that the Board of Legislators adopt the enclosed resolution at its November 25 meeting, approving the establishment of the LDC. If the County Attorney has any questions regarding the enclosed documents, we suggest that she call Paul Reichel at Bond, Schoeneck & King (315-218-8135) and Paul can answer her questions.

Thank you for your consideration of this matter. Please call me if you would like to discuss this further.

Very truly yours,

ONEIDA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

By:   
David C. Grow, Chairman

Enc.

**Internal Revenue Service**

Department of the Treasury  
Washington, DC 20224

Number: **200936012**

Release Date: 9/4/2009

Index Number: 103.00-00, 103.02-00,  
103.02-02

Third Party Communication: None  
Date of Communication: Not Applicable

Person To Contact: \_\_\_\_\_, ID No.

Telephone Number:

Refer Reply To:  
CC:FIP:B5  
PLR-149384-08

Date:  
May 28, 2009

**LEGEND**

Agency =

Corporation =

County =

State =

State Law 1 =

State Law 2 =

State Law 3 =

Dear

This responds to your request for a ruling that bonds issued by the Corporation will be treated as issued on behalf of the County for purposes of § 103 of the Internal Revenue Code (the "Code").

**FACTS AND REPRESENTATIONS**

The County is a political subdivision of the State governed by an elected board of representatives (the "County's Board"). Agency is a public benefit corporation of the

State created pursuant to State Law 1. Agency is governed by members who are appointed by and serve, without compensation, at the pleasure of the County's Board.

Pursuant to State Law 2, the County caused the Corporation to be formed as a public instrumentality of the County and approved its certificate of incorporation. The Corporation is a not-for-profit local development corporation organized under State Law 2 to assist the County with carrying out the public purposes of relieving and reducing unemployment; promoting and providing for additional and maximum employment; bettering and maintaining job opportunities; instructing or training individuals to improve or develop their capabilities for such jobs; carrying on scientific research for the purpose of aiding the County by attracting new industry to the County, by encouraging the development of, or retention of, an industry in the County, and by lessening the burdens of government; and acting in the public interest.

Under State Law 2, in furtherance of its purposes, Corporation is empowered to construct, acquire, rehabilitate and improve for use by others industrial or manufacturing plants in the County, to assist financially in such construction, acquisition, rehabilitation and improvement, to maintain such plants for others in such territory, to disseminate information and furnish advice, technical assistance and liaison with Federal, State and local authorities with respect thereto, and to acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein, to borrow money and to issue negotiable bonds, notes and other obligations therefore, to sell, lease, mortgage or otherwise dispose of or encumber any such plants or any of its real or personal property or any interest therein upon such terms as it may determine. State Law 2 further provides that in carrying out such powers the Corporation will be performing an essential government function.

The County is the sole member of the Corporation. The County's Board appoints the Corporation's governing board of directors (the "Corporation's Board") from members of the Agency. The Corporation's Board serves, without compensation, at the pleasure of the County's Board. The Corporation is required to undergo annual independent audits and to submit those audits to the County and to the State, to prepare and submit its annual budget to the County and to the State, and to form governance and audit committees to ensure the Corporation is in compliance with State laws. The Corporation may not amend its by-laws or certificate of incorporation without the consent of the chairman of the County's Board. No part of the Corporation's net earnings will inure to the benefit of any private person. Upon dissolution, title to all property owned by the Corporation will vest in and become the property of the County.

Bonds issued by the Corporation will not be backed by the full faith and credit of the County, and thus will be non-recourse to the County. Bonds issued by the Corporation will be secured solely by the creditworthiness of a particular project. The County's Board will provide the public approval under § 147 for private activity bonds issued by



the Corporation that are intended to be tax-exempt for Federal income tax purposes under § 103 of the Code.

Pursuant to State Law 2 the income and operations of the Corporation are exempt from State taxation. Pursuant to State Law 3 interest on bonds that are tax-exempt for Federal income tax purposes is exempt from State income tax.

#### LAW AND ANALYSIS

Section 103(a) of the Code provides, in general, that gross income does not include interest on any state or local bond. Section 103(c)(1) defines a "state or local bond" for purposes of §§ 103, and 141 through 150, as an obligation of a state or political subdivision thereof. Section 1.103-1(a) of the Income Tax Regulations provides, in part, that interest upon obligations of a state, territory, a possession of the United States, the District of Columbia, or any political subdivision thereof (hereinafter collectively or individually called "state or local government unit") is not includable in gross income. Section 1.103-1(b) provides, in part, that an obligation issued by or on behalf of any state or local governmental unit by a constituted authority empowered to issue such an obligation is the obligation of such a unit.

Revenue Ruling 57-187, 1957-1 C.B. 65, holds that bonds issued by an industrial development board (the "entity") are considered issued on behalf of a political subdivision of the state under the following facts and circumstances: the entity is formed only after the governing body of the political subdivision has formally approved the entity's creation; the board of directors of the entity is elected by the governing body of the political subdivision and serves without compensation; the entity is empowered to issue bonds in furtherance of the purposes for which it is established; bonds issued by the entity are payable solely out of revenues and receipts derived from the leasing or sale by the entity of its projects; the political subdivision is not liable for the payment of principal or interest on any of the bonds of the entity; the entity is exempt from all state taxation, and interest on bonds issued by the entity is exempt from state taxes; the entity is a nonprofit organization and none of its net earnings inure to the benefit of any private person; and upon dissolution of the entity, title to all property it owns vests in and becomes the property of the political subdivision which creates it. Although this revenue ruling deals with an industrial development board, the analysis contained therein has been applied to a variety of governmental entities.

Comparing the facts of Rev. Rul. 57-187 to the facts as presented, we conclude that the Corporation qualifies as an "on behalf of" issuer of the County for purposes of § 1.103-1(b). The Corporation was formed as a public instrumentality of the County only after the County's Board formally approved its incorporation. The Corporation's Board is appointed by and serves at the pleasure of the County's Board. The Corporation is

empowered to issue bonds in furtherance of its purposes. Bonds issued by the Corporation will be nonrecourse to the County. The income and operations of the Corporation are exempt from State taxation under State Law 2. Pursuant to State Law 3, interest on federally tax-exempt bonds issued by the Corporation will be exempt from State income tax. The Corporation is a nonprofit corporation and no part of its net earnings will inure to the benefit of any private person. Upon dissolution of the Corporation, title to all property owned by it will vest in and become the property of the County.

#### CONCLUSION

Based on the foregoing, we conclude that bonds issued by the Corporation will be treated as issued on behalf of the County for purposes of § 103 of the Code.

This ruling is directed only to the taxpayer requesting it. Section 6110(k)(3) of the Code provides that it may not be used or cited as precedent. Except as expressly provided herein, no opinion is expressed or implied concerning the tax consequences of any aspect of any transaction or item discussed or referenced in this letter.

The rulings contained in this letter are based upon information and representations submitted by the taxpayer and accompanied by a penalty of perjury statement executed by an appropriate party. While this office has not verified any of the materials submitted in support of the request for rulings, it is subject to verification on examination.

In accordance with the Power of Attorney on file with this office, a copy of this letter is being sent to your representative.

Sincerely,

Associate Chief Counsel  
(Financial Institutions and Products)

By:

\_\_\_\_\_  
Carla A. Young  
Assistant to the Branch Chief  
Branch 5

**CERTIFICATE OF INCORPORATION**  
**OF**  
**ONEIDA COUNTY LOCAL DEVELOPMENT CORPORATION**

Under Sections 402 and 1411 of the Not-For-Profit  
Corporation Law of the State of New York

Filed by: Paul W. Reichel, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, New York 13202

CERTIFICATE OF INCORPORATION  
of  
ONEIDA COUNTY LOCAL DEVELOPMENT CORPORATION

A Not-For-Profit Local Development Corporation  
Under Section 402 and 1411 of the Not-For-Profit  
Corporation Law of the State of New York

THE UNDERSIGNED, being over the age of eighteen years, for the purpose of forming a not-for-profit local development corporation pursuant to Section 1411 of the Not For Profit Corporation Law of the State of New York (the "N-PCL"), hereby certifies as follows:

FIRST: The name of the corporation is Oneida County Local Development Corporation (hereinafter referred to as the "Corporation").

SECOND: The Corporation will be a corporation as defined in subparagraph (a)(5) of Section 102 of the N-PCL and, as provided in Section 1411 (b) of the N-PCL, will be a Type C Corporation as defined in Section 201 of the N-PCL. The Corporation is an public instrumentality of, but separate and apart from, Oneida County (the "County").

THIRD: The purpose for which the Corporation is to be formed and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and for the specific purpose of:

(a) promoting community and economic development and the creation of jobs in the non-profit and for-profit sectors for the citizens of the County by developing and providing programs for not-for-profit institutions, manufacturing and industrial businesses and other entities to access low interest tax-exempt and non-tax-exempt financing for their eligible projects; and

(b) relieving and reducing unemployment in the County, bettering and maintaining job opportunities, carrying on scientific research for the purpose of aiding the County by attracting new industry to the County or by encouraging the development of, or retention of, an industry in the County, and lessening the burdens of government and acting in the public interest.

By means of engaging in the following activities:

(a) issuing and selling one or more series or classes of bonds, notes and other obligations (the "Obligations") through public letting, private placement, or negotiated underwriting, to refinance or refund outstanding indebtedness previously incurred to finance activities referred to in subparagraph (a) above, on a secured or unsecured basis;

(b) engaging the services of one or more underwriters, placement agents, consultants, attorneys, financial advisors and other persons whose services may be appropriate or desirable in connection with the acquisition and financing referred to above;

(c) entering into contracts with any other economic development organizations sponsored by the County to help achieve the purposes described in paragraph (b) above; and

(d) in general, performing any and all acts and things, and exercise and any and all powers which may now or hereafter be lawful for the Corporation to do or exercise under and pursuant to the laws of the State of New York for the purpose of accomplishing any of the foregoing purposes of the Corporation.

FOURTH: The activities referred to in subparagraph (a) of paragraph THIRD above will achieve the lawful public objective of lessening the burdens of government, the carrying out of such purposes and the exercise of the powers conferred on the Corporation being the performance of an essential governmental function, it being understood that the performance of such activities will assist the County in reducing unemployment and promoting additional job growth and economic development.

FIFTH: The operations of the Corporation will be conducted within the territory of the County. Notwithstanding any other provision of this Certificate of Incorporation, the by-laws and any provision of law, so long as any Obligations remain outstanding, the Corporation will not do any of the following:

(a) engage in any business or activity other than as set forth in paragraph THIRD;

(b) without the consent of the County and the affirmative vote of two thirds of the members of the Board of Directors of the Corporation, (i) dissolve or liquidate, in whole or in part, or institute proceedings to be adjudicated bankrupt or insolvent, (ii) consent to the institution of bankruptcy or insolvency proceedings against it, (iii) file a petition seeking or consent to reorganization or relief under any applicable federal or state law relating to bankruptcy or insolvency, (iv) consent to the appointment of a receiver, liquidator, assignee, trustee, sequestrator or other similar official of the Corporation or a substantial part of its property, (v) make a general assignment for the benefit of creditors, (vi) admit in writing its inability to pay its debts generally as they become due or (vii) take any corporate action in furtherance of the actions set forth in clauses (i) through (vi) of this paragraph; or

(c) without the consent of the County and the affirmative vote of two thirds of the members of the Board of Directors of the Corporation, merge or consolidate with any other corporation, company or entity or, except to the extent contemplated by paragraph THIRD hereof, sell all or substantially all of its assets or acquire all or substantially all of the assets or capital stock or other ownership interest of any other corporation, company or entity.

SIXTH: Pursuant to the requirements of Section 1411(e) of the N-PCL:

(a) All income and earnings of the Corporation will be used exclusively for its corporate purposes or accrue and, subject to the Corporation's responsibilities under the Obligations, be paid to the New York Job Development Authority.

(b) No part of the income or earnings of the Corporation will inure to the benefit or profit of, nor will any distribution of its property or assets be made to, any member, director or officer of the Corporation, or private person, corporate or individual, or to any other private interest, except that the Corporation may repay loans made to it and may repay contributions (other than dues) made to it to the extent that any such contribution may not be allowable as a deduction in computing taxable income under the Internal Revenue Code of 1986, as amended.

(c) If the Corporation accepts a mortgage loan or loans from the New York Job Development Authority, the Corporation will dissolve in accordance with the provisions of paragraph (g) of Section 1411 of the N-PCL upon the repayment or other discharge in full by the Corporation or all such loans.

SEVENTH: (a) The Corporation will not attempt to influence legislation by propaganda or otherwise, or participate in or intervene, directly or indirectly, any political campaign on behalf of or in opposition to any candidate for public office.

(b) The Corporation will not engage in any activities not permitted to be carried on by an organization exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder.

(c) The Corporation will not accept a mortgage loan or loans from the New York Job Development Authority.

EIGHTH: In the event of the dissolution of the Corporation or the winding up of its affairs, the Board of Directors will, after paying or making provision for the payment of all of the liabilities of the Corporation, distribute all of the remaining assets and property of the Corporation to the County, so that the County can use such assets and property to accomplish the purposes set forth in Section 1411(a) of the N-PCL. Any of such assets not so disposed of will be disposed of by order of the Supreme Court of the State of New York pursuant to Section 1008 of the N-PCL.

NINTH: The office of the Corporation will be located in Oneida County, New York. The Corporation at all times will:

(a) upon request by the County, the Corporation will make available any and all books and records of the Corporation for inspection by the Chairman of the Oneida County Legislature and his or her staff; and

(b) submit to the Oneida County Legislature an annual financial report together with a report of the operations and accomplishments of the Corporation for such annual period.

(c) The governing body of the County, the New York State Authority Budget Office and the New York State Comptroller will have the right to conduct an annual audit of the books and records of the Corporation.

TENTH: The County is the sole member of the Corporation.

ELEVENTH: The Corporation will be managed by a Board of Directors, who are to be comprised of those persons named in paragraph TWELFTH hereof (the "Directors"). Each of the Directors will serve at the pleasure of the governing body of the County and continue to hold office until his or her successor is appointed by the governing body of the County.

The Corporation is deemed to be a public body (as such term is defined in the Open Meetings Law) and, as such, each meeting of the Board of Directors of the Corporation will be

conducted in the manner prescribed by the Open Meetings Law. The Directors will not receive compensation for services provided to or on behalf of the Corporation.

TWELFTH: The Corporation will consist of not less than three nor more than seven Directors. The Directors will be appointed by the governing body of the County and will include (a) the Chairman of Oneida County Industrial Development Agency, (b) the Vice-Chairman of Oneida County Industrial Development Agency, (c) the Treasurer of Oneida County Industrial Development Agency, (d) the Secretary of Oneida County Industrial Development Agency, and (e) any additional members of the Oneida County Industrial Development Agency.

(a) The names and addresses of the initial Directors of the Corporation are as follows:

(i) David Grow, Chairman, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

(ii) Shawna Papale, Secretary, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

(iii) Natalie Brown, Vice Chairman, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

(iv) James Castilla, Assistant Secretary/Treasurer, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

(v) Ferris Betrus, Member, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

(vi) Michael Fitzgerald, Member, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

(vii) Eugene Quadraro, Member, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

(viii) Michael Valentine, Member, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

(ix) Stephen Zogby, Member, Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York.

It is acknowledged that the Directors hold comparable positions with Oneida County Industrial Development Agency established by Chapter 372 of the 1970 Laws of the State of New York, as amended. By reason of the shared public purposes of the Corporation and the Oneida County Industrial Development Agency, none of the Directors of the Corporation will be deemed to have a conflict of interest solely due to such person's position with the Oneida County Industrial Development Agency.

The powers of the corporation set forth in paragraph THIRD hereof will be subject to the following limitations:

(A) The Corporation will only undertake projects that are not authorized by Article 18A of the New York State General Municipal Law (the "New York State Industrial Development Agency Act") unless the Corporation receives a written request from Oneida County Industrial Development Agency asking the Corporation to consider undertaking such project.

(B) The bonds or notes and other obligations of the Corporation will not be a debt of the State of New York or the County of Oneida, and neither the State of New York nor the County of Oneida will be liable thereon, nor will they be payable out of any funds other than those of the Corporation.

(C) The Corporation will hold a public hearing on any financial assistance in excess of \$100,000 proposed to be provided by the Corporation to a project at which interested parties will be provided with reasonable opportunity, both orally and in writing, to present their views with respect to the project. The Corporation will give the same notice of such hearing as the Oneida County Industrial Development Agency would be required to give pursuant to the provisions of Section 859-a and b of the General Municipal Law of the State of New York as if such hearing was a public hearing of the Oneida County Industrial Development Agency with respect to a project.

(D) The Corporation shall issue Obligations only to refinance or refund outstanding indebtedness previously incurred to finance eligible projects and to pay related financing costs. The Corporation shall not issue Obligations to provide initial financing or "new money" for any project.

THIRTEENTH: The Corporation will be subject to the Public Authorities Accountability Act of 2005 (the "Act"). As such, the Corporation will be required to, among other things: (1) undergo annual independent audits and submit the results of such audits to the County and the New York State Authority Budget Office, (2) prepare and submit its annual budget to the County and the New York State Authority Budget Office, (3) adopt the various ethical, reporting, property disposition and disclosure policies required by the Act, and (4) form governance and audit committees to ensure the Corporation is in compliance with the Act and any other applicable laws.

FOURTEENTH: The Secretary of State of the State of New York is designated as agent of the Corporation upon whom process against it may be served. The post office address to which the Secretary of State will mail a copy of any process against the Corporation served upon him or her is Oneida County Local Development Corporation, 153 Brooks Road, Rome, New York 13441, Attn: Executive Director.

FIFTEENTH: The By-laws of the Corporation may be adopted, amended or repealed by a majority of the Directors of the Corporation upon 10 days notice to all of the Directors, provided, however, that the Corporation will not amend, alter, change or repeal any provision of the adopted By-laws without the consent of the Oneida County Executive.



SIXTEENTH: The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in any manner now or hereafter provided herein or by statute; provided, however, that (1) the Corporation will not amend, alter, change or repeal any provision of this Certificate of Incorporation without the affirmative vote of two-thirds of the members of the Board of Directors of the Corporation and the consent of the Chairman of the Oneida County Legislature, and (2) the Corporation will not amend or change any provision of this Certificate of Incorporation without first providing the Chairman of the Oneida County Legislature and the Directors with 10 days advance notice of any proposed amendment, alteration, change or repeal.

IN WITNESS WHEREOF, this certificate has been subscribed by the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

---

Paul W. Reichel, Incorporator  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, New York 13202-1355

November \_\_\_\_, 2009

RESOLUTION APPROVING THE ESTABLISHMENT OF THE ONEIDA  
COUNTY LOCAL DEVELOPMENT CORPORATION.

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

Section 1. It is hereby determined that the establishment of the Oneida County Local Development Corporation (the "Corporation") pursuant to Section 1411 of the Not-for-Profit Corporation Law of the State of New York as an instrumentality of the County of Oneida, New York (the "County") for the specific purpose of:

- (a) promoting community and economic development and the creation of jobs in the non-profit and for-profit sectors for the citizens of the County by developing and providing programs for not-for-profit institutions, manufacturing and industrial businesses and other entities to access low interest tax-exempt and non-tax-exempt financing for their eligible projects; and
- (b) undertaking projects and activities within the County for the purpose of relieving and reducing unemployment, bettering and maintaining job opportunities, carrying on scientific research for the purpose of aiding the County by attracting new industry to the County or by encouraging the development of, or retention of, an industry in the County, and lessening the burdens of government and acting in the public interest,

is in the best interest of the County and the purposes of the Corporation will lessen the burdens of County government, perform an essential governmental function of the County, and are in the public interest of the County.

Section 2. The establishment of the Corporation and the filing of the Certificate of Incorporation for the Corporation in the form attached hereto as Exhibit A (the "Certificate of Incorporation") is hereby approved. The initial members of the Board of Directors of the Corporation identified in the Certificate of Incorporation are hereby approved.

Section 3. The Corporation shall undergo an annual independent audit and submit the audit to the County Legislature, prepare and submit annual budgets to the County and form governance and audit committees to ensure the Corporation is in compliance with New York State laws.

Section 4. Bonds, notes and other obligations (the "Obligations") issued by the Corporation will not be backed by the full faith and credit of the County and will be non-recourse to the County. Obligations issued by the Corporation will be secured solely by the creditworthiness of a particular project. The Corporation shall issue Obligations only to refinance or refund outstanding indebtedness previously incurred to finance eligible projects and

to pay related financing costs. The Corporation shall not issue Obligations to provide initial financing or "new money" financing for any project.

Section 5. Except as expressly provided in the Corporation's Certificate of Incorporation, the County Executive is authorized and directed to act on behalf of the County in exercising the County's rights as a sole member of the Corporation under the New York Not-for-Profit Corporation Law, which delegation of authority includes, is not limited to, the power to execute all documents and agreements required to be executed by the County as a member of the Corporation and to approve the Corporation's bylaws.

Section 6. This resolution shall take effect immediately.

APPROVED AS TO FORM

COUNTY OF ONEIDA

\_\_\_\_\_  
Linda M.H. Dillon, Esq.  
County Attorney

November \_\_\_\_\_, 2009

STATE OF NEW YORK )  
 )SS.:  
COUNTY OF ONEIDA )

I, \_\_\_\_\_, Clerk of the Board of County Legislators, Oneida County, New York (the "County"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Board of County Legislators, held on the \_\_\_\_ day of \_\_\_\_\_, 2009 including the resolution contained therein, with the original thereof on file in my office, and the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that the full Board of County Legislators consists of \_\_\_\_\_ ( ) members; that \_\_\_\_\_ ( ) members of the Board of County Legislators were present at such meeting; and that \_\_\_\_\_ ( ) of such members voted in favor of the above resolution.

I FURTHER CERTIFY that (i) all members of the Board of County Legislators had due notice of the meeting, (ii) pursuant to Article 7 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public, and due notice of the time and place of such meeting was duly given in accordance with Article 7 of the Public Officers Law, and (iii) the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this \_\_\_\_ day of November, 2009.

\_\_\_\_\_, Clerk  
Board of County Legislators,  
Oneida County, New York

(SEAL)

**EXHIBIT A**



Anthony J. Picente, Jr.  
County Executive

Oneida County  
Office for the Aging & Continuing Care  
Website: www.ocgov.net



Michael J. Romano  
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

*FN 2009-442*

October 12, 2009

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  
2009 NOV -9 PM 3:32

Dear Mr. Picente:

I am submitting the following Letter of Agreement between the Office for the Aging / Office of Continuing Care and the North Utica Senior Citizen's Recreation Center, Inc.

This is a combined Agreement for the provision of the following positions, Caregiver Case Aid, Case Management, Case Management Supervisor, Community Service Coordinator, Program Coordinator, I & A Coordinators and Program Nurses. This program is supported by Federal, State and County dollars up to \$758,262.18. The County share is \$99,312.93.

This Agreement will commence January 1, 2010 and terminate December 31, 2010.

I am available at your convenience to respond to any questions, which you might have regarding this contract.

Sincerely,

Michael J. Romano  
Director

MJR/grb

Enc.

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

Anthony J. Picente, Jr.  
County Executive

Date 11/6/09

63

ONEIDA COUNTY OFFICE FOR THE AGING/OFFICE OF CONTINUING CARE  
CONTRACT SUMMARY

**Name of Proposing Organization:** North Utica Senior Citizen's Recreation Center, Inc.

**Type of Activity or Service:** Family Caregiver Support  
Aging Services/Outreach (Information and Assistance),  
Case Management  
Supervision  
Special Program Development  
Quality Assurance and Grant Writing

**Proposed Dates of Operation:** January 1, 2010 – December 31, 2010

**Client Population/ Number to be Served:**

**1. Narrative Description of Proposed Services**

- Case Management Services – an important component of the aging network for they identify frail, elderly and homebound people who are in need of supportive services. Once identified and assessed, the elders are linked to appropriate services that allow them to remain independent.
- Community Service Coordinator – assists with outreach activities and other methods to provide support services for informal caregivers. In addition to Case Management the Caregiver Support Specialists will assist with staff functions such as taking referrals, scheduling and clerical duties.
- Elder Abuse Coordinator – Case Management and intervention services for at risk clients
- Utica Team Supervisor - serves as an integral part of the management / supervisory team and requires strong supervisory skills. This position also requires excellent communication and interpersonal skills with ability to lead and motivate direct service staff.
- I & A Coordinator - Development and maintenance of a comprehensive and current resource listing of long-term care services, programs and providers in Oneida County for the Point of Entry initiative, NY Connects: Choices for the Long Term Care.
- Program Nurse - Review and evaluation of the medical status of client's medical requirements and review of medical status of extended or long term cases.

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

- Case Management -Seniors will be assisted in securing supportive services by providing: information and referral, case assistance, benefit counseling, health insurance counseling, public presentations, housing assistance, home energy assistance, screening for Weatherization, referral and Packaging (WRAP) services, and assessments for home delivered meals and nutrition services.
- Caregiver Support Program - will predominantly serve primary caregivers that are married and living with the care recipient and adult children who are caring for their parents.

- Special Program Development /Quality Assurance – Coordination of the Elder Abuse Task force and Elder Abuse Coalition and its subcommittees. Development and administration of quality assurance.

### 3. Program Design and Staffing Level

#### 12- Case Managers

- Provide Information and Assistance to target services for individuals who are most economically and socially in need of supportive services.
- 1 - Community Service Coordinator
- To assist Coordinator with Caregiver Case Management
- 4 - Caregiver Case Aids
- To assist Case Managers and Caregiver Support Specialist with routine duties and brokerage duties in the Home Care Brokerage Unit.
- 1 - Utica Team Supervisor
- Coordinates the staff activities of the Office for Aging / Continuing Care and Supervises the work of OFA/OCC Program Staff (OFA/OCC Case Management staff, Case Aides; clerical staff);
- 1 - Elder Abuse Coordinator
- Oversees the Elder Abuse Coalition and sub-committees. Case manages all elder abuse cases.
- 2 - I & A Coordinator
- Set up and maintain a comprehensive and current listing of long-term care services, programs and providers in Oneida County for the Long- Term care Point of Entry Information & Assistance.
- 1 - Program Nurses
- Responsible for the periodic review of the medical status of extended or long-term cases by utilization of patient review instruments and home health assessments to evaluate the necessity of continued stay in a facility or continuation of care.

Total Funding Requested: \$758,262.18

- 41,702.00 – Units/hrs of service
- \$758,262.18 - Total dollars/cost
- \$ 18.18 cost per unit/hr of case management

Oneida County Department Funding Recommendations: \$758,262.18

Proposed Funding Source: Account A6772.495.117 A6773 C1, C2 & SNAP  
 A6772 495.123 A6774 .49599 EISEP & MA  
 A6772.495.131

**Federal 57%** (\$429,132.95); **State 30%** (\$ 229,816.30); **County 13%** (\$ 99,312.93)

Past Performance Data:

65





Anthony J. Picente, Jr.  
County Executive

Oneida County  
Office for the Aging & Continuing Care  
Website: www.ocgov.net



Michael J. Romano  
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

7NC2009-443

October 28, 2009

**PUBLIC HEALTH**

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

**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -9 PM 3:31

Dear Mr. Picente:

I am submitting the following Agreement between the Oneida County Office for the Aging/ Office of Continuing Care and Oneida County Workforce Development, to coordinate the Senior Community Service Employment Program (OAA, Title V), for your review and approval.

The Senior Community Service Employment Program is a training program for older workers where all enrollees work part-time at minimum wage. This contract supports the administration of this program. The terms of this Agreement will commence upon execution and be renewed annually as notification is received of the Federal funds that will be allocated for the next fiscal year.

The total amount of this agreement is \$92,141.50. Federal and County dollars support this agreement with the County share being 10% (\$9,214.15).

I am available at your convenience to answer any questions you might have about this agreement.

Sincerely,

Michael J. Romano  
Director

MJR/grb  
Enc.

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

Anthony J. Picente, Jr.  
County Executive

Date 11/6/09

66

Oneida County Department: Office for the Aging

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

**Oneida County Board of Legislators  
Contract Summary**

**Name of Proposing Organization:** Oneida County Workforce Development  
**Type of Activity:** Administrators for Title V, Senior Community Service Employment Program  
**Contract Dates:** upon execution - June 30, 2010  
**Client Population/Number:** Aged 55 and older and have an annual income at or below 125% of poverty. / Ten enrollees.  
**Description of Services:** Coordinate the Title V, Senior Community Services Employment Program (SCSEP) with other service providers to ensure that older residents of Oneida County with the greatest economic and social needs (target groups) are being met; and assist Oneida County residents with subsidized job placement at host agency work sites for the purpose of skill development.  
**Objectives/Outcomes:** It is the program's objective to ensure that the host work sites give enrollees consideration for unsubsidized job openings, and will maintain records on number of enrollee transitions to permanent employment at a host work site. The program recruits and accepts referrals for SCSEP who are age 55 and older and have an annual income at or below 125% of poverty.  
**Total Funding Requested:** \$92,141.50

**Oneida County Department Funding Recommendations:** \$92,141.50

**Proposed Funding Source (Federal/State/County):** Acct. # A6772.495.120

**Federal** \$82,912.35 **State** \$ 0; **County** \$ 9,214.15; **Contractor** \$ 0

**Cost Per Client Served**

Enrollee Salaries	
\$7.25 per hr x 20 hrs + 17.5% fringe = \$ 170.38 (weekly salary for individual enrollee)	
\$170.38 x 10 enrollees x 52 weeks	\$ 88,597.60
Total Salary	\$ 88,597.60
Workforce Development Administrative Costs (4%)	<u>\$ 3,543.90</u>
Total Salary and Fringe	\$ 92,141.50

**Past Performance Data**



Anthony J. Picente, Jr.  
County Executive

Oneida County  
Office for the Aging & Continuing Care  
Website: www.ocgov.net



Michael J. Romano  
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

October 28, 2009

FN 2009-444

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

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

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -9 PM 3:33

Dear Mr. Picente:

I am submitting the following Letter of Agreement between the Oneida County Office for the Aging/ Office of Continuing Care and the Lutheran Home of Central New York, for your review and approval.

This Agreement is for the provision of Adult Day Services. This agreement will continue to provide community based long term care services to the frail and elderly and save taxpayer dollars by preventing premature nursing home placement. The total amount of this agreement is \$80,000.00, with 75% State (\$60,000.00) and 25 % ( \$20,000.00) County funds with no new county dollars involved.

This contract commences January 1, 2010 and terminates December 31, 2010.

I am available at your convenience to answer any questions you may have regarding this agreement.

Sincerely,

Michael J. Romano  
Director

MJR/grb  
Enc.

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

Anthony J. Picente, Jr.  
County Executive

Date 11/6/09

**Oneida County Board of Legislators  
Contract Summary**

Name of Proposing Organization: **The Lutheran Homes of CNY, Inc. /DIAL**

Title of Activity or Service: Social Adult Day Care

Proposed Dates of Operation: January 1, 2010 through December 31, 2010

Client Population/Number to be Served: Frail elderly age 60+ with functional impairment.

**Summary Statements:**

1) Narrative Description of Proposed Services.

Social Model Adult Day Services is a structured five hour, five day a week adult day care that serves frail elderly individuals in a supervised group setting. The program is in compliance with the New York State Regulations for Social Adult Day Care. Eligible participants must be age 60 or older and functionally impaired, meaning needing assistance of another person in at least one of the following activities of daily living: toileting, mobility, transferring and eating; or needing supervision due to cognitive and /or psycho-social impairment. Services include a noon meal and transportation to and from the program

2) Program/Service Objectives and Outcomes.

- To provide 5-hour per weekday adult day care programming
- To provide noon meal and transportation
- To provide services that include socialization, supervision and monitoring, personal care, nutrition, appropriate activities- maintenance and enhancement of daily living skills, caregiver assistance and transportation.
- To provide intergenerational programming to ensure a mutually beneficial social opportunity for program participants and area youth

3) Program Design and Staffing Level

Each adult day service provider will serve OFA authorized participants with a structured 5-hour program that meets the NY State regulations. Each site will have a coordinator and sufficient staff, both paid and volunteer, to supervise participants in a safe environment, and the staff will provide appropriate activities and therapies that will enhance the participant's general wellbeing.

Oneida County Department Funding Recommendation: \$ 60.00 /day

Proposed Funding Source (Federal/State/County): \$80,000.00 ACCT#: A6772.495.116

Federal: \$0 State: 75% (\$ 60,000.00) County: 25% (\$ 20,000.00)

Cost per Client Served: \$60,00 per client per five hour day

Past Performance Data: The DIAL program has provided social adult day care since 1984

Oneida County Department Staff Comments:



Anthony J. Picente, Jr.  
County Executive

Oneida County  
Office for the Aging & Continuing Care  
Website: www.ocgov.net



Michael J. Romano  
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

IN 2009-445

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -9 PM 3:34

October 12, 2009

**PUBLIC HEALTH**

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

**WAYS & MEANS**

Dear Mr. Picente:

I am submitting the following Amendment between the Oneida County Office for the Aging / Office of Continuing Care located at 235 Elizabeth Street, Utica, New York 13501 and Senior Network Health, LLC located at 2521 Sunset Avenue, Utica, New York 13502 for your review and approval.

The purpose of this Amendment is to adjust the 2010 Meal Rate from \$ 6.35 to \$ 6.50 per meal for Home Delivered Meal to clients approved and serviced by the Senior Network Health, LLC.

The terms of this agreement will commence upon execution and shall be automatically renewed for additional one- (1) year terms.

I am available at your convenience to answer any questions you may have regarding this agreement.

Sincerely,

Michael J. Romano  
Director

MJR/grb  
Enc.

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

Anthony J. Picente, Jr.  
County Executive

Date 10/16/09

Oneida County Department: Office for the Aging

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

## Oneida County Board of Legislators Contract Summary

**Name of Proposing Organization:** Senior Network Health, LLC

**Title of Activity or Service:** Home Delivered Meals

**Proposed Dates of Operation:** Amendment to the 2009 Purchase of Service Agreement, which is automatically renewed each year.

**Client Population/Number to be Served:** Meals to be provided to clients recommended by Senior Network Health

### Summary Statements:

- 1) **Narrative Description of Proposed Services.** The Oneida County Nutrition Program for the Elderly provide home delivered meals to any client recommended by Senior Network Health
- 2) **Program/Service Objectives and Outcomes.** This agency provides an opportunity for homebound seniors in the Senior Network Health Program to receive a nutritious meal each weekday.
- 3) **Program Design and Staffing Level.** N/A

**Total Funding Requested:** Revenue Account

**Oneida County Department Funding Recommendation:** \$ Account # A 1975

**Proposed funding Source (Federal/State/County):** N/A

**Cost per Client Served:** Revenue generating agreement

**Past Performance Data:**

**Oneida County Department Staff Comments:**



Anthony J. Picente, Jr.  
County Executive

Oneida County  
Office for the Aging & Continuing Care  
Website: www.ocgov.net



Michael J. Romano  
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

October 9, 2009

7N2009-446

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

**PUBLIC HEALTH**

**WAYS & MEANS**

2009 NOV -9 PM 3:34  
ONEIDA COUNTY LEGISLATURE  
RECEIVED

Dear Mr. Picente:

I am submitting the following Letter of Agreement between the Office for Aging /Office of Continuing Care and the Senior Citizens Council of Rome, New York, Inc.

This Agreement is for the provision of the following positions and services: Case Management Services and full and part time case assistance. This program is supported by Federal, State and County dollars up to \$ 131,480.77 with the County share is \$17,383.77.

This contract commences January 1, 2010 and terminates December 31, 2010.

I am available at your convenience to answer any questions you may have regarding this agreement.

Sincerely,

*Michael J. Romano*  
Michael J. Romano  
Director

MJR/grb  
Enc.

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by  
*Anthony J. Picente, Jr.*  
Anthony J. Picente, Jr.  
County Executive  
Date 11/6/09

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

Name of Proposing Organization: Senior Citizens Council of Rome, NY, Inc.  
Ava Dorfman Senior Center

Title of Activity or Service : Case Management  
Case Aid

Proposed Dates of Operation: January 1, 2010 - December 31, 2010

Client Population/Number to be Served:

1. Narrative Description of Proposed Services

- Case Management - An important component of the aging network for they identify frail, elderly and homebound people who are in need of supportive services. Once identified and assessed, the elders are linked to appropriate services that allow them to remain independent.
- Case Aid – Brokering of care with Home Care Agencies

2. Program/Service Objectives and Outcomes

- Case Management - Seniors will be assisted in securing supportive services by providing : information and referral, case assistance, benefit counseling, health insurance counseling, public presentations, housing assistance, home energy assistance, screenings for Weatherization, Referral and Packaging (WRAP) services, and assessments for home delivered meals and nutrition services.
- Case Aid – In addition to brokering will perform clerical and support services for case managers.

3. Program Design and Staffing Level

Case Management - 1 Case Managers to target services to individuals who are most economically and socially in need of supportive services. The Executive Director will provide direct on-site supervision of the Outreach Worker, while the OFA staff will provide aging specific supervision as well as back-up and technical assistance when necessary. The on-going training needs of the staff will be met through attendance at OFA Aging staff meetings and pertinent local training as recommended by OFA. The aging specialist will serve residents of the City of Rome through referrals from OFA. Aging services will be promoted through



public presentations by the specialists and by a distribution of the Center's brochure and monthly newsletter.

Case Aids – 3 full time, 2 Part time Case Aides

Total Funding Requested: \$131,480.77

Oneida County Department Funding Recommendation: \$131,480.77

Proposed Funding Source: Account A6772.495117  
A6774.49599  
A6773. 495100

**Federal 53% (\$69,550.53); State 34% (\$ 44,546.47); County 13%; (\$17,383.77)**

**Cost Per Client:**

- 9,388 Units/ hrs of Service
- \$131,480.77 Total dollars/cost
- \$14.05 cost per unit/hr of case management/case aide

**Past performance Data:**

Case Management -The Center has provided Case Management Services through a Contract with OFA since 1980

Case Aid – Fifth year of position

**Oneida County Department Staff Comments:**

Case Management Services - This is one of two Case Management Services contracts that assist the county to provide countywide coverage. The other contract covers the City of Utica.



Anthony J. Picente, Jr.  
County Executive

Oneida County  
Office for the Aging & Continuing Care  
Website: www.ocgov.net



Michael J. Romano  
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

October 20, 2009

7N2009-447

**PUBLIC HEALTH**

**WAYS & MEANS**

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

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -9 PM 3:35

Dear Mr. Picente:

I am submitting the following Letter of Agreement between the Office for the Aging and the Resource Center for Independent Living for your review and approval.

This Agreement is for the provision of Adult Day Services. This agreement will continue to provide community based long term care services to the frail and elderly and save taxpayer dollars by preventing premature nursing home placement. The total amount of this agreement is to \$105,000.00 which is 75% (\$ 78,750.00) State and 25% (\$26,250.00) County funds with no new county dollars involved.

This contract commences January 1, 2010 and terminates December 31, 2010.

I am available at your convenience to answer any questions you may have regarding this agreement.

Sincerely,

Michael J. Romano  
Director

MJR/grb  
Enc.

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

Anthony J. Picente, Jr.  
County Executive

Date: 10/6/09

**Oneida County Board of Legislators  
Contract Summary**

Name of Proposing Organization: **Resource Center for Independent Living**  
Title of Activity or Service: Social Adult Day Care  
Proposed Dates of Operation: January 1, 2010 through December 31, 2010  
Client Population/Number to be Served: Frail elderly age 60+ with functional impairment

**Summary Statements:**

1) Narrative Description of Proposed Services.

Social Model Adult Day Services is a structured five hour, five day a week adult day care that serves frail elderly individuals in a supervised group setting. The program is in compliance with the New York State Regulations for Social Adult Day Care. Eligible participants must be age 60 or older and functionally impaired, meaning needing assistance of another person in at least one of the following activities of daily living: toileting, mobility, transferring and eating; or needing supervision due to cognitive and /or psycho-social impairment. Services include a noon meal and transportation to and from the program

2) Program/Service Objectives and Outcomes.

- To provide 5-hour per weekday adult day care programming
- To provide noon meal and transportation
- To provide services that include socialization, supervision and monitoring, personal care, nutrition, appropriate activities- maintenance and enhancement of daily living skills, caregiver assistance and transportation.
- To provide intergenerational programming to ensure a mutually beneficial social opportunity for program participants and area youth

3) Program Design and Staffing Level

Each adult day service provider will serve OFA authorized participants with a structured 5 hour program that meets the NY State regulations. Each site will have a coordinator and sufficient staff, both paid and volunteer, to supervise participants in a safe environment, and the staff will provide appropriate activities and therapies that will enhance the participants general wellbeing.

Oneida County Department Funding Recommendation: \$ 60.00 /day total

Proposed Funding Source (Federal/State/County): (\$ 105,000.00) ACCT#: A6772.495.116  
Federal: \$0 State: 75% (\$78,750.00) County: 25% (\$ 26,250.00)

Cost per Client Served: \$60.00 per client per five hour day

Past Performance Data: The Resource Center for Independent Living has provided Adult Day Care since 1984.

Oneida County Department Staff Comments:



Anthony J. Picente, Jr.  
County Executive

Oneida County  
Office for the Aging & Continuing Care  
Website: www.ocgov.net



Michael J. Romano  
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

October 20, 2009

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

7N2009-448

**PUBLIC HEALTH  
WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -9 PM 3:35

Dear Mr. Picente:

I am submitting the following Letter of Agreement between the Oneida County Office for the Aging/ Office of Continuing Care and the Presbyterian Residential Community, for your review and approval.

This Agreement is for the provision of Adult Day Services. This agreement will continue to provide community based long term care services to the frail and elderly and save taxpayer dollars by preventing premature nursing home placement. The total amount of this agreement is \$85,000, with 75% State (\$63,750.00) and 25% (\$21,250.00) County funds with no new county dollars involved.

This contract will commence January 1, 2010 and terminate December 31, 2010.

I am available at your convenience to answer any questions you may have regarding this agreement.

Sincerely,

Michael J. Romano  
Director

MJR/grb

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

Anthony J. Picente, Jr.  
County Executive

Date 10/6/09

**Oneida County Board of Legislators  
Contract Summary**

Name of Proposing Organization: **Presbyterian Residential Community**  
Title of Activity or Service: Social Adult Day Care  
Proposed Dates of Operation: January 1, 2010 through December 31, 2010

Client Population/Number to be Served: Frail elderly age 60+ with functional impairment.

**Summary Statements:**

- 1) Narrative Description of Proposed Services.  
Social Model Adult Day Services is a structured five hour, five day a week adult day care that serves frail elderly individuals in a supervised group setting. The program is in compliance with the New York State Regulations for Social Adult Day Care. Eligible participants must be age 60 or older and functionally impaired, meaning needing assistance of another person in at least one of the following activities of daily living: toileting, mobility, transferring and eating; or needing supervision due to cognitive and /or psycho-social impairment. Services include a noon meal and transportation to and from the program
- 2) Program/Service Objectives and Outcomes.
  - To provide 5-hour per weekday adult day care programming
  - To provide noon meal and transportation
  - To provide services that include socialization, supervision and monitoring, personal care, nutrition, appropriate activities- maintenance and enhancement of daily living skills, caregiver assistance and transportation.
  - To provide intergenerational programming to ensure a mutually beneficial social opportunity for program participants and area youth
- 3) Program Design and Staffing Level  
Each adult day service provider will serve OFA authorized participants with a structured 5-hour program that meets the NY State regulations. Each site will have a coordinator and sufficient staff, both paid and volunteer, to supervise participants in a safe environment, and the staff will provide appropriate activities and therapies that will enhance the participants general wellbeing.

Oneida County Department Funding Recommendation: \$ 60.00 /day

Proposed Funding Source (Federal/State/County): \$ 85,000.00 ACCT#: A6772.495.116  
Federal: \$0 State: 75% (\$ 63,750.00) County: 25% (\$ 21,250.00)

Cost per Client Served: \$60.00 per client per five hour day.

Past Performance Data: The Presbyterian Residential Community has been operating a successful Adult Day Care program for the residents of Oneida County for a number of years.

Oneida County Department Staff Comments:

# 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

## HEALTHY LIVING PARTNERSHIP PROGRAM

Phone: (315) 798-5248 Fax: (315) 798-5071

7M2009-449

September 21, 2009

**PUBLIC HEALTH**

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

**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 NOV -9 PM 3:36

Dear Mr. Picente:

Enclosed please find three (3) original copies of the agreement between Oneida County through its Health Department and Herkimer County Health Dept., for the provisions of breast, cervical and colorectal screening services for men and woman who are uninsured or underinsured in Oneida, Madison and Herkimer Counties. This agreement shall go into effect upon execution and shall remain in effect until March 31, 2012.

If this agreement meets with your approval, please sign where indicated.

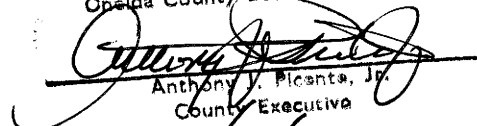
Feel free to contact me at 798-5480 if you require additional information.

Sincerely,



Daniel W. Gilmore, PH.D.  
Director of Environmental Health  
Supervisor-In-Charge

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

  
Anthony J. Picente, Jr.  
County Executive  
Date 11/9/09

BOARD PACKET

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

**DIVISION:** Cancer Services Partnership Program

**NAME AND ADDRESS OF CONTRACTOR:** Herkimer County Health Department  
301 N. Washington Street  
Suite 2300  
Herkimer, NY 13350

**CONTACT PERSON:** Dr. Gregory O'Keefe

**DESCRIPTION OF CONTRACT:** To implement the Cancer Services Partnership Program, a comprehensive breast, cervical and colorectal cancer screening program, for those who are residents of Oneida, Herkimer and Madison Counties.

**CLIENT POPULATION SERVED:** Those who are residents of Oneida, Herkimer and Madison counties and meet the programs criteria as specified by New York State Department of Health.

**PREVIOUS CONTRACT YEAR:** Upon execution by both parties and shall remain in effect until 3/31/2009.

**TOTAL CONTRACT REIMBURSEMENT:** As part of the grant program, funded by NYS Department of Health, this includes a total of \$ 4,000.00 yearly.

**THIS CONTRACT YEAR:** Upon execution by both parties and shall remain in effect until March 31, 2012

**TOTAL CONTRACT REIMBURSEMENT:** As part of the grant program, funded by NYS Department of Health, this includes a total of \$ 4,000.00 yearly.

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


**FUNDING SOURCE:** 4091.495

**Less Revenues:**

<b>State Funds</b>	\$ 100% reimburse
<b>County Dollars - Previous Grant</b>	\$ N/A
<b>County Dollars - This Grant</b>	\$ -0-

**SIGNATURE:** Daniel W. Gilmore  
Director of Environmental Health  
Supervisor-In-Charge

**DATE:** June 15, 2009

Date: 6-30-09  
 BY:   
 Brian Miga  
 Asst. Oneida County Attorney

# Oneida County Department of Public Works

ANTHONY J. PICENTE JR.  
County Executive

JOHN J. WILLIAMS  
Commissioner

6000 Airport Road  
Oriskany, New York 13424  
Phone: (315) 793-6200  
Fax: (315) 768-6299

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

October 30, 2009

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

7N2009-450

**PUBLIC WORKS**

**WAYS & MEANS**

2009 NOV -9 PM 3:33

RECEIVED  
ONEIDA COUNTY LEGISLATURE

Dear County Executive Picente,

Enclosed is the First Amendment to Lease dated January 1, 2007 by and between Oneida County and the Utica & Mohawk Valley Chapter of the National Railway Historical Society for space located in the Boehlert Center at Union Station, Utica, NY. As per Paragraph 21 (enclosed for reference) of the aforementioned lease, the Utica & Mohawk Valley Chapter of the National Railway Historical Society has requested one (1) additional three (3) year term. The lease rates would increase as shown on the lease amendment.

Please consider the enclosed lease amendment at your earliest convenience and if acceptable forward to the Oneida County Board of Legislators for consideration.

Thank you for your support.

Sincerely,

John J. Williams  
Commissioner of Public Works

By,



Mark E. Laramie, P.E.  
Deputy Commissioner, Division of Engineering

cc: Mark E. Laramie, PE, Deputy Commissioner  
File  
RF



## Oneida County Board of Legislators Contract Summary

Name of Proposing Organization: Utica & Mohawk Valley Chapter of the National Railway Historical Society

Title of Activity or Service: First Amendment to Lease

Client Population/Number to be Served: N/A

### Summary Statements:

#### 1) Narrative Description of Proposed Services:

First Amendment to Lease Agreement with the Utica & Mohawk Valley Chapter of the National Railway Historical Society for office space at Union Station. Amendment would exercise renewal option for one (1) additional three (3) year term.

#### 2) Program/Service Objectives and Outcomes:

N/A

#### 3) Program Design and Staffing Level:

N/A

Total Funding Requested: \$1,103.04 (Revenue)

Oneida County Department Funding Recommendation: \$1,103.04 Account # A1740

Proposed Funding Source: Federal N/A State N/A County N/A

Cost Per Client Served: N/A

Past Performance Data: N/A

#### Oneida County Department Staff Comments

The Utica & Mohawk Valley Chapter of the National Railway Historical Society will pay rent to Oneida County in the amount of \$1,103.04 per year.

FIRST AMENDMENT TO LEASE

First Amendment to Lease dated January 1, 2007 by and between the COUNTY OF ONEIDA (Lessor) and UTICA & MOHAWK VALLEY CHAPTER of the NATIONAL RAILWAY HISTORICAL SOCIETY (Lessee), as amended:

- A. Lessor and Lessee agree to exercise the option to renew this lease on the same terms for one (1) additional three (3) year term beginning January 1, 2010 and ending December 31, 2012.
- B. As per Paragraph 21, Renewal Option, of the original Lease Agreement, the annual rental payment shall be \$1,103.04. Such rents shall be payable to Lessor in monthly payments of \$91.92 the first of which is due January 1, 2010 with subsequent monthly payments due on the first day of each month thereafter.
- C. In addition to the rental payments the Lessee agrees to provide for the Lessor the Adopt-A-Station cleanup and minor maintenance as outlined in Exhibit B of the original Lease Agreement.
- D. All other terms and conditions of the original lease dated January 1, 2007 shall be in full force and effect unless specifically amended in this First Amendment.

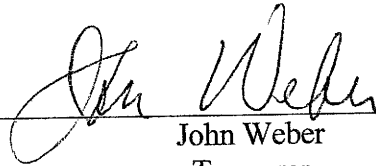
COUNTY OF ONEIDA

UTICA & MOHAWK VALLEY CHAPTER of the  
NATIONAL RAILWAY HISTORICAL SOCIETY

By: \_\_\_\_\_

Anthony J. Picente Jr.  
Oneida County Executive

By: \_\_\_\_\_

  
John Weber  
Treasurer

APPROVED AS TO FORM

By: \_\_\_\_\_

Linda M.H. Dillon, Esq.  
Oneida County Attorney